
**PENDENGARAN AWAM JAWATANKUASA PILIHAN KHAS
PENAMBAHBAIKAN PROSES PILIHAN RAYA
BILIK MESYUARAT JAWATANKUASA 1,
BANGUNAN PARLIMEN**

SABTU, 12 NOVEMBER 2011

AHLI-AHLI JAWATANKUASA

Hadir:

YB. Datuk Seri Panglima Dr. Maximus Johnity Ongkili
[Menteri Sains, Teknologi dan Inovasi] - *Pengerusi*

YB. Dato' Seri Mohd. Radzi Sheikh Ahmad [Kangar] - *Timbalan Pengerusi*

YB. Tan Sri Datuk Seri Dr. Fong Chan Onn [Alor Gajah]

YB. Tuan P. Kamalanathan a/l P. Panchanathan [Hulu Selangor]

YB. Datuk Alexander Nanta Linggi [Kapit]

YB. Tuan Mohamed Azmin Ali [Gombak]

YB. Dr. Mohd. Hatta Md. Ramli [Kuala Krai]

YB. Tuan Loke Siew Fook [Rasah]

YB. Tuan Wee Choo Keong [Wangsa Maju]

YBhg. Datuk Roosme binti Hamzah - *Setiausaha*

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Encik Amisyahrizan bin Amir Khan [Ketua Penolong Setiausaha
(Perundangan dan Prosiding)]

Encik Mohd. Ikram bin Seri @ Rahimi [Penolong Setiausaha Kanan
(Perundangan dan Prosiding)]

Encik Wan Kamarul Ariffin bin Wan Ibrahim [Penolong Setiausaha I
(Perundangan dan Prosiding)]

Encik Zulfazly bin Mohammad Penolong Setiausaha II
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Parlimen Malaysia

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Suruhanjaya Pilihan Raya Malaysia

Cik Yusniati binti Ishak [Setiausaha Bahagian (PD)]

Encik Hamzah bin Mohd Noor [Penolong Setiausaha]

Encik Harun Che Su [Timbalan Setiausaha]

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Puan Rafidah binti Datu Derin [Timbalan Setiausaha Bahagian]
Puan Maimon bin Yasin [Timbalan Setiausaha Bahagian (Operasi) PP]
Encik Muhamad Sade bin Mohamad Amin [Setiausaha Bahagian
(Bahagian Parlimen dan Kabinet)]

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(Jabatan Pendaftaran Negara)]
Puan Mazni binti Bidin [Pegawai Khas KPPN]
Encik Ruslan bin Alias [Penolong Pengarah Kad Pengenalan]
Puan Laila binti Abdul Majid [Timbalan Pengarah Bahagian Teknologi Maklumat]
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Polis Diraja Malaysia

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Kementerian Luar Negeri

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Awam]

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Suruhanjaya Hak Asasi Manusia Malaysia (SUHAKAM)

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Cik Lau Son Pian

Puan Noor Azizah binti Atdenan

Pemuda PAS

Encik Suhaizan bin Kaiat

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Encik Rajiv a/l Rishyakaran [Setiausaha]

Encik Lee Hwan Bo

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Encik Chan Boon Hong

Encik Tan Chan Kiang

Puan May Lun

Encik Lee Ching Hung

Encik Wong Sing Yee

Encik Tay Khan King

Encik Chan Huan Guan

Hospital Tung ShinDr. Ng Swee Choon [*Consulting Cardiologist*]Dr. Ng Kwee Boon [*Senior Consulting Obstetrician and Gynecologist*]Dr. Steve Wong King Shen [*Consultant Plastic Surgeon*]

Dr. Yong Su Mei

Dr. Tan Wee Kee

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Growing Emerging Leaders CentrePuan Jasmine Ng Kit Ching [*Chairperson*]

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LAPORAN PROSIDING**PENDENGARAN AWAM JAWATANKUASA PILIHAN KHAS
PENAMBAHBAIKAN PROSES PILIHAN RAYA
PARLIMEN KEDUA BELAS, PENGGAL KETIGA****Bilik Mesyuarat Jawatankuasa 2, Parlimen Malaysia****SABTU, 12 NOVEMBER 2011*****Mesyuarat dimulakan pada pukul 9.41 pagi***

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

Tuan Pengerusi: Ahli-ahli Yang Berhormat, saya ingin memulakan dahulu *pre council* sebentar khas untuk Ahli-ahli Jawatankuasa ini serta juga pegawai-pegawai yang mewakili pelbagai jabatan dan agensi untuk kita memberi perhatian. Sekali lagi, selamat pagi dan salam sejahtera kepada kita semua, Ahli-ahli Yang Berhormat dari Jawatankuasa berhubung dengan Penambahbaikan Proses Pilihan Raya Dewan Rakyat Parlimen yang ke-12 ini, kepada Setiausaha Dewan Rakyat merangkap Setiausaha Jawatankuasa Pilihan Khas, Yang Berbahagia Datuk Roosme binti Hamzah, wakil-wakil agensi kerajaan, pegawai-pegawai Parlimen dan tuan-tuan dan puan-puan sekalian.

Selagi lagi terima kasih di atas kehadiran. Ini adalah hari kedua pendengaran awam yang pertama dan kelmarin pun kita telah pun menyelesaikan hari yang pertama ini melalui pendengaran awam. Kita telah pun berjumpa dengan pelbagai kumpulan kelmarin untuk mendapatkan maklum balas daripada pertubuhan-pertubuhan yang berdaftar, parti-parti politik atau individu terhadap penambahbaikan proses perjalanan pilihan raya. Setakat semalam, sebanyak 12 organisasi dan individu telah memberi cadangan dan pandangan kepada jawatankuasa ini.

Sebelum kita memulakan sesi pendengaran awam pada hari ini, sukacita saya ingin memaklumkan jadual tugas bagi Jawatankuasa Kecil untuk membincangkan terma rujukan yang dipersetujui oleh Jawatankuasa Pilihan Khas sebelum ini. Untuk makluman, seperti mana yang telah saya maklumkan pada Mesyuarat Keempat Jawatankuasa ini, pembahagian tugas itu adalah berdasarkan kepada Jawatankuasa Kecil di kalangan Ahli-ahli Yang Berhormat yang dibahagikan kepada lima terma rujukan seperti yang dipersetujui pada hari Khamis, 9 November 2011. Oleh yang demikian, selepas ini saya ingin membaca senarai tersebut dan ia adalah terkandung di dalam edaran di situ.

Saya ingin menetapkan ini supaya kita tahu siapa-siapa pegawai yang akan membantu setiap Jawatankuasa Kecil yang diketuai oleh Ahli-ahli Yang Berhormat dan tertakluk kepada isu yang dibincangkan itu, memang kita inginkan pelbagai jabatan yang terlibat.

Jadi mengikut jadual ini, bagi Jawatankuasa Kecil Undang-undang dan Peraturan yang Berkaitan dengan Pilihan Raya yang akan dipengerusikan bersama tetapi *lead chairman* ialah Yang Berhormat Dato' Seri Mohd. Radzi Sheikh Ahmad, Yang Berhormat Kangar dan gandingannya yang belum lagi sampai pada pagi ini iaitu Yang Berhormat Wangsa Maju. Akan tetapi saya katakan bahawa Ahli Yang Berhormat bebas juga untuk mengikuti ya. *You* boleh daftar diri pada itu tetapi yang mengemas kini, yang *given responsibility* ini ada dua. Pegawai-pegawai adalah seperti berikut. Semua agensi ambil perhatian. Ini telah pun saya difahamkan dalam perbincangan awal.

Setiausaha utama daripada agensi teraju ialah Encik Harun Che Su, Timbalan Setiausaha di situ. Ada beliau di sini?... Okey, *full time*.

Juga dari SPR, Penasihat Undang-undang.

Saya pergi ke KDN, Setiausaha Bahagian, Wan Siti Zawiyah Osman. Ada di sini? Ini yang telah pun dinamakan. Kita mahu pegawai yang cukup terkanan supaya mengetahui apa itu perkara-perkara yang dibincangkan secara menyeluruh dan berada dalam kedudukan yang jika ada perlu dirujuk untuk makluman kepada Ketua Pengarah, ia cukup tinggi. *So not less than* Setiausaha Bahagian untuk Ketua Penolong. Begitu pasukan di situ.

Nanti pihak Ahli Yang Berhormat yang mempengerusikan ini boleh menambah mana-mana agensi ataupun wakil yang diperlukan.

Pengkaji proses pilihan raya yang diketuai bersama oleh Ahli Parlimen Gombak dan Ahli Parlimen Hulu Selangor. Ketuanya ialah Ahli Parlimen dari Gombaklah.

Pegawai teraju begitu juga ialah Penolong Setiausaha daripada SPR, Encik Hamzah bin Mohd Noor serta juga dari JPN.

Timbalan Pengarah Bahagian Kewarganegaraan dan Bahagian Penerangan dan Diplomasi Awam daripada Kementerian Luar Negeri. Jika beliau ada di sini, perlu pihak Setiausaha memaklumkan.

Serta juga daripada SPRM.

Penerangan dari segi Parlimen.

Sekali lagi, di mana yang perlu untuk membantu mengemas kini perkara-perkara yang dibangkitkan sebagai cadangan dan bila mula untuk membuat laporan, pegawai yang lain boleh dimasukkan.

Bahagian penambahbaikan daftar pemilih yang saya dan Yang Berhormat Rasah akan ketuai dan siapa-siapa lagi Ahli Yang Berhormat yang lain. Daripada SPR, Pengurus ICT, agensi dan panel teraju. Nanti bisa diatur ya?

Daripada bahagian KDN, Timbalan Setiausaha Bahagian Pendaftaran.

Daripada JPN, Timbalan Pengarah Bahagian Teknologi Maklumat. Saya rasa tidak kurang daripada pegawai-pegawai ini adalah diperlukan kerana ia ada kaitan dengan pengemaskinian, *retrieval system* dan seterusnya. Juga dari segi perihal ada berkaitan dengan *defense*, pengurus ICT.

Dari KLN, sekali lagi Ketua Penolong Setiausaha.

Dari PDRM, Timbalan Pengarah Jabatan Siasatan Awam perlu dimaklumkan.

Saya ingin masukkan satu lagi. Pakar dari MIMOS Berhad kerana mereka ini dari bidang teknologi ICT. Kita tengok bagaimana kita boleh menggunakan teknologi terkini dari segi *retrieval*, pengemaskinian dan seterusnya. So barangkali wakil Ketua Eksekutif MIMOS akan kemas kini.

Keempat iaitu berkaitan dengan membekukan Suruhanjaya Pilihan Raya Institusi Pelaksana khususnya yang diketuai oleh Yang Berhormat Alor Gajah dan Yang Berhormat Kuala Krai.

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Ketua Setiausaha utama ialah daripada SPR, KPSU Akademi Pilihan raya, Tuan Mohd Kanafi Mohd Jamil, bukan 'Gadafi'.

Dan KDN Setiausaha, SPRM Timbalan Pengarah, dan PDRM dan seterusnya dari Parlimen, Setiausaha Bahagian penyelarasan.

Yang terakhir iaitu sistem alternatif dan apa-apa lagi cadangan lain diketuai oleh Tuan Wee Choo Keong bersama dengan Yang Berhormat Kapit dan di sini juga SPR pegawai latihan dan akademi pilihan raya terajui serta juga wakil JPN, PDRM, MINDEF, SPRM, KLN, Penerangan dan Bahagian Parlimen. Jadi, boleh masukkan pegawai-pegawai lain. Pegawai utama itu *almost* berfungsi sebagai setiausaha.

Jadi di mana-mana apabila kita ada Pendengaran Awam, harus pasukan ini dan kalau Yang Berhormat yang mempengerusikan, berjumpa dengan pegawai-pegawai ini, pada sesi Pendengaran Awam untuk apa yang hendak dicatat dan seterusnya bolehlah dilaksanakan.

Nanti saya bekalkan satu format yang digunakan oleh satu jawatankuasa dahulu - PLKN dan Perpaduan, *and I think* sama juga Jawatankuasa Pilihan Khas dipengerusikan oleh Yang Berhormat Kangar. Satu format untuk membantu melengkapkan perkara-perkara yang dibangkitkan.

la *very simple* sahaja, satu matriks. Siapa yang bangkit, apa isu yang dibangkitkan dan apa ulasan nanti oleh pihak Jawatankuasa ini dan akhirnya apa ketetapan terakhir. Okey, *first thing is to make sure that key views* yang dikemukakan itu tidak tercicir. Ini daripada Pendengaran Awam, ini daripada mesyuarat kita, itu daripada email dan seterusnya dimasukkan di situ supaya apabila kita katakan pandangan tuan akan diambil kira, kita harus catatkan seboleh-bolehnya, *of course not all, at the end of the day*, kita mahu ulas atau tidak terpulang kepada *priority, rating* yang dalam pandangan kita sebelum kita hendak masuk ataupun tidak, okey.

So, itu sebagai *guide line* sahaja kerana masa itu singkat dan saya sudah kemukakan kepada pihak yang bertanggungjawab kepada Parlimen bahawa kita hendak membentangkan satu laporan awal pada hari terakhir persidangan. Hari terakhir ialah 1 Disember so, kita tidak perlu pasang usul. Saya cadangkan dan kita akan mengambil masa untuk membincangkan isi kandungan tetapi setakat untuk melaporkan perjalanan sampai kepada..., saya rasa Pendengaran Awam di Kota Kinabalu pada 25 November nanti. Selepas itu tidak ada masa. *Just listing* dengan izin, *all the issues have been raised by the public and the issues that already been deliberated* oleh kita. Kalau dua, tiga sahaja kita setuju okey, kita catatkan bahawa kita setuju dengan perkara ini. Yang boleh dipersetujui kita katakan, untuk pertimbangan seterusnya pihak Jawatankuasa setelah mendengar lebih banyak maklumat daripada pihak awam melalui Pendengaran Awam, *then we produce the Hansard word-by-word* dari *meeting* kita, seperti dalam PAC biasa, serta juga *Hansard* Pendengaran Awam. *Some will be in 'disket'* so, *at least* ada hasil daripada apa yang telah dilaksanakan sebab hendak tunggu *Mac Sitting* akan begitu susah.

Hari ini juga sebelum kita hendak panggil pendengaran awam saya hendak buat ketetapan mengenai apa Yang Berhormat Gombak telah pun sentuh dua hari yang lalu mengenai dengan cadangan satu ketetapan supaya jawatankuasa ini mengambil pendirian mengenai dengan soal apa yang dibangkitkan di luar di situ yang mengatakan bahawa Parlimen tidak harus dibubarkan sebelum Jawatankuasa ini selesai tugasnya. Setelah mendengar hujah-hujah semua empat dari kiri, dan empat dari sebelah kanan di sini, saya sebagai Tuan Pengerusi memutuskan supaya Jawatankuasa ini memainkan peranan yang bebas dan kekal kepada jawatankuasa dan terma rujukan Jawatankuasa. Dengan itu kita harus fokus terus kepada peranan kita seperti yang tertulis di situ dan kita tidak harus terlibat dengan pandangan luar yang berbelah-belah dari segi harus pandangan mengenai bila Dewan itu dibubarkan atas tiga sebab.

Nombor satu - luar daripada terma kita, kalau terma kita berfokus kepada perkara penambahbaikan; kedua - kuasa untuk membubarkan itu adalah kuasa Perdana Menteri; ketiga - kita tidak mahu ikut sama spekulasi-spekulasi yang diadakan di luar; dan saya rasa yang keempat - kalau kita mahu melakukan seperti itu, bolehlah seperti Ahli-ahli Yang Berhormat di Dewan Parlimen. Jadi, itu pendekatan yang telah saya buat apabila mendengar kedua-dua pihak. Kita berkecuali daripada pandangan umum tersebut. Okey, saya harap itu dapat kita sebagai pandangan dan terma. Saya rasa, itu sahaja hari ini. Kita boleh mula panggil saksi.

Tuan Loke Siew Fook [Rasah]: Tuan Pengerusi, satu *point* sahaja. Semalam saya ada tanya mengenai dengan data berkenaan dengan kewarganegaraan yang saya minta daripada Jabatan Pendaftaran Negara. Saya ucapkan terima kasih kepada JPN yang telah bekalkan. Cuma dalam surat yang dibagikan oleh KDN dia ada dua lampiran. Lampiran 1 dan Lampiran 2. Saya tengok di sini ada dua lampiran yang dibekalkan dan saya minta supaya lampiran 2 juga diberikan...

Tuan Pengerusi: Ada JPN, ada? Okey, sila edarkan maklumat.

Tuan Loke Siew Fook: Kedua Tuan Pengerusi, saya juga hendak tanya berkenaan dengan difahamkan bahawa ada banyak *feedback* melalui *email* dan sebagainya. Cuma kita hendak tahu, bagaimana kita dapat lihat dan baca *email-email* tersebut.

Tuan Pengerusi: Saya telah mengarah supaya setiap yang datang itu walaupun pendek kadang-kadang dua *line* sahaja adalah direkodkan dan dikumpulkan dan setiap Ahli Yang Berhormat diberi salinan dan pada masa yang sama pihak Parlimen boleh merujuk kepada Jawatankuasa Kecil yang mana relevan, okey Datuk Roosme tetapi Ahli Yang Berhormat juga boleh menapis sendiri dan dengan izin mengatakan bahawa, *I'm interested in this one*. Saya hendak masukkan dalam saya punya *column* dan kemungkinan kita boleh panggil orang itu. Ada juga yang cukup bagus, cukup panjang, ada yang panjang dan ada sampai enam lembar dia kasi. *I have marked some and I said how about listening to this guy*, begitu.

Tuan Wee Choo Keong [Wangsa Maju]: Tuan Pengerusi, bolehkah apa-apa yang kita terima laporan atau *report* yang kita terima sebelum mereka masuk boleh diedarkan dahulu kalau dapat awak. Kalau kita dapat awal, kita boleh baca dahulu dan kita boleh...

Datuk Alexander Nanta Linggi [Kapit]: Tuan Pengerusi, ini berkaitan dengan apa yang dibekalkan oleh JPN statistik pengeluaran sijil warga negara. Muka surat 3 mengapa dikatakan lain-lain, mengapa tidak dapat ditentukan negara tersebut.

Tuan Pengerusi: Ada negara lain-lain?

Datuk Alexander Nanta Linggi: Disebut negara lain-lain. Mengapa tidak disebut tepat?

Tuan Pengerusi: *Too many...*

Datuk Alexander Nanta Linggi: Akan tetapi ada juga yang satu itu. *Just a curious* sebab...

Tuan Pengerusi: Okey minta JPN menjelaskan 232.

Dato' Jariah binti Mohd Said [Ketua Pengarah Jabatan Pendaftaran Negara]: Tuan Pengerusi, dan ahli-ahli Yang Berhormat kod yang lain ini sebenarnya kita tidak ada kod mereka. Ini sebab dalam data kita masih dalam rekod lama. Jadi kita tidak dapat hendak masukkan lagi sebab tidak pasti. Jadi kita letak *under* lain-lain.

Dr. Mohd. Hatta bin Md. Ramli [Kuala Krai]: Saya rasa permohonan ini diluluskan dalam 2010. Ada pula rekod-rekod lama. Apa pula rekod lama? Tahun 2010, tidakkan tidak tahu?

Dato' Jariah binti Mohd Said: Tahun 2010 ini Yang Berhormat...

Tuan Pengerusi: Yang 73.

Dr. Mohd. Hatta bin Md. Ramli: Jumlah 73 orang ini. Lainlah kalau dia mohon...

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Dato' Jariah binti Mohd. Said: Bukan, tahun 2010 ialah tahun keputusan dibuat. Sebenarnya, sebelum tahun 2009, banyak yang tidak diproses. Mulai tahun 2009 dan 2010, kita menetapkan KPI supaya menyelesaikan semua permohonan lama. *That is why* ia jatuh pada tahun 2010. Sebenarnya permohonan itu lebih awal daripada itu.

Tuan Dr. Mohd. Hatta bin Md. Ramli: Kiranya dalam permohonan masa dibuat dalam tahu 2010 ini, negeri datang ini tidak ambil berat kah, dalam borang permohonan mereka untuk *citizenship* yang 73 orang ini?

Dato' Jariah binti Mohd. Said: Ya tetapi masalahnya dari segi kod, kod itu kita belum dapat mengenal pasti hendak masuk kod mana. Sekarang ini kita masih berusaha untuk memasukkan dalam...

Tuan Pengerusi: Boleh dapat pecahan negara-negara ini?

Dato' Jariah binti Mohd. Said: Nanti saya akan bekalkan.

Tuan Pengerusi: Okey, barangkali itu alasan asas untuk memasang kod nantilah. Sebab kalau ada barangkali yang lebih daripada katakan lima atau sepuluh, *maybe* dia *deserve to be given a code* lah.

Tuan Mohamed Azmin bin Ali [Gombak]: Tuan Pengerusi, kalau saya boleh tambah sedikit. Masalah *coding* ini masalah pentadbiran. Namun, saya percaya dalam permohonan individu yang berkenaan, pastinya dinyatakan negara asal pemohon.

Dalam meluluskan permohonan tersebut, saya percaya JPN dan juga KDN akan menyemak latar belakang pemohon dari negara mana, latar belakangnya bagaimana dan sudah tentu permohonan ini diasaskan kepada maklumat-maklumat yang diberikan. Saya percaya *coding* itu adalah masalah pentadbiran sahaja dan JPN sudah tentu tahu negara asal pemohon dan patut disenaraikan di dalam penjelasan kepada Jawatankuasa ini.

Tuan Pengerusi: Okey, sila.

Dato' Jariah binti Mohd. Said: Tuan Pengerusi, saya akan membekalkan senarai yang lengkap berdasarkan ini kemudian. Saya akan bekalkan.

Tuan Pengerusi: Okey, bila kita katakan mengikut negara asal, jadi ini orang Afghan misalnya, pada tahun lalu yang memohon, begitukah ini? Akan tetapi bila kita sebut Malaysia, ini mereka yang dulu memegang *red IC* ataupun bagaimana?

Dato' Jariah binti Mohd. Said: Yang dari Malaysia ini Tuan Pengerusi, mereka ini masa lahir – ada yang contoh saya beri, mereka tidak daftar perkahwinan.

Tuan Pengerusi: Tidak daftar perkahwinan?

Dato' Jariah binti Mohd. Said: Tidak daftar perkahwinan, jadi berlakulah anak tidak sah taraf. Jadi mereka perlu mendaftarkan perkahwinan. Apabila mereka mendaftarkan perkahwinan, mereka memohon di bawah Perkara 15(2) di dalam 'keadaan-keadaan khas'. Jadi selepas itu kita minta adakan ujian DNA untuk memastikan bahawa mereka ini betul-betul anak pemohon.

Tuan Pengerusi: Okey, itu satu kategori. Bagaimana mereka yang dulu *red*, dimerahkan?

Dato' Jariah binti Mohd. Said: Kalau daripada merah kepada biru, mereka adalah penduduk tetap. Mungkin mereka ini banyak yang berasal dari luar negara.

Tuan Pengerusi: Jadi ini masuk sini juga?

Dato' Jariah binti Mohd. Said: Ini tidak masuk.

Tuan Pengerusi: Sempadan Sabah, Sarawak dengan Indonesia, masih banyak Dayak pegang I/C merah so, dari semasa ke semasa apabila kajian dilakukan, mereka dinaiktaraf kepada biru, itu masuk mana?

Dato' Jariah binti Mohd. Said: Kalau kata mereka pegang merah, mereka akan diletakkan di bawah Perkara 19(1).

Tuan Pengerusi: Dia masuk sini?

Dato' Jariah binti Mohd. Said: Dia sebenarnya akan masuk Malaysia dan ada yang bukan Malaysia. Kita akan tengok asal usul mereka.

Tuan Pengerusi: Ya, ada yang masuk, ada yang tidaklah.

Dato' Jariah binti Mohd. Said: Ada yang masuk, ada yang tidak.

Tuan Pengerusi: Okey, perkara-perkara ini kita boleh bangkitkan balik pada hari Selasa. Kita ada banyak *queue* di luar sana. Apa-apa maklumat yang diperlukan, kalau boleh dibekalkan, minta dibekalkan terus pada hari Isnin dan hari Selasa kita akan berjumpa.

Okey, bolehlah buka untuk *Public Hearing*. Bolehlah masuk untuk cukup duduk dan selepas itu yang lain terpaksa tunggu *web streaming* lah. Okey, kumpulan pertama yang kita panggil ialah daripada *the Association for the Promotion of Human Rights*.

[Saksi-saksi the Association for the Promotion of Human Rights mengambil tempat di depan Jawatankuasa]

10.08 pg.

Tuan Pengerusi: Siapa-siapa pemerhati yang hendak masuk boleh masuk asalkan cukup kerusi. Silakan Tan Sri dan Dato' Michael Yeoh. Okey Ahli-ahli Yang Berhormat dan pihak tuan-tuan dan puan-puan sekalian. Siapa yang ingin masuk, sila masuk sampai kerusi penuh sahaja. Lain itu terpaksa melihat di luar melalui *web streaming*.

Sekali lagi kepada Ahli-ahli Yang Berhormat serta juga para hadirin sekalian dan pemerhati, selamat pagi, salam sejahtera dan selamat datang ke sesi pendengaran awam Jawatankuasa Pilihan Khas berhubung dengan Penambahbaikan Proses Pilihan Raya Dewan Rakyat bagi hari kedua pendengaran awam yang pertama. Saya bagi pihak Jawatankuasa mengalu-alukan kehadiran tuan-tuan dan puan-puan sekalian dan juga khususnya bagi mereka yang telah pun meminta dijemput ataupun meminta untuk didengar oleh pihak Jawatankuasa.

Jadi pada hari ini kita akan terus menyambung beberapa organisasi yang telah pun memohon untuk berjumpa dengan pihak kita. Saya hanya ingin memaklumkan sekali lagi, saya ingin memperingatkan khususnya para pemerhati bahawa ini adalah persidangan Parlimen, dan ia tertakluk kepada semua peraturan-peraturan tetap Parlimen. Saya minta pihak awam khususnya yang datang untuk sekadar mendengar dan memerhati supaya berada dalam keadaan tatatertib seperti dalam Parlimen. *No recording* oleh pihak luar. *Recording* yang diadakan semua itu adalah seperti mana yang dilakukan oleh pihak Parlimen. Kelmarin saya dimaklumkan ada pihak awam juga yang cuba mengambil *recording* di dalam. Kita boleh dengar, catat, *reporter* boleh mengambil maklum dan catat apa yang dibincangkan.

Seterusnya, untuk makluman sekali lagi, memandangkan ini adalah *Parliament in session, recording is verbatim, and it will be available in Hansard*.

■1010

Seperti saya katakan tadi, peraturan-peraturan *standing orders* itu *apply*, tidak boleh tuduh menuduh tanpa ada bukti yang tertentu dan seterusnya. Juga kita mohon kalau ada dokumen untuk dikemukakan, dipersilakan dan itu akan menjadi *exhibit* nanti kepada *Committee* ini.

Okey, untuk Pendengaran Awam yang pertama adalah dari *the Association for the Promotion of Human Rights*. Difahamkan ada dua wakil persatuan yang turut hadir. Yang pertama Yang Berbahagia Tan Sri Ramon Navaratnam, dan yang kedua Yang Berbahagia Dato' Michael Yeoh. *Welcome Tan Sri, Dato'*. Sebagai wakil persatuan, *we give you starting of ten minute for presentation and then follow by interruption. You may speak in language of Parliament is Bahasa Malaysia but dengan izin, English you may do so. Thank you.*

Datuk Seri Dr. Fong Chan Onn [Alor Gajah]: *Mandarin also can?*

Tuan Pengerusi: *Mandarin dan Dayak, Iban, Dusun, Kadazan can, but we don't have the translation facility.*

Tuan P. Kamalanathan a/l P.Panchanathan [Hulu Selangor]: *Tamil boleh...? [Ketawa]*

Tuan Pengerusi: *Okey, dipersilakan.*

10.10 pg.

Tan Sri Ramon Navaratnam [The Association for the Promotion of Human Rights]: *Yang Berhormat Datuk Seri Maximus Ongkili dan Ahli-ahli Panel Select Committee dan saudara-saudari sekalian. Selamat pagi, selamat sejahtera. Dengan izin, I hendak bagi introduction. Kita dari PROHAM, Dato' Michael Yeoh and myself. I'm not Michael Yeoh and he's not Tan Sri Ramon Navaratnam. We are really privilege to be here. It's an honour to be asked to participate in this very important forum. Let me first congratulate government for instituting this Parliamentary Select Committee and to congratulate you all for having been appointed because I think it's 'an honour Members' that is selected for this very important role.*

We are going to present Sir this report which we had passed on to the Election Commission. As PROHAM, we had organize down hall meeting at MPPJ after the rally or BERSIH rally and we wanted to get as PROHAM, we all former member of SUHAKAM, retired or ex members from SUHAKAM and we taught we had an independent role to play and we had this large meeting, they must had been about 400 people and there was open discussion, some of our BERSIH people, Datuk Ambiga and others to part in it in the panel and there was open discussion and this recommendation we table here for your consideration Sir.

Let me just be very brief to say that unfortunately there is this perception we found out from the meeting that the election commission is too pro government and not necessarily sufficiently independent.

That the Election Commission has conducted itself pretty well in international relative comparative sense but that it could be much more effective in elevating the concern of the public as to the quality and integrity of our electoral system. After 50 years of reassembly good record, I think the public as we judge it feel strongly and I emphasize strongly that they need to be reviewed, reformed, revised and definitely improved as we have done so well and social economic progress in 50 years after independence. With the electoral system has not moved in tandem. So after 50 years, we need the review. Following the PM, headed people first, performance now and that the abuses that we see in the electoral system has caused this unity and I say this with very strong concern to both me and Dato' Michael.

Republic perception needs to be changed and to some extent it is justified, sometimes not justified and that I would suggest it because the government is often found guilty in not publicizing its good points. Having been in the civil service for 30 years it can be frustrating but what seems to be unfair and unreasonable also these issues are not sufficiently well addressed. So that was the kind of consensus we send, for example, concern about the delay nation, postal voting, weak enforcement plus all the rules and regulations. Money politics which wearing my former hat is perhaps the major cause the mother of corruption and this has not been addressed adequately. Slow updating of the rules, small budget or inadequate budget given to Election Commission. These are the broad perceptions. So what needs to be done? Firstly Sir is automatic registration. We got 3.8 million who have not registered to vote, maybe about 30% of eligible voters and that is I think a serious indictment against democracy, against an electoral system and against our integrity, the national integrity.

The voting age, we would respectfully suggest we are now much more educated, much more aware, much more developed society, can be reduced from 21 to 18. Postal voting is always regarded as a bane. There is a military camp, police camp where you can take the vote on the spot and you can have the voting in person rather than unnecessarily wanting to post the vote. Overseas voters Sir become a sensitive point. We got nearly one million Malaysians and they are all professional and mostly highly educated, to deny them to vote as Malaysian citizens is really a dilution of duty and I think we owe to them and they owe to us to have the privileges to vote as citizens.

We are talking about national unity 1Malaysia; this is the entities of it. I know some quarter say that is a nightmare but if Indonesia can do it, far larger population and far less develop, I don't see why we cant do it. Of course there are some problems but when we resist it, it give impression that government is afraid to accept the will of the people and that maybe unfair to government itself. So I will appeal to you to reconsider and really give top priority to this. The election rule should obviously be clean up. I mean 40,000 dubious voters, I bet there are many more death voter and others and I'm sure this can be clean up. One way to do it is as all now the Election Commission I understand, correct me if I'm wrong Sir, provide a ringgit or RM1 to register voters. Now we got say four million unregistered approximately. If we raised it to RM5, five times four is 20. For RM20 million, we can get this problem resolve. When we have budget going up to RM200 million to RM300 million per annum, what is RM20 million?

We also recommend that we go online in our registration. In these day and time, we don't see why this cannot be done. We pride ourselves that we been doing well in cyber space and yet we can allow this.

The campaign period of at least 7 days should be increase to at least 15 days and we recommend maybe a 21 day period.

The alienation is another big bug bear, in principal we supported because there less privileges should get higher wattage but the proportion are the way out and bothering on abuse, apparently Kapar for example 120,000 voters and Sabak Bernam 30,000 voters. I mean four to one (4:1) is unacceptable. Have it by all means but then improve on it.

■1020

We hope that many of this will to be taken seriously. There are others who has better ideas but we strongly suggest Sir that this reforms be introduced before the next election. Obviously 11.11.11 has come and gone, so there is no announcement made. So there are relevant reasons why apparently we can't have an election this year, but it must be sometimes next year I hope. If they wait too long, all parties will suffer.

But we hope at least some of these measures if not... You know, Constitutional measure can be introduced – it's worth even calling emergency meeting of Parliament for this reasons. The EC is seen to be lacking in independent. I can understand why people will regard them as 'not necessarily independent' because – this is a mistake of a government. Almost all the senior one, commissioner, from ex-civil servants. And having been one myself, I can understand how they feel. They serve the government loyally for 30 years. There is intrinsic system or inbuilt system that saying don't bite the hand that feed you and be nice to them, don't cause them a problem, after all, we work together for 20 to 30 years.

So I think we have to change the appointment you know, give it to some – if you got good Chief Justice if you can find a good one, get him or get some good judges if you can find many, you could...

Tuan Pengerusi: *What imply in that Tan Sri?*

Tan Sri Ramon Navaratnam: *What I say Sir that sometimes we may not get good Chief Justice and sometimes the public may not regard them as people with integrity and that will be unfortunate. Since you asked me Sir, there has been concern, public concern about this and we cannot ignore it. The judiciary is not seen to be fully independent, but it is a matter of opinions Sir. You ask me and I reply as a truthful civil servant.*

The enforcement of the rule and the regulation Sir, the Election Commission has not much power on this. It's left on the police and MACC. If they drag their feet, the EC can't do anything. But unfortunately, the Election Commission gets to be blamed. In fact, a lot of the blame is on the Election Commission which I personally and we feel is not fully justify because really is the law makers. They have to change the laws and the Election Commission implements it. This money politic there must be some limits which must be enforceable. Otherwise, money politic becomes the source of major corruption. I'm finishing Sir before you call me to...

Tuan Pengerusi: *No, you just on time.*

Tan Sri Ramon Navaratnam: *Thank you sir.*

Tuan Pengerusi: *You said on money politic, so I am like to hear a little bit more, because I think this one is – no specific group really is to be blame, is not it?*

Tan Sri Ramon Navaratnam: *I think to pick the specific group if I were to named them Sir, I can't blame farmers, fishermen, professional, doctor, lawyer or clerks, but if you want to category Sir, and this is a free open discussion, I think is a politician.*

Tuan Pengerusi: *On both side?*

Tan Sri Ramon Navaratnam: *Both side. Not really both side, all side.*

Tuan Pengerusi: *That to be fair Tan Sri, so I am already engaging with you, but I think even the commercial sector, there is a lot of this stuff. Nothing is free, unless you know, the machinery oil - that kind of statement are....*

Tan Sri Ramon Navaratnam: *But if I were a businessman which I am not, but I am works in the business sector. I can mention how it works. Suppose I want to big contract and I don't deal with the some others fellow will do. And politicians came to me and say, "Look, I will help you get it but I need some money for my campaign". It is very difficult to refuse so, the integrity must start at the top, Sir. Otherwise, the whole system collapses. Leaders must lead, not only in politic but in integrity.*

Number two, money politic occurs when there is inefficiency in the whole public system. If I can get my contract or I get my permit and my license without the problem, purely on merit, and then, there is no need to corrupt. And the politicians also cannot push their case because it is look like I don't have to depend on you, I depend on the system. But when the system is corrupt, that is the problems, and then some of politicians exploits the situation.

Tuan Pengerusi: *Okay Tan Sri, can you wind-up?*

Tan Sri Ramon Navaratnam: *I winding up now Sir. Some of these things I hope this Select Committee will divide to immediate measure that can be adopted, medium and longer term. The longer term is to have these practice later on general census Sir, once every ten years have a complete new electoral rule review or census. You know in 10 years, people who die will let them die, but they cannot be on the rule forever.*

So finally Sir, I think Election Commission must be given better budget. Sometimes officer feel that, and we got friends in and outside the Elections Commission who said, "Look, government is in interest to mating the status quo". So don't give the mating Election Commission too strong, too independent, too large, so that they will do a lot of work and then we are going to have a problems.

On that notes Sir, I want to say thank you, terima kasih lagi sekali and I wish all the very best and we really look forward to a very enlighten report that we can adopted by Parliament very soon. Terima kasih Tuan Pengerusi.

Tuan Pengerusi: *Terima kasih Tan Sri. Itu satu senarai yang cukup panjang dengan ada yang disentuh oleh pihak yang telah hadir sebelum ini, tetapi list saya sendiri pun ada 15 di situ. Saya buka untuk Ahli-ahli Yang Berhormat untuk minta penjelasan kalau ada apa-apa.*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *Shall I start first Tan Sri?*

Tuan Pengerusi: *Okey Yang Berhormat Kangar.*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *I say thank you very much, terima kasih kerana saya telah mendengar beberapa cadangan yang semuanya baik, semuanya cukup baik Tan Sri. I just take one point because I am sure my others colleague will ask you on the other points. Tadi yang Tan Sri sebutkan tadi towards the ends yang mengatakan bahawa kalau kita buat every 10 years the revision of the electoral rules to clean up the electoral rules for ten years, that to me is quick attractive.*

Saya hendak tanya Tan Sri, bagaimana kita hendak melaksanakan umpamanya after 10 years, how do we go about it, yang meninggal? Because, I don't think there is – would you like to have the EC just... How do they go to buangkan nama-nama orang yang

telah meninggal? *That is the exercise that is very burdensome to the EC. Lagi pula, after 10 years you expect the fresh pendaftaran atau macam mana? But that is quick something that attractive. Please elaborate about this.*

Tuan Pengerusi: Ya Tan Sri.

Tan Sri Ramon Navaratnam: Terima kasih Yang Berhormat Kangar. *It is a very valid question. I only am referring to this because of best practices. Many countries observe this. Perhaps, we can study how they do it. But unless you do it, you will always be plug by the problem of absentee or dead voters and wrong addresses especially, because people change, we become very mobile society, rural to urban drift, 50% of the population is now in urban area. It is not like 10, 20, 30 years ago. So just like we are undertaking the national census, we can do it for election. And that is very important and even more important. Can I ask my colleague Sir, to add to it?*

Tuan Pengerusi: Ya Dato' Michael Yeoh, welcome.

Dato' Michael Yeoh: Tuan Pengerusi, Ahli-ahli Yang Berhormat, *the way that this can be done Tuan Pengerusi is very simple if we do allow automatic registration of voters and have it a link with the National Registration Department. So automatically if people come to the age they become allegeable voters automatically. And automatically people who die again they link with the NRD, vote will be able to – everyone who die need a death certificates from NRD and if that process is link with the National Registration Department, we will also be able automatically remove all people who are die and passed away. So if that automatically link with National Registration Department can be done, then this process can be easily exploited.*

■1030

Tuan Pengerusi, *if you allowed me to just make two very quick points to elaborate on what Tan Sri Ramon Navaratnam has made earlier. One is the perception that is different weightage of voters. Voting right in this county that we have now no longer had one vote one value system and I think we need to try to get back to one vote, one value. If we, Tuan Pengerusi look back at the Reid Commission. The Reid Commission has actually recognized the need for rural weightage because rural constituencies all over the world not only on this country need to have stronger weightage. But The Reid Commission has recommended that the weightage of rural voters should not exceed twice the numbers in urban constituency. But we have seeing today I think the weightage as gone four five times. Perhaps we can return back to the principle of The Reid Commission not exceeding maybe twice or three times the number of urban voters. I think that we will stop some balance to the system again.*

The other point Tuan Pengerusi is about my colleague Tan Sri Navaratnam has perform earlier for more independent Election Commission, perhaps the Committee here will recommend that the all party parliamentary appointments Committee will establish to nominate commission on to the Election Commission and that come as recommendation of parliament to reflect rather independents. Sekian, terima kasih.

Tuan Pengerusi: Terima kasih atas persembahan tersebut. Ahli Yang Berhormat, siapa lagi?

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

Tuan Pengerusi: Okey, Yang Berhormat Alor Gajah.

Tan Sri Datuk Seri Dr. Fong Chan Onn: Terima kasih. *I'm just ask.* Terima kasihlah Tan Sri Ramon Navaratnam *for coming today and sharing with us your wisdom from the senior civil servant and now a very active activist.*

I just want to highlight one or two point then ask for your commend. I think basically we all agree that every citizen has a right to vote and the system must recognize that right. The constitution says that Malaysian citizen have the right to vote but it is require the voter to be release that before he can exercise the vote. That's the Constitution requirement. Also practically, there is a meet for that because we want to know which area he or she wants to work. You know. So one suggestion for coming out of this is that there is there be a new legal requirement that every Malaysian when he attains the age of 21, he's required to change identity card. Once he change the exercise the right to change the identity card, that is automatically deemed as his application for registration as a voter. So I mean that overcome the both Constitution requirement and also the fact that he give us more current address.

Secondly, Dato' Michael Yeoh talk about automatic registration that if the SPR has the complete, people can be register and then delete and so on. But unfortunately, in Malaysia, we have a system in which out in the road and as Kapit is a good example. In the long houses they pass away. There actually..., I don't know what this mechanism for the declaration of death and how long it be shipped out to the board that certificate to be registered so, act practicality there is the problem in the outline areas. So I think the suggestion for renewal of the registration system every ten years – for the urban areas okay but for the outlying rural areas we see a lot of problem. But I think if we have this Constitution requirement of the MyKad at 21 we could rectify many of those things.

The second point I want to said and after that I'll end. We recognize the need for overseas Malaysia to be recognize as a voter. Unfortunately, many of them have been out of the county since 1960. Fifty to sixty years ago. That's why there are one million of them.

Many of them had dual citizen, I mean that is their right and we should not question that. But I just want to ask your comment. Then can we follow many of the system implemented by many of the advance countries like Canada and Australia that once of the little country for more than five or sixty years then they are not allowed to be voter. But willing the period of five to six years it remains in the outside of the country within less in sixty years, we recognize their right to be a voter. What would be your comment to that now?

Tuan Pengerusi: *You want to respond to that, Tan Sri or Dato' Michael?*

Tan Sri Ramon Navaratnam: *Terima kasih Tuan Pengerusi. I being call many name in my time but I'm feel privilege to be now called an activist... [Ketawa]*

Tuan Pengerusi: *Tan Sri, I thought you last active in one year or another. That is a goof definitional of activist.*

Tan Sri Ramon Navaratnam: *A positive activist. Tuan Pengerusi, I think the point the automatic registration has – I think your employing strongly can be done and it should be done and almost immediately. Number two, there can be problem with varies – you know remote communities but if there is a will and there is a way. They must be a political will. How come doing campaign time even Kapit to the most remote but Greek politician can go and canvas and get the vote and here for registration we now have a problem. I think we can over counter. We say “Malaysia Boleh”. This is something we can easily do. The point about voters abroad that you erase the point about five or six years if their away then they should this qualified. I don't think we should be as conservative as the Australian and New Zealand or Canadian as you point to out. I mean there have dual citizenship and we doesn't have dual citizenship.*

So I don't think the comparison maybe valid. I think in Malaysian the abroad, some people say they are not in touch. On the other hand people say they know more about what happening here then we does because are national press or all mass media is party control. Lets face it, that's true. There are no much independent in mass media. So it alternate press and they get access to it. So they are aware and for us to give reasons that they do not qualify because there are not aware, would be unfair, unreasonable and unjust. It give rise to this impression that the government willing nearly use those agreement or some political party within the government, in order to protect themselves and keep maintain the status quo in order to perpetuate themselves. That mean not be right perception but it is a perception. So we should not feel that kind of perception.

Tuan Pengerusi: *Okay.*

Dato' Michael Yeoh: *Tuan Pengerusi I suggest ads on. The proposal for overseas Malaysia have the right to vote should only be for those who are still citizen of Malaysia.*

I think as Tuan Pengerusi said we don't recognize dual citizen although Malaysian overseas has taken up citizen ship or other country should not to loose that vote or to should loose that right. So should be confined to only those who still retain Malaysia citizen.

Tuan Pengerusi: *Sure.* Yang Berhormat Hulu Selangor dan Yang Berhormat Rasah.

Tuan P. Kamalanathan a/l P. Panchanathan: Terima kasih Tuan Pengerusi. Terima kasih kepada wakil-wakil daripada PROHAM, Yang Berbahagia Tan Sri Ramon dan juga Yang Berbahagia Dato' Michael kerana sudi memberi satu taklimat dan juga cadangan kepada Jawatankuasa ini. Saya ingin mendapatkan sedikit penjelasan daripada SPR. Sebentar tadi Yang Berbahagia Tan Sri Ramon ada mengatakan bahawa rakyat Malaysia di luar negara telah pun dinafikan hak untuk mengundi. Sejauh manakah kenyataan itu benar? Saya ingin mendapatkan sedikit penjelasan daripada SPR. Terima kasih Tuan Pengerusi.

Tuan Pengerusi: Kelmarin telah dicadangkan tetapi sudah sentuh. Siapa yang layak pada saat ini?

Encik Harun Che Su: Tuan Pengerusi, seperti mana yang kita maklumkan semalam, kita tidak nafikan hak rakyat kita untuk mengundi. Mereka boleh mendaftar sebagai pengundi di negara kita sekiranya mereka tertakluk kepada yang kita katakan pengundi tidak hadir, mereka kenalah memohon sebagai pengundi tidak hadir dan mengundilah daripada luar negara. Bagi mereka yang tidak tertakluk kepada kategori berkenaan, mereka perlulah pulang ketika mengundi. Kita tidak nafikan. Itu satu kenyataan yang tidak benar. *They have to come back.*

Tuan Pengerusi: Pada saat ini, *explanation officers of the government servant in overseas, student and even citizen as well who are registered voters in Malaysia can ask for absenting voting or equaled post of voting for the moment.*

■1040

They have to register, I mean from setakat ini yang berdaftar daripada luar negara ini atau overseas citizen of Malaysia who is registered as voters who are applied to be for postal voting hanya sekadar 1,784 orang and this is the list.

So, either we had not been promoting what are actually the other news for them to register or to vote because they have to applied, isn't it? You have to memohon sebagai pengundi pos untuk saat ini. We are willing to study this in the committee and any further inputs and suggestion form PROHAM and other groups, the detail process that any of you been efficient, well be happy to do so. But we can mixed at the moment, there's no access – according to them by the time – walaupun yang berdaftar ini not many also kirim balik dia punya undi.

Dia think it does not make any different, by the time dia datang masuk pun, the peti is sudah di kemungkinan menang, depending by which countries they come from. So we have been talking about this kelmarin.

Should you setup a proper voting venue there, standard voting ballot box, kira at there and transmit by faks and the result is announce in the particular locality. So these are the details that we have to work out. But denying them actually is no, they are right to vote if they want to do so but I think we can't accept that we discourage them to exercise they rights. That seems to be the analysis. Before your answer Yang Berhormat...

Dato' Seri Mohd. Radzi Sheikh Ahmad: Let me make some correction here. Actually is quite true according to the law that we have to day. Not all Malaysians overseas are entitled to vote, that is true. Let's accept the fact. The law of our country allows only government servants either working for the federal government or the state or for the statutory bodies who are living overseas are entitled to vote provided the register themselves and their spouses or permanent students or full time students overseas and also their spouses. Those are the categories, older Malaysian living abroad; they are not entitled to vote. They cannot register themselves to vote. That is fact.

Tuan Pengerusi: They perlu pulang back home.

Dr. Mohd. Hatta Md. Ramli: SPR kata boleh register there just now.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Register to vote here. Let's put it this way, the law...

Tuan Pengerusi: Biar SPR jawab.

Encik Harun Che Su: Maafkan saya Tuan Pengerusi...

Tuan Pengerusi: So government servant, pelajar...

Encik Harun Che Su: Pelajar yang sambung Master, kakitangan awam semua kategori, kakitangan awam yang bekerja dan isteri serta keluarga yang mana layak serta pelajar sepenuh masa. Itu semua layak.

Tuan Pengerusi: Rakyat Malaysia yang dikatakan oleh Yang Berhormat Kapit..

Encik Harun Che Su: Kalau tidak memasuki kategori PTH atau pengundi tidak hadir, mereka perlu balik mengundi kecuali mereka memohon tetapi itulah kategori yang berkenaan iaitu PTH sahaja.

Tuan Pengerusi: Okey yang lain boleh memohon.

Encik Harun Che Su: Kalau yang lain...

Tuan Pengerusi: Maknanya ada dua kategori sahaja ini iaitu kakitangan kerajaan and the students.

Encik Harun Che Su: Ya, the students sepenuh masa and yang lain perlu balik.

Tuan Pengerusi: Jadi kalau begitu Tan Sri Ramon *has some point that the - because dia tidak mahu balik pergi Kapit atau Wangsa Maju mengundi - so you can say that they don't have the venue or the facilities to exercise their rights while overseas.* Okey

Tan Sri Ramon Navaratnam: Tuan Pengerusi, *I like to comment. I think it is the responsibility of the responsible government to ensure that exercise their duty to vote. So we have to change it, I mean 15 years ago how many Malaysians live abroad. So times have change and the constitution must change. It has to be a dynamic living instrument that interprets the best interest of its citizen. Don't expect people to travel away to register, it is not fair Sir.*

Tuan Pengerusi: *Okay, point taken.* Yang Berhormat Rasah.

Tuan Loke Siew Fook: Terima kasih Tuan Pengerusi. *I just want to ask Tan Sri Ramon about the second point presented by PROHAM on biometric system. I think the more main stream opinion to this matter is to use indelible ink which we have deliberated in this committee. So I would like to ask your opinion, don't you think indelible ink is much easier system to implement compared to biometric system where logistical problem in the rural area and so on to implement this system? Thank you.*

Tan Sri Ramon Navaratnam: Tuan Pengerusi, *my own thinking and our thinking has changed. At that time, there are all the arguments given as to why indelible ink should not be used. In fact at the whole process procedure was cancelled. So we often will give the benefit without a doubt to the government, government knows more than we do, sometimes we assume right or wrong. So we said fine then go the biometric system but the biometric system has got lot of faults. The best computer system can be manipulated and there's a fear amongst the people. In the US the last election has happened to some extend.*

So, we would be happy if you think it works and we believe it can work. Indelible system is cheaper, people understand what's happening. You cannot say this person put another finger in the..., because it's open, transparent and it obvious. So we would support indelible system.

Tuan Pengerusi: Yang Berhormat Kuala Krai *and* Yang Berhormat Kapit *then that's it.*

Dr. Mohd. Hatta Md. Ramli: Tuan Pengerusi, terima kasih. Saya ingin minta penjelasan dari Dato' Michael Yeoh mengenai cadangan supaya ahli-ahli suruhanjaya PSC ini dilantik oleh Parlimen atau dipilih oleh Parlimen untuk mengelakkan apa yang disebutkan oleh Tan Sri tadi yang merupakan satu kenyataan yang agak kuat juga *or strong statement regarding the choice of retire government servant as chairman which will effect their support for the current government.*

So my question is, is it just the chairman or the whole commissioner among them? Do you believe that with the current setup of our Parliament or whatever it will be or whenever it will be the majority which will control, do you believe that it can work or do you need further procedure like bringing the perspective commissioners before the parliament to be screen to answer the question the way people Select Committee maybe. So that we can have a better choice, thank you.

Tuan Pengerusi: *Okay, Tan Sri you want to respond to that.*

Dato' Michael Yeoh: *Tuan Pengerusi, our suggestion is like there has to be perhaps a Parliamentary appointments Ccommittee to decide the appointment of the chairman or the deputy chairman as well all the commissioner in the Election Commission. The mechanism of how that the appointment are to be made should be left to this Parliamentary appointment Committee to decide on. I don't think we are here to purpose the mechanics of how that is to be done but basically that the appointment need to be done in parliament. Thank you.*

Tuan Pengerusi: *Okay, Yang Berhormat Gombak.*

Tuan Mohamed Azmin Ali: *Terima kasih Tuan Pengerusi. Saya ingin kemukakan pertanyaan kepada Tan Sri dan Dato' Michael Yeoh. One of the rakan-rakan Asian made by PROHAM is on the campaign period to be extended to 7th and 15th or even 21 days. But at the same time, you also addressed the concern of this media been control by political parties in Malaysia. So how do you address this issue when the apposition party especially has no access to free media in Malaysia? At the same time you extend the campaign period to 21 days. Jadi kalau boleh PROHAM kemukakan cadangan yang agak khusus bagaimana kita boleh memberikan ruang yang adil kepada semua pihak yang bertanding di dalam pilihan raya untuk reach out the voters and explained our policies, our programs and also our manifesto in an open debate so we can get free access to media dalam tempoh yang begitu panjang. Terima kasih*

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Tuan Pengerusi: *Tan Sri, any respond?*

Tan Sri Ramon Navaratnam: *Terima kasih Yang Berhormat. I think this is a fundamental point of democracy and the electoral process. It is quite simple in my simple mind. If the government parties own the press and government has the will to ensure fairer..., I didn't say "fair", but fairer and freer elections, then government can guide or direct the press that they own to be more fair. On the television - give them more time and this can be directed. It's not impossible.*

Because unless he do it, those who are outside government or don't own the press will be very serious disadvantage as we are saying and this encourages rumour-mongering, slandered through the alternate press running down people and it become dirty, as we have seen some of us are stopping down to the level other gutter politics. This is because we don't have sufficiently free open press. So in the interest of our integrity of government and electoral system and our own people and our country, we must begin to relax. During the emergency I can understand and I grew up during the emergency. But we have long past that situation. We a becoming a measuring democracy with only nine years before hopping to become a develop state and so we must improve our self in a comprehensive holistic manner and I salute all of you Sir for thinking that we must open-up the system and make much more freer and fairer, thank you.

Tuan Pengerusi: *Thank you. Just to respond Yang Berhormat Gombak I think the apposition has free excess to government media because they have their own media, alternative media is there... [Disampuk]*

Tuan Mohamed Azmin bin Ali: *...But there is no such thing as government media or apposition media, cuma yang...*

Tuan P. Kamalanathan a/l P. Panchanathan: *Singapore pun ada government media.*

Tuan Mohamed Azmin bin Ali: *Cuma principle di sini Tan Sri, the main role of SPR is to conduct a free and fair election tetapi apabila kita berhadapan dengan masalah ini, di mana media tidak berlaku adil kepada parti-parti bertanding, then we approach SPR - SPR will argue wit us that they have no rights on the media. Ini masalah kita...*

Tuan Pengerusi: *Okey, ya, ya.*

Tuan Mohamed Azmin bin Ali: *Sedangkan apa yang saya ingat ada satu peruntukan dalam peraturan SPR di mana mereka boleh memanggil mana-mana agensi ataupun jabatan untuk memastikan mereka juga patuh kepada undang-undang untuk memberikan keadilan kepada parti but that has not been done. SPR selalu mengambil attitude untuk tidak mahu mencampuri urusan money politics, excess to media dan mengambil jalan mudah. So how do you propose...*

Tuan Pengerusi: *Ya, good question.*

Tuan Mohamed Azmin bin Ali: *How do you suggest supaya SPR ini been empowered satu keadaan di mana mereka boleh bertindak dengan lebih tegas sebagai badan yang mengendalikan pilihan raya yang adil dan bebas bagi semua pihak yang bertanding dalam pilihan raya. Can you please make some recommendation?*

Tuan Pengerusi: *Dato' Michael Yeoh you want deal with this one.*

Dato' Michael Yeoh: Tuan Pengerusi dan Ahli-ahli Yang Berhormat, *I think it all comes back to the Act of Parliament whereby this commission has set-up and all of us were serving on SUHAKAM as well. We recognize that they are constraint with in the SUHAKAM Act do not empowers sufficiently to investigate and implement some of the clear human rights abuses in this country. It's the same thing with the Election Commission. If the Election Commission here is going to empowered with the right to monitor and into ensure that there is free excess to media then the acts need to be amend and perhaps here, Select Committee here can recommend to Parliament, to review the act and to ensure that the powers given to the commission to do so. In many other countries, when there are TV broadcast and always equal excess to both the governing parties and the opposition parties to have equal time on TV and in the media. Similar provisions can be meeting here as well. Thank you Chairman*

Tuan Pengerusi: Okey, *I think* Yang Berhormat Wangsa Maju.

Tuan Wee Choo Keong: Terima kasih Tuan Pengerusi. Saya ingin mengajukan soalan ini kepada Tan Sri Ramon Navaratnam.

Thank you Tan Sri you have given a lot of interesting points here but may I have the view for example you are talking about media, how about this electronic media? We know that certain electronic media is more to monopoly to a certain group whereby they have gone into extend of slandering, twisting, making stories base on sources after sources and again if we got it wrong they try again and base on source again, then they got it wrong the sources again. Keep on speculating. So are you restricting your excess to media all this only to the printed media or you are also talking all those electronic media as you know certain electronic media, all out? I mean you have to be fair here. We want the fair system. They must also include the electronic media. I can name, but not necessary. Thank you.

Tuan Pengerusi: Okey Tan Sri.

Tan Sri Ramon Navaratnam: *I agree with you. We cannot be selective, just as you cannot be selective justice and selective administrative of law. This must be universal. There are laws apparently and if not educate then they should change it, the cyber law, cyber act. I mean the electronic media, if they guilty of colourless propaganda or scandal, they can be pulled up. It should be apply to all. Otherwise it's not fair; there is no freedom if you do to one session of the other. Thank you.*

Tuan Pengerusi: Okey, terima kasih bank-banyaklah. *Just to emphasize* dari segi rujukan, *reference at the moment, two of the many recommendations we have suggested this is automatic registration that require, I mean Article 119 in the Constitution because the way its there is most voluntary registration.*

Secondly, even there is indelible ink; at the moment our legal reference says that it will involve amendment to the Constitutions. So there are processes to be fall.

We thank you very much. Terima kasih atas *input* yang diberi. Jika pihak PROHAM ada lagi idea-idea khususnya *the mechanical of doing things, we have about four months to halusi all these things, we welcome for the inputs Tan Sri and Datuk Micheal, and team there.* Terima kasih.

Tan Sri Ramon Navaratnam: Terima kasih Tuan Pengerusi.

Tuan Pengerusi: Okey terima kasih.

Next adalah pasukan... [Disampuk] Jadi sekali lagi bagi pihak umum yang *observing, this is a parliamentary process in action. We guided with the rules of the standing orders. Now according..., while the proceeding is taking place, the only authorized recording is by Parliament itself. Everything was recorded in the Hansard and available to public* nanti.

Okey, saya ingin menjemput Suruhanjaya Hak Asasi Manusia, SUHAKAM.

[Saksi-saksi dari Suruhanjaya Hak Asasi Malaysia (SUHAKAM) mengambil tempat di depan Jawatankuasa]

10.59 pg.

Tuan Pengerusi: Selamat datang kepada Yang Berbahagia Datuk Khaw Lake Tee Naib Pengerusi SUHAKAM dan *team* boleh perkenalkan. Saya beri 10 minit sebagai *starting*, selepas itu bolehlah nanti dalam sesi soal jawab. Di persilakan Datuk.

Datuk Khaw Lake Tee [Timbalan Presiden]: Terima kasih Yang Berhormat. Selamat pagi kepada semua ahli-ahli Jawatankuasa Pilihan Khas berhubung dengan penambahbaikan proses penambahbaikan pilihan raya dan bagi pihak SUHAKAM saya ingin merakamkan penghargaan kepada Yang Berhormat-Yang Berhormat yang sudi memberi peluang kepada SUHAKAM untuk mengutarakan penyertaan dan syor SUHAKAM pagi ini. SUHAKAM telah menyerahkan pernyataan bertulis kepada Jawatankuasa Pilihan Khas. Jadi untuk pagi ini, saya hanya akan menarik perhatian kepada syor-syor dan isu-isu yang tertentu.

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Pernyataan dan syor SUHAKAM Yang Berhormat, berdasarkan prinsip-prinsip hak asasi manusia terutama sekali hak yang termaktub dalam Artikel 21 Perisytiharan Hak Asasi Manusia Sejagat iaitu *the Universal Declaration of Human Rights*. Di Malaysia juga, hak warganegara untuk mengundi Ahli Dewan Rakyat dan sebagainya dalam sebarang pilihan raya juga terjamin di dalam Artikel 119 Perlembagaan Persekutuan.

Tuan Pengerusi, sesuatu pilihan raya mestilah bebas dan adil. Secara umum boleh dikatakan pilihan raya di Malaysia adalah bebas dan telah mencapai tahap tertentu menurut piawaian antarabangsa. Akan tetapi cara menjalankan proses pilihan raya tidak keseluruhannya adil. Isu-isu SUHAKAM telah diutarakan di dalam kertas kami dan antara isu-isu yang sering dibangkitkan termasuk keadaan di mana hak asasi manusia seperti kebebasan bersuara, kebebasan berhimpun dan berpersatuan, dan akses kepada maklumat dan hak keselamatan tidak dihormati semasa kempen pilihan raya diadakan. Akses yang sama kepada media terutama sekali *mainstream* media yang disebutkan di sini, tidak diberikan dan juga isu berkaitan dengan pengundi hantu, SPR yang bebas dan saksama, batasan-batasan terkini SPR dan ketiadaannya gelanggang pilihan raya yang setara dan juga undian secara pos.

Berdasarkan isu-isu yang dikemukakan dalam kertas SUHAKAM ini, SUHAKAM membuat pemerhatian dan juga pengesyoran berikut untuk satu pilihan raya yang bukan sahaja bebas tetapi juga adil.

Pertamanya ialah hak untuk mengundi. Kehendak rakyat menjadi asas kuasa kerajaan. Justeru, warganegara berhak untuk memilih perwakilan mereka dan bagi mereka untuk membuat pilihan yang betul, mereka berhak untuk mendapatkan pertamanya maklumat termasuk hak mendengar manifesto semua pihak dan juga calon. Akses kepada maklumat juga memerlukan hak berhimpun. Berkaitan dengan hak berhimpun, semua parti politik dibenarkan untuk mengadakan perarakan dan ceramah tanpa memohon permit semasa tempoh berkempen dengan syarat bahawa perhimpunan adalah aman dan ucapan tidak berunsur fitnah, menimbulkan ketidaktenteraman, mendorong kepada kebencian dan menjejaskan keselamatan negara. Di sini kami hendak mengesyorkan bahawa penganjur bertanggungjawab sepenuhnya terhadap keselamatan awam dan berkemungkinan menghadapi tuduhan mahkamah sekiranya perhimpunan tidak dapat dikawal.

Tuan Pengerusi: *Propose to do that, make they sign declaration of responsibility?*

Datuk Khaw Lake Tee: *Yes, based on declaration Tuan Pengerusi, then the person will be held solely and wholly responsible for anything that may happen during the public assembly itself.*

Tuan Pengerusi: *There is no permit, what are you saying is tidak payah isu permit?*

Datuk Khaw Lake Tee: *Yes, there is no requirement for permit but they must be responsible that the person must be...*

Tuan Pengerusi: *Undertaking by the organizer, is it?*

Datuk Khaw Lake Tee: *Yes, undertaking that the assembly will be peaceful and if there is any untoward incidents happen, the party or the person will be held solely responsible for it and will have to face any legal consequences that may be before upon that person.*

Tuan Pengerusi: *Maybe give us a sample of declaration will be useful.*

Datuk Khaw Lake Tee: *A sample of declaration?*

Tuan Pengerusi: *I mean another day. Okey, teruskan, teruskan.*

Datuk Khaw Lake Tee: Juga berkenaan dengan akses kepada media yang telah dibincangkan tadi Tuan Pengerusi, SUHAKAM berpendapat bahawa semua parti harus mempunyai akses yang sama dari segi masa siaran dan juga ruang cetakan termasuk juga waktu dan peletakan maklumat mereka. Pendek kata, akses kepada media seharusnya tiada diskriminasi di sini. Media harus dibenarkan untuk melaporkan kempen secara bebas tanpa campur tangan atau sekatan tanpa sebab oleh pihak berkuasa. Di sini SUHAKAM ingin mencadangkan agar SPR menimbang mekanisme untuk memastikan akses kepada media yang adil untuk semua calon dan semua parti politik.

Keempat, SUHAKAM ingin mencadangkan berkenaan dengan hak pengundian sejagat iaitu orang kurang upaya (OKU) dan Orang Asli dan juga warga emas mempunyai hak untuk mengundi. Justeru itu, adalah disyorkan agar pusat pembuangan undi mudah diakses oleh bukan sahaja OKU dan warga emas, tetapi oleh Orang Asli juga di kawasan terpencil yang mesra OKU dan kertas undian Braille disediakan kalau belum disediakan lagi untuk orang cacat penglihatan.

Berkenaan dengan pengundi hantu Tuan Pengerusi, SPR seharusnya mengambil langkah-langkah konkrit untuk memastikan mereka yang berada dalam daftar pemilih adalah pengundi yang tulen. Langkah yang diambil setakat ini adalah baik tetapi masih belum mencukupi dalam menghapuskan pengundi hantu. SUHAKAM mengesyorkan kerajaan memberi pertimbangan untuk membuat pindaan kepada semua undang-undang berkaitan bagi memberi kuasa kepada SPR untuk menyemak kesahihan alamat tempat tinggal seseorang dan memindah pemilih dari satu kawasan ke kawasan kerana pertukaran alamat.

SUHAKAM juga mengesyorkan koordinasi yang lebih baik antara Jabatan Pendaftaran Negara dan SPR haruslah ada supaya nama-nama pengundi yang telah meninggal dunia dikeluarkan dari daftar pemilih sejurus selepas sijil kematian dikeluarkan. SUHAKAM juga mengesyorkan agar semua pengundi yang layak haruslah didaftar secara automatik setelah mencapai usia 21 tahun dan SUHAKAM mengambil perhatian apa yang telah dibincangkan tadi berkenaan dengan perlunya pindaan kepada Perlembagaan Persekutuan kalau ini dilakukan.

Pada pendapat saya, pendaftaran adalah satu perkara tetapi sama ada seorang pengundi ingin mengundi atau tidak, adalah satu perkara yang lain. Jadi pendaftaran boleh dijalankan tetapi pilihan untuk mengundi atau tidak adalah terserah kepada orang yang telah didaftarkan. Jadi ada dua perkara di sini dan pada pendapat saya sama ada pindaan seharusnya dibuat kepada Perlembagaan adalah satu yang boleh dikaji tetapi *in my epidemic opinion, I don't think that is necessary.*

Tuan Pengerusi: *Just to esteem your argument a bit. People say even with voluntary pun, the turn out is very modest. First people to be automatic registration, they turn out and our distributed number of registered will be even lower. What do you think? Why register really don't turn out in any case?*

Datuk Khaw Lake Tee: *Tuan Pengerusi, it is their right to vote. Whether they choose to vote or not, is something we cannot force them. It is also their right as well.*

Tuan Pengerusi: *So the issue is giving them their right lah? On the same time you taking the right from them by automatic registration when Constitution says it's voluntary. So it is also in there, isn't it?*

Datuk Khaw Lake Tee: *Ya, but it is voluntary to vote, not voluntary to register. We feel that they should be registered and it is up to them to exercise the choice whether they want to vote or not, but if they choose to vote, they can vote, if they choose not to vote, that is entirely their option.*

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Tuan Pengerusi: *Next, continue.*

Datuk Khaw Lake Tee: Seterusnya Tuan Pengerusi. SPR yang bebas dan saksama. Kami berpendapat bahawa pilihan raya yang bebas dan adil memerlukan SPR yang bebas dan saksama. Di sini kami berpendapat bahawa SPR seharusnya bertanggungjawab kepada Parlimen dan bukan kepada eksekutif bagi menjamin kebebasannya.

Seterusnya rayuan yang dibuat di sini berkenaan dengan perjalanan pilihan raya, kami berpendapat bahawa Mahkamah haruslah diberi ruang untuk menghakimi pertikaian tentang pilihan raya dan bukan yang disekat seperti sekarang.

Seterusnya penambahbaikan kepada sistem undian secara pos, di sini SUHAKAM ada beberapa cadangan untuk mengatasi penyalahgunaan undian secara pos yang sering dibangkitkan:

- (i) SPR perlu memastikan agen yang dilantik mematuhi senarai yang diluluskan oleh SPR. Sebarang senarai yang digunakan untuk urusan pentadbiran pihak agen perlu disahkan semula oleh pihak SPR;
- (ii) SPR perlu memastikan senarai pengundi dikemas kini secara berkala bagi mengelakkan berlakunya nama calon disenaraikan lebih daripada sekali dalam senarai pengundi pos. Ini boleh dilaksanakan secara kerjasama dengan agensi berkaitan dan Jabatan Pendaftaran Negara serta Bahagian Rekod dan Persaraan Angkatan Tentera di Malaysia;
- (iii) SPR juga perlu menyediakan garis panduan pengendalian penghantaran kertas undian pos khususnya dari segi penghantaran dan penerimaan; dan
- (iv) Undian secara pos khususnya bagi tentera dan polis perlu dikaji semula dengan membolehkan mereka membuang undi di kawasan mereka bertugas sementara undian secara pos hanya digunakan bagi mereka yang bertugas di luar negara sahaja. Ini adalah memastikan tidak lagi wujud prasangka serta berpeluang berlakunya penyelewengan.

Jadi, untuk menggulung Tuan Pengerusi, rakyat Malaysia berhak untuk memilih wakil-wakil mereka bagi membentuk kerajaan. Bagi memastikan kehendak rakyat sebenar diterjemahkan, pilihan raya mestilah bebas dan adil dan sebagai penutup Tuan Pengerusi, SUHAKAM sebagai sebuah institusi hak asasi kebangsaan berharap Jawatankuasa Pilihan Khas ini dapat memberi perhatian serta mengambil kira secara serius segala isu-isu serta syor-syor yang telah dibentangkan tadi supaya sistem pilihan raya akan menjadi dan dilihat lebih bebas, telus, bersih serta adil. SUHAKAM mengucapkan ribuan terima kasih kepada Tuan Pengerusi serta ahli-ahli Yang Berhormat atas perhatian Jawatankuasa Pilihan Khas. Sekian, terima kasih.

Tuan Pengerusi: Terima kasih Datuk Khaw atas penyampaian tadi. Saya mengikuti penyampaian tadi berbeza dengan apa yang diberikan kepada kami. Boleh minta nanti salinan yang lebih *complete* dan surat itu lebih *detail* dari apa yang disampaikan.

Datuk Khaw Lake Tee: Tuan Pengerusi, apa yang diserahkan itu adalah lebih *detail* tetapi apa yang saya buat tadi itu hanya *highlight* daripada apa yang telah saya.

Tuan Pengerusi: *Okey we can capture in the Hansard* jugalah. Okey Ahli-ahli Yang Berhormat. Yang Berhormat Rasah. Ini Rasah sahaja.

Tuan Loke Siew Fook: Terima kasih Datuk Seri Pengerusi. Terima kasih Datuk atas *presentation* tersebut. Saya merujuk kepada kertas yang dibentangkan kepada kita iaitu *point* yang kelapan. Pelucutan hak pengundi secara formal dan tidak formal. Saya melihat bahawa *heading* ini dia lain sedikit iaitu apa yang di cakap di sana. Dalam dua *sub-point* dalam *point* tersebut dan pertamanya dalam persempadanan semula kawasan *gerrymandering* berdasarkan kepada digunakan untuk mengawal keputusan pilihan raya

Yang keduanya pertukaran pengundi secara meluas kepada dari kawasan yang menyokong kuat kerajaan ke kawasan di mana kemenangan mudah diperolehi. Walaupun menyalahi undang-undang, amalan sebegini terlalu sukar dikesan disebabkan SPR mendaftar pengundi mengikut alamat yang terpapar di Kad Pengenalan. Kuasa untuk merekod alamat terletak di bawah kuasa Jabatan Pendaftaran Negara.

Saya tertarik dengan *point* yang kedua ini kerana ini pun isu yang telah saya bawa dalam mesyuarat sebelum ini, dan di kawasan saya sendiri ada masalah sebegini berlaku. Cuma saya hendak bertanya pandangan daripada pihak SUHAKAM, apakah cadangan pihak SUHAKAM untuk mengatasi masalah ini dan di sini menyatakan bahawa walaupun menyalahi undang-undang sedarkah pihak SUHAKAM bahawa sebenarnya ianya tidak menyalahi undang-undang. Tidak ada dari segi undang-undang sesiapa sahaja boleh bertukar alamat dengan Jabatan Pendaftaran Negara.

Dari segi undang-undang kita, kita tidak melarang siapa-siapa untuk bertukar alamat. Seseorang itu sudah bertukar alamat maka SPR akan mengikut alamat pada ketika itu dan dia boleh didaftarkan sebagai seorang pengundi secara sah dan tidak seperti yang dikatakan boleh dilucutkan hak dan sebagainya. Dia menjadi pengundi sah dan ini yang menyebabkan masalah berlaku apabila ada secara sistematik pemindahan pengundi dan tidak ada penyalahan dari segi undang-undang. Mungkin ada sedikit cadangan daripada pihak SUHAKAM. Terima kasih.

Datuk Khaw Lake Tee: Ini adalah isu yang telah dibangkitkan dan dibincangkan dan diutarakan kepada SUHAKAM sebagai satu kompelin bahawa ada amalan ini telah dijalankan. Walaupun sebenarnya kalau ada pertukaran alamat ini adalah sesuatu yang kalau digambarkan atau dipaparkan di dalam kad pengenalan, alamat ini adalah alamat pemilih itu pada masa itu dan kalau SPR mendaftar dan ini adalah berdasarkan alamat yang ada pada IC pada masa itu.

Jadi bagaimanakah pengundi ini dapat ditukar kepada tempat yang bukan alamatnya adalah sesuatu yang mengelirukan. Sebab itulah kita JPN dan SPR perlu bekerjasama untuk memastikan bahawa pengundi adalah benar-benar di dalam kawasan yang dikatakan beralamat di sana.

Tuan Loke Siew Fook: Sedikit pencelahan, sebenarnya masalah sekarang ini bukannya masalah di antara masalah *database* di antara JPN dengan SPR, memang SPR kalau dia hendak tukar seseorang itu daripada alamat 'A' kepada alamat 'B' dia akan *check* dengan JPM melalui sistem ALIS.

Tetapi masalah yang timbul yang saya kesan ialah ada pihak secara sistematik membawa pengundi itu secara paksa atau secara tidak rela bertukar alamat dengan Jabatan Pendaftaran Negara. Ia boleh tukar sahaja dengan Jabatan Pendaftaran Negara sebab tidak ada mekanisme dalam Jabatan Pendaftaran Negara untuk *check* alamat itu sama ada orang itu duduk dalam alamat itu. Ia boleh pakai rumah kosong atau rumah-rumah dengan sesuka hati untuk daftar dengan JPN dan ini dibenarkan sebab JPN pun tidak ada mekanisme untuk pergi *check* setiap orang mana dia duduk.

Ini menimbulkan masalah ada satu alamat mungkin ada 100 orang, 200 orang pengundi dalam kawasan itu dan ini dari segi pentadbiran yang dibenarkan. Kita sedang melihat apakah cara paling baik bagi mengelakkan perkara ini berlaku dan bagaimana mengatasi masalah ini.

Datuk Khaw Lake Tee: Buat masa sekarang Yang Berhormat, SUHAKAM masih belum membuat cadangan untuk perkara itu melainkan jika ada undang-undang yang boleh diluluskan untuk menjadikan perkara itu sesuatu perbuatan yang tidak sah dan oleh itu sama ada siapa yang melakukan perkara itu yang memindah pengundi dianggap sebagai telah melanggar undang-undang. Kalau sesuatu undang-undang boleh diluluskan untuk perkara itu ini adalah satu cadangan pertama yang boleh kita buat.

Tuan Wee Choo Keong: Tuan Pengerusi. Terima kasih Tuan Pengerusi, terima kasih Datuk Khaw yang memberi penerangan tadi. Saya amat tertariklah dengan apa yang Datuk Khaw menyatakan tadi iaitu pendirian SUHAKAM adalah mahkamah diberi peluang atau diberi kuasa untuk menghakimi pilihan raya. Bolehkah menjelaskan sedikit sebab saya keliru...

■1120

Datuk Khaw Lake Tee: *We feel that the court should be given more powers to look into the issues of whether there is been any irregularities that have been conducted in the course of the campaign. Rather than just looking at technical issue, the court should actually to be having more power to access the situation. Given more power to determine whether any violation have occurred and if violation have occurred, the court have the power to declare accordingly.*

Tuan Loke Siew Fook: Akan tetapi pencelahan Yang Berhormat Wangsa Maju – saya hendak cakap sedikit untuk pihak Yang Berhormat Wangsa Majulah.

Tuan Wee Choo Keong: Terima kasih.

Tuan Loke Siew Fook: Mungkin mahkamah kalau diberikan kuasa terlalu besar untuk menentukan pilihan raya itu pun masalah. Ini kerana dalam kes Yang Berhormat Wangsa Maju dulu masa bertanding di Bukit Bintang, mahkamah yang mengumumkan calon kalah itu menjadi Ahli Parlimen. Ahli Parlimen yang telah dipilih oleh rakyat dilucutkan hak dia dan mengumumkan calon yang kalah.

Tuan P. Kamalanathan a/l P. Panchanathan: Itu Ahli Parlimenakah, siapa Ahli Parlimen itu?

Tuan Loke Siew Fook: 'Bapa ayam'... [Ketawa]

Datuk Khaw Lake Tee: *Take not all of that Yang Berhormat... [Ketawa] But the way the court decides – thats particular case. What we feel overall, the court should actually be given powers to decide. There must be an adjudicator if there is dispute. If there is going to be called – what is going to be constituted is an Election Court, then we can ensure that the Election Court as a judges who are well-versed in this issues in election laws, and be able to adjudicate accordingly.*

Tuan Wee Choo Keong: *Datuk, do you agree that in an election, the decision of the people is the most important and the court should respect the decision and not to interfere as much as possible? I think maybe that was the situation why the court is been very technical in dealing with their election petition, because the court always respect the decision of the electorate rather than interfering. What SUHAKAM position now is, we must give more power to the court to decide, even to the extend, to decide loosing candidate out of three, they just can pick one as a Member of Parliament. I think we should give power to the court to have the power to decide the winner over constituency.*

Datuk Khaw Lake Tee: *I back to defer here Yang Berhormat. I think what SUHAKAM is trying to do here is to empower the court to look at weather there are been any violation of election rules and then to rule accordingly, especially in cases where there could have been instances where there is been unfair. Perhaps, the court then has a power to actually order another election to be held.*

Tuan Wee Choo Keong: *Datuk, I mean Tan Sri early on said in his testimony here that theirs not – there is also a problem to find a good judges. They said that and we have seen that. As you say just now, we are seen that. The judges decide arbitrary that, "Oh, Mr. X should be the Member of Parliament". So, this a very dangerous trend to take also because if you want to have control over offences and all that, you must also have control that judges don't abuse the power.*

So, can you tell us where is the...

Datuk Khaw Lake Tee: *There must be a balance.*

Tuan Wee Choo Keong: *How do you ensure the balance? I am also very nice to say that you are looking at one aspect in terms of all the offences and all that. So you are giving power to one person to decide on behalf of maybe 50,000, 60,000 peoples. So, are you saying that, that is a just position or are you just giving it as just something academic and something that is to present here that – we are living in ideal society or we talking about practicality? I think here we should be dealing with a bit more practicality rather than we are living in ideal society. We are not living in ideal society. I mean, even in most developed country, even American system, what happen. I mean, last election George Bush is in the same position. So how?*

Datuk Khaw Lake Tee: *One second Yang Berhormat. But whatever it is, I think we should all strive for the ideal. Just because we cannot have judges who are fair and I am not saying that all judges are unfair anyway. I think there are judges who are fair, and I do not want to get into that discussion. But I think, if there are any violation, somebody has to adjudicate, and adjudication there will have to be based on certain guideline and principal of whether the violation have occurred and if violation has occurred, then action will have to be taken or necessary remedy were have to be available in this particular case. I am not suggesting that the will of one person be a substituted for the will of the 60,000 person of the **electored**, I am not suggesting that.*

Dr. Mohd Hatta bin Md. Ramli: Sedikit soalan untuk Datuk mengenai pandangan SUHAKAM mengenai memberikan kuasa kepada mahkamah. Dalam tahun 2001, satu pindaan telah dibuat dalam Perlembagaan untuk tidak membolehkan daftar pemilih yang telah disahkan daripada dicabar di mana-mana mahkamah ekoran daripada suatu kes yang dibawa di Likas, Sabah selepas pilihan raya 1999 di mana keputusan pilihan raya dibatalkan ekoran daftar pemilih yang dipersoalkan. Jadi, adakah SUHAKAM mahu mencadangkan supaya pindaan tahun 2001 itu dilihat semula kerana saya rasa rakyat perlu diberikan suatu peluang dan ruang untuk mencari penyelesaian atas pertikaian di dalam daftar pemilih. Bagaimana pandangan SUHAKAM?

Datuk Khaw Lake Tee: SUHAKAM tiada membuat cadangan berkenaan dengan perkara itu Yang Berhormat. Kami hanya membuat cadangan agar mahkamah diberi ruang untuk menghakimi pertikaian tentang perjalanan pilihan raya sahaja.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Datuk, saya hanya hendak menyentuh tentang satu perkara yang Datuk cadangkan tadi iaitu berkaitan dengan pengundi buta, pengundi yang hilang penglihatan mereka. *It was just the thing of the use of Braille just now.*

Kita telah menerima kunjungan daripada Persatuan Buta yang mereka sendiri telah menyuarakan rasa tidak puas hati tentang apa yang ada di dalam peraturan sekarang inilah iaitu yang tercatat di dalam *Elections (Conduct of Elections) Regulations 1981* di bawah Perkara 19(7) yang menyatakan jika seseorang pengundi itu buta ataupun cacat dari segi fizikalnya di mana dia tidak boleh menulis, maka dia boleh membawa seorang keluarga yang rapat untuk membantunya memangkah bagi pihaknya.

Keluarga itu, ini yang dia minta kerana *it was too restrictive*. Pada kami, kami pun berpendapat bahawa *it was too restrictive*. Keluarganya mesti seorang pengundi, ha, itu yang jadi *restrictive*. Sekarang ini orang buta *they are very independent*, depa tidak dok di kampung lagi. Dia duduk cari makan di bandar. *They belong to* – dia bekerja. Jadi untuk dia hendak cari keluarga yang rapat dengan dia, keluarga itu mesti terdiri daripada bapa, mak, ibu atau bapa. *They are confined to a very limited number of* keluarga. *Then*, mesti jadi pengundi pula itu. Jadi *they want it to be taken of*. Jadi kami bersetuju.

Mereka tidak minta Braille. *They want to be able to bring close friends*, kawan yang mereka percaya untuk kawan itu memangkah bagi pihaknya. Itu yang dia minta. Ini kerana kalau dia minta Braille seperti mana yang dicadangkan oleh pihak SUHAKAM, ini akan – *their vote will not be secret anymore. They are not many of them*. Jadi dalam satu *ballot box*, *you will find maybe one or two and then you know this two blind people vote for whom. You understand or not? Do you think theirs suggestion is more practical than yours?*

Datuk Khaw Lake Tee: *Perhaps Yang Berhormat, that is just our suggestion. It may not work. In fact, we could have a few instances where person may not necessarily be conversant with Braille. We could have persons who are not really blind in both eyes could be just, you know, difficulty reading and so on. So in those types of circumstances, Braille may not be useful to this sort of person either. So our suggestion is only a suggestion that perhaps Braille ballot will be provided. We take the point that it could render that particular voting slip of the person less transparent. And therefore, that is why they are not in favor of that. We take the point of the OKU.*

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But our basic premise Yang Berhormat, it that it has to take into account the person with disabilities. Not necessarily blind person or person where difficulty in walking. That we should actually try and make them access friendly and

Dato' Seri Mohd. Radzi Sheikh Ahmad: *We take note that. Thank you.*

Tuan P. Kamalanathan a/I P. Panchanathan: Tuan Pengerusi.

Tuan Pengerusi: Okey Yang Berhormat Hulu Selangor.

Tuan P. Kamalanathan a/l P. Panchanathan: Okey. Terima kasih Tuan Pengerusi dan terima kasih Yang Berbahagia Datuk Khaw dalam memberi penjelasan tentang cadangan-cadangan penambahbaikan sistem pilihan raya di Malaysia. Saya hanya ada dua isu. Yang pertama, cadangan kerajaan sementara yang dicadangkan oleh SUHAKAM. Ada atau tidak contoh-contoh yang mana Yang Berbahagia Datuk dapat cadangkan kepada kita yang mana kita rasa dapat kita mengambil faham ataupun belajar daripada konsep-konsep ataupun yang sedia ada.

Yang kedua, tempoh kempen yang lebih panjang. SUHAKAM telah mencadangkan ataupun menyatakan di sini merujuk kepada pilihan raya tahun 59, 64, dan 69. Adakah cadangan SUHAKAM juga kita balik kepada tahun 59, tempoh kempen yang begitu panjang? Itu sahaja. Terima kasih.

Datuk Khaw Lake Tee: Yang Berhormat, berkenaan dengan *the caretaker government*, di sini SUHAKAM tidak ada contoh-contoh yang boleh diberikan pada setakat ini tetapi Yang Berhormat kalau SUHAKAM boleh – kami boleh beri contoh-contoh selepas itulah. Berkenaan dengan soalan yang kedua iaitu tempoh kempen yang lebih panjang ini, SUHAKAM tidak memberi satu tempoh atau tidak memberi cadangan tentang tempoh dan ini terserah kepada SPR. Akan tetapi pada pendapat SUHAKAM, tempoh yang diberikan itu seharusnya munasabah. Mengambil kira keadaan di dalam negeri ini. Jadi sama ada keadaan itu memerlukan tempoh lima belas hari atau tiga puluh hari adalah sesuatu yang seharusnya diambil kira oleh SPRIah. Akan tetapi bukan sepanjang tidak sepatutnya atau seharusnya sepanjang tempohnya sama dengan tahun-tahun yang telah selepas itu.

Tuan P. Kamalanathan a/l P. Panchanathan: Okey, terima kasih Datuk. *Thank you very much.*

Tuan Pengerusi: Dari segi panjang tempoh berkempen, saya rasa infrastruktur telah pun berubah lebih bagus. Perjalanan daripada dulu, penggunaan ICT. Seterusnya kalau ada yang cadangan dua puluh satu hari, kami ini di luar bandar di Sabah memang bankraplah. *You know.* Untuk buat begitu panjang tetapi mesti munasabah. Akan tetapi dari panjang begitu, terlampau banyak berpolitik, kami masuk keluar kampung semua ini, aduh mahu kasi naik itu *permissible amount exceeds expenditure*lah kalau begitu. Untuk Sabah Sarawak. Munasabah. Okey, yang terakhir, Yang Berhormat Gombak. Yang Berhormat Gombak.

Tuan Mohamed Azmin Ali: Terima kasih Tuan Pengerusi. saya tertarik dengan cadangan daripada SUHAKAM tadi di mana untuk berlaku adil kepada semua pengundi membuat pilihan dalam pilihan raya umum, mereka harus diberikan akses kepada maklumat.

Dan daripada maklumat yang adil dan tepat, maka mereka ada hak untuk membuat keputusan. SUHAKAM mencadangkan tadi supaya SPR meneliti semula mekanisme supaya semua pihak mendapat akses kepada media atau *mainstream media*.

Akan tetapi saya ingin bertanya pandangan SUHAKAM. *The prime concern of the public now is that SPR has been given enough and sufficient powers.* Akan tetapi kegagalan mereka untuk *execute*. Ini isunya. Sebagai contoh saya hendak kongsi dengan SUHAKAM dan saya percaya SUHAKAM ada maklumat ini. Di bawah Artikel 115(2) *Federal Constitution*, "*which is all public authorities shall or request of commission. Give the commission search assistant in this charge of its duties*". Maknanya, SPR telah pun diberikan kuasa di bawah *Federal Constitution* untuk memanggil mana-mana agensi supaya memberikan kerjasama bagi memastikan satu *conduct of free and fair election*. Akan tetapi ini tidak berlaku.

Yang keduanya, kalau kita melihat *Election Act, part two section 5(2) "the election commission may delegate subject to search authorities Act Condition on the commission request – consider necessary"*. Jadi maksud saya ialah di bawah peraturan pilihan raya dan juga peruntukkan perlembagaan persekutuan, jelas SPR mempunyai kuasa. Jadi bagaimana pandangan SUHAKAM dalam perkara ini di mana rakyat merasakan kegagalan SPR untuk melaksanakan sekurang-kurangnya kuasa yang telah diberikan dalam perkara-perkara mendapat akses kepada media, amalan politik wang yang melibatkan SPRM, keperluan mendapatkan permit daripada polis yang SUHAKAM menyatakan tidak perlu tetapi SPR mengikut pengalaman saya sering melepaskan tugas ini kepada badan-badan yang berkenaan dan tidak mahu mencampuri urusan KDN ataupun media dan juga SPRM sedangkan kuasa telah diberikan kepada SPR untuk melaksanakan satu pilihan raya yang bersih dan adil bagi rakyat keseluruhannya. Apa pandangan SUHAKAM dalam perkara ini?

Datuk Khaw Lake Tee: *Thank you very much*, Yang Berhormat. Kalau SPR telah diberikan kuasa yang telah dijelaskan oleh Yang Berhormat tadi ini, SPR sepatutnya menjalankan atau menguatkuasakan apa yang telah diberikan. Tadi saya ingat apa yang telah dijelaskan oleh Dato' Michael Yeoh berkenaan dengan kuasa-kuasa SUHAKAM. Dikatakan bahawa kuasa SUHAKAM untuk menjalankan tugas SUHAKAM ini adalah terhad dan sebenarnya kalau kita rujuk kepada akta yang menubuhkan SUHAKAM ini, SUHAKAM ini dihadkan kepada empat mandat sahaja. Mandat yang pertama ialah untuk *protect and promote human rights*. Dalam perkataan *protect and promote human rights* ini agaklah luas. Kalau kita boleh menggunakan *creative interpretation, the phrase promote and protect human rights* ini, banyaklah perkara yang SUHAKAM boleh melakukan mengikut *statue* ini walaupun...

Kalau kita nampak itu secara ringkas, kuasa kepada SUHAKAM adalah terhad. Akan tetapi ini boleh diperluaskan. Begitu juga dengan SPR. Kalau mereka telah diberikan kuasa-kuasa di bawah akta-akta dan juga dalam Perlembagaan seperti yang telah dijelaskan oleh Yang Berhormat, merekalah sepatut menjalankan tugas mengikut apa yang diberikan dan menterjemahkan apa kuasa yang mereka ada untuk merealisasikan satu pilihan raya yang dijalankan itu bebas dan adil kepada semua dan untuk semua. Inilah pandangan SUHAKAM *that they should actually use of the possible provision that are available to SPR to ensure that all election are fair and free plus fair and free in every sense of the work. Thank you.*

Tuan Pengerusi: Okey, Yang Berhormat Kapit.

Datuk Alexander Nanta Linggi: Terima kasih Tuan Pengerusi. Izinkan saya berbahasa Inggeris. *I like to ask Datuk Khaw of the SUHAKAM. You saying here that pelaksanaan persempadanan semula gerrymandering you put in bracket berdasarkan kumpulan etnik untuk mengawal keputusan pilihan raya harus diberhentikan. Now, that is your official stands I believe. Are you suggesting now that in Sarawak, there are many existing constituency base on the various ethnic grouping is there. Are you going suggest that it is going to be reduced and all this while SUHAKAM has been active, supportive of the many ethnic groups in various issues? And I like you to state clearly that what's going to be in future of politically of this people in terms of their representation. I like your views of that.*

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Datuk Khaw Lake Tee: *Yang Berhormat, I think the gerrymandering is something that SUHAKAM feels that it is against the Federal Constitution of Article 21 of the universal that creation human rights. I don't think that a deliberate delineation based on rights are works against what SUHAKAM is doing at the moment and that is to look into the land rights – I assume Yang Berhormat is referring to that, the looking into the land rights of indigenous people. I don't think that they are necessarily inconsistent with what – this two position that SUHAKAM is taking is necessarily inconsistent with each other.*

Datuk Alexander Nanta Linggi: *Ya, but the voice of the people through the numbers of constituency would have some bearing on whatever issue including land rights. Now I like to take you on one more point where yesterday at the presentation by Encik Uthayakumar representing the 'Human Rights' party, he was talking about why there is been no effort or unsuccessful effort in the past that the government is not been able to create constituency where the Indians can be make the majority. To do that, would be actually gerrymandering, and here there is request for that.*

Datuk Khaw Lake Tee: *That is the view of the other representation but our representation is that, it should not be deliberately done but if it happens...*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Mr. Chairman, I think Yang Berhormat Kapit's point is actually very clear. If you look at the rule of land of Sarawak for example, it would be very difficult to find or to define the constituency in access of 20,000, and that constituency – if you insist on that – will be almost like the size of Selangor. You know, bigger than Selangor. I mean, while we agree that there must be a limit to the weightage between rural and urban, but unfortunately upon the formation of Malaysia, this is the type of problem that we have to address.*

Tuan Pengerusi: Saya selalu jenaka yang mana kawasan saya Kota Marudu seluas 1,800 kilometer persegi, saya boleh masukkan Pulau Pinang sama Perlis di dalam. Okey, *points taken*. Saya rasa pandangan SUHAKAM itu begitu luas sekali.

Barangkali sudah sampai masanya saya katakan terima kasih kepada pihak SUHAKAM, Datuk Khaw, atas *input* yang cukup banyak. Saya rasa antara badan yang nanti kami akan rujuk sekali lagi dalam proses kami menyediakan laporan dan saya harap pihak SUHAKAM sedia untuk membantu dan memberi pandangan-pandangan khususnya mengenai apa yang telah dibangkitkan tadi yang lebih khusus dan *the mechanics of doing thing, maybe that the kind of things that we are looking at. A lot of ideas submitted during this two days even to our email system tapi when we ask them how do you plan to do it, not many people can really – they said that it is up to Select Committee. Public hearing is to listen to you and to get input from you in order to fulfill our terms of reference*. Sekali lagi, terima kasih Datuk.

Datuk Khaw Lake Tee: *Very much Tuan Pengerusi. SUHAKAM will assist in anyway, that it is we can do. Thank you.*

Tuan Pengerusi: Okey, terima kasih. Seterusnya nanti ialah..., saya ingin menjemput...

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

Tuan Pengerusi: Bukan, mereka belum. Saya jemput Yang Berbahagia Datuk Ambiga untuk ambil tempat sebagai saksi ataupun sebagai pemberi keterangan.

[Saksi individu (Datuk S. Ambiga) mengambil tempat di depan Jawatankuasa]

Tuan Pengerusi: Okey Yang Berbahagia Datuk Ambiga, selamat datang, salam sejahtera dan terima kasih kerana telah meminta untuk hadir bersama dengan pihak kita.

Kami sedia maklum siapa Datuk S. Ambiga. *You are President Bar Council, you have wide coverage of services. In this particular sitting* untuk tujuan *Select Committee to call* saksi, *we have conveyed to you Datuk to come in your name as Datuk S. Ambiga, although we know who you present below the hats that you had.* Ini kerana pihak Jawatankuasa telah memutuskan, apabila kita memanggil saksi yang menggunakan persatuan, kita gunakan persatuan yang berdaftar. Kalau tidak, *the flood gate, a lot of protem committee of political parties* dan begitu semua mulai masuk. Di situlah kita katakan bahawa, *you can either use one of the 22 persatuan berdaftar that you are involved or you come in as 'Datuk S. Ambiga'.* *With that kind of ketetapan, you have come to make a presentation and* diberi 10 minit sebagai permulaan, dan *I think* Ahli-ahli Jawatankuasa juga akan memberi interaksi nanti.

Tuan Mohamed Azmin Ali: Tuan Pengerusi, sebelum Datuk Ambiga mengemukakan pandangan, boleh kita dapatkan laporan bertulis dahulu seperti badan-badan yang lain?

Tuan Pengerusi: Ya, saya telah minta tadi supaya laporan yang diberi itu atas nama beliau dan sedang dikemas kini.

Tuan Mohamed Azmin Ali: Apa maksud Tuan Pengerusi, apa masalahnya Tuan Pengerusi?

Tuan Pengerusi: Tadi dia datang dalam bentuk nama persatuan yang belum berdaftar.

Tuan Mohamed Azmin Ali: Apa nama persatuan itu?

Tuan Pengerusi: Persatuan yang Yang Berhormat...

Tuan Mohamed Azmin Ali: *No, no, you have to clarify in the Committee.*

Tuan Pengerusi: Persatuan atas nama "BERSIH"

Tuan Mohamed Azmin Ali: Apa masalahnya?

Tuan Pengerusi: *Since* kita kena buat ketetapan bahawa kalau dia bawa itu sebagai dokumen saksi untuk di *present* atas nama Datuk S. Ambiga...

Tuan Mohamed Azmin Ali: Tuan Pengerusi, saya ingat perkara ini saya sudah bangkitkan daripada mesyuarat yang pertama lagi. Walaupun BERSIH bukan satu badan yang berdaftar tetapi BERSIH mewakili lebih 60 *civil societies and NGOs registered and legal bodies* untuk *represent the concern of the public.* Jadi apa masalahnya? Kalau alasan Tuan Pengerusi bahawa badan ini belum berdaftar..., saya minta maaf Tuan Pengerusi, kita kena konsisten. Ini satu badan yang dibentuk oleh Parlimen, satu badan bebas.

Kalau Tuan Pengerusi menggunakan alasan BERSIH belum berdaftar, maka laporan tidak boleh diedarkan.

Saya hendak tanya kenapa 'Human Rights' party semalam dibenarkan? 'Human Rights' party juga belum berdaftar. Jadi Tuan Pengerusi, jangan terlalu takut dengan istilah BERSIH. *I mean, be fair...* [Ketawa]

Tuan P. Kamalanathan a/l P. Panchanathan: Ini tidak ada kena-mengena dengan takut. Tidak baik. Tidak ada kena-mengena dengan takut.

Tuan Mohamed Azmin Ali: *No, no. Please, I am not addressing this issue to you. I would like* Tuan Pengerusi beri jaminan, kalau keputusan itu dibuat atas alasan badan belum berdaftar, saya hendak tanya kenapa parti ini dibenarkan?... [Menunjukkan senaskhah laporan] Ia juga belum berdaftar.

Tuan Pengerusi: Mengikut siasatan yang diberi kepada saya pada waktu itu, bahawa mereka...

Tuan Mohamed Azmin Ali: Belum berdaftar. Malahan, laporannya juga dia sebut, "protem committee", belum berdaftar...

Tuan Pengerusi: Kita proceed sebagai...

Tuan Mohamed Azmin Ali: HRP belum berdaftar. Jadi saya minta supaya biar kita satu Jawatankuasa yang bebas yang ada integriti. Jangan kita menggunakan *double standard* dalam Jawatankuasa.

Tuan Pengerusi: Dari awal mesyuarat kita, kita telah memutuskan bahawa saksi-saksi...

Tuan Mohamed Azmin Ali: Jadi saya minta oleh kerana BERSIH sudah siapkan laporan, edarkan kepada Jawatankuasa.

Tuan Pengerusi: Saya telah putus atas nama 'Datuk S. Ambiga', *contentnya* sama.

Tuan Mohamed Azmin Ali: Laporan itu saya dapat tahu ditolak oleh sekretariat.

Tuan Pengerusi: Tidak, atas nama itu sahaja sebab dia mewakili....

Tuan Mohamed Azmin Ali: Ya, kenapa?

Tuan Pengerusi: Kalau ada 22/60 yang berdaftar, gunakan satu daripada itu yang berdaftar.

Tuan Mohamed Azmin Ali: Ya, mengapa? Sebab, badan ini juga tidak berdaftar tetapi telah diedarkan.

Tuan Pengerusi: Itu saya telah siasat kelmarin bahawa hendaklah ikut peraturan. Kalau dia terlepas...

Tuan Mohamed Azmin Ali: Peraturan mana?

Tuan Pengerusi: Kalau terlepas, maka pihak Sekretariat kita akan...

Tuan Mohamed Azmin Ali: Saya minta satu keputusan yang telus, yang bertanggungjawab Tuan Pengerusi. Kalau tidak, rakyat di luar sana hilang keyakinan kepada Jawatankuasa ini.

Tuan Pengerusi: Tidak timbul begitu Yang Berhormat. Saya rasa...

Tuan Mohamed Azmin Ali: Tolonglah, saya minta panduan daripada Tuan Pengerusi.

Tuan Pengerusi: Saya telah buat ketetapan, dari awal bahawa saksi-saksi yang datang boleh datang atas nama persatuan yang berdaftar atau secara peribadi.

Tuan Mohamed Azmin Ali: Tetapi ini tidak berlaku.

Tuan Pengerusi: Dan mengikut peraturan kelmarin, saya telah minta pihak Sekretariat untuk menapis semuanya itu dan menyampaikan kepada semua saksi. Jadi, saya hendak minta kepastian di sana. Akan tetapi pada saat ini, saya rasa apa yang di..., kita tahu siapa yang membentang. Hanya soal *title* sahaja dan boleh masuk atas nama satu daripada 60 persatuan itu. Tidak ada masalah sama sekali.

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Tuan Mohamed Azmin Ali: Akan tetapi Tuan Pengerusi, saya sebut sekali lagi daripada awal lagi. Maknanya keputusan yang dibuat Tuan Pengerusi itu tidak konsisten. Saya sebut daripada hari pertama bahawa walaupun BERSIH belum didaftarkan, tetapi ia mewakili satu jumlah yang cukup besar.

Kalau Yang di-Pertuan Agong boleh menerima Datuk S. Ambiga sebagai Pengerusi BERSIH, mengapa Jawatankuasa ini mengambil satu tindakan yang remeh untuk memperkecilkan kerana beliau mewakili 60 NGOs yang lain.

Tuan Pengerusi: Saya rasa kita perlu juga konsisten. Banyak parti-parti *proterm* di Sabah dan Sarawak hendak datang, saya katakana, "tidak boleh", mesti atas nama sendiri kalau tidak berdaftar. So ini....

Tuan Mohamed Azmin Ali: Saya tidak ada...

Tuan Pengerusi: Nanti. Sedang disiasat betul atau tidak belum berdaftar..., okey. Belum atau tidak belum berdaftar. Saya rasa di *cover note* sahaja, isi kandungannya kita tahu siapa. Hanya untuk *to be consistent with the previous dealing of this nature*, tetapi saya telah minta sebab saya telah periksa betul atau tidak. Mereka kata parti ini sudah lama dan *you got to cover, only the committee is proterm, you see*. Begitulah yang dimaklumkan kepada saya, okey. *So I was guided by that*. Jadi Datuk, soal nanti label itu kemudian, tetapi isi kandungan saya mulai dijempit untuk berkongsi. Terima kasih.

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Datuk S. Ambiga: Selamat pagi Tuan Pengerusi dan Yang Berhormat sekalian. *Just on that issue Tuan Pengerusi, we have done a lot of works actually. Our submissions are rather substantial. I don't want to enter into an argument about whether it should come under the label of BERSIH, but what I can say is we represent the views of BERSIH. That is what we will be representing but if it is a question of the first page bothering Tuan Pengerusi, then by all means, remove it. So, can we handout the...*

Tuan Pengerusi: *It is not just bothering, just to the case of inconsistency as I said earlier. I could appreciate your comment.*

Datuk S. Ambiga: *Yes. But I do not...*

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

Datuk S. Ambiga: *No, if we can hand it out and we leave it to you to just – Tuan Pengerusi stretch out the name of the report, the front page.*

Tuan Pengerusi: *Okey. I benarkan itu. You boleh edarkan.*

Datuk S. Ambiga: *Yes. You can do that.*

Tuan Pengerusi: *On record that BERSIH is not a registered organization, hanya speaking representing of views whatever.*

Datuk S. Ambiga: *I am speaking on behalf of BERSIH 2.0 Tuan Pengerusi. But Tuan Pengerusi can record...*

Tuan Pengerusi: *Now, you are speaking as 'Datuk S. Ambiga'.*

Datuk S. Ambiga: *No. Tuan Pengerusi free to record me as in whatever capacity because I do not think getting into this semantics is helping any of us. We want to help you and you want hear from us.*

Tuan Pengerusi: *Sure.*

Datuk S. Ambiga: *We have done a lot of works.*

Tuan Pengerusi: *Okey. Sila.*

Datuk S. Ambiga: *So, can we hand out the...*

Tuan Pengerusi: *Beri beliau 10 minit then kemudian will be interactive from Yang Berhormat.*

Datuk S. Ambiga: *Can you hand out the – I need to refer to the document Tuan Pengerusi.*

Tuan Pengerusi: *Do you have a copy of this in your file.*

Datuk S. Ambiga: *No. They will return to us.*

Tuan Pengerusi: *[Ketawa]*

Datuk S. Ambiga: *BERSIH is the good word Tuan Pengerusi.*

Tuan Pengerusi: *No. Saya... [Tepuk]*

Tuan Pengerusi: *Do not worry. Soal "bersih" is good word, ya. Soalnya tujuan, matlamat, penyampaian dan cara. Itu penting. Tuhan mahu cari hati yang bersih juga. Akan tetapi itu penting.*

Datuk S. Ambiga: *But we have more important things to do Tuan Pengerusi.*

Tuan Pengerusi: *Sure. Can you start please?*

Datuk S. Ambiga: *I could takes – If I could...*

Tuan Pengerusi: *No we have no time to present 24 pages. We have the summary to be done.*

Datuk S. Ambiga: *Yes. Tuan Pengerusi, with the leave of the Committee, I would be submitting on one or two areas and my colleague will submit on other area because it is quite a lot for us to cover but we keep...*

Tuan Pengerusi: *I know. I willing, 10 minit sebagai permulaan, I akan tambah dan interrupt sedikit lagi selepas itu.*

Datuk S. Ambiga: *Thank you, if I could refer to my tab one, which in a relation of the first tuntutan iaitu tentang senarai undi untuk bersihkan senarai undi. That is electoral roll. We go to page 2 of that Tuan Pengerusi, we have set out and overall critic...*

Tuan Pengerusi: *Untuk makluman Datuk S. Ambiga, we are allow you to distribute it for reading' pleasure with recorded that BERSIH is not registered organization. Laud and clear. Okey sila.*

Datuk S. Ambiga: *But can you record that I am speaking on behalf of BERSIH 2.0?*

Tuan Pengerusi: *We invited you as Datuk S. Ambiga but we know you presents view from...*

Datuk S. Ambiga: *...Of 62 non governmental organization.*

Tuan Pengerusi: *Tiada masalah.*

Datuk S. Ambiga: *In fact, now 80 actually. Tuan Pengerusi, the page 2...*

Tuan Pengerusi: *Just, it is Parliamentary session as you think, those who are observers, you can not react or you cannot make a comment. This is the standing order of Parliament. So, please do not menyampuk because this is Parliament meeting in process. Word by word is recorded for the Hansard to the public. So, I hope those are observers and so forth, you observe Parliamentary process. Thank you.*

Datuk S. Ambiga: *Tuan Pengerusi, may I refer to page 2 of tab 1. We have referred to three problems in relation to the elector roll. The first is relation to the obstacle to registration of eligible citizens.*

The second, Tuan Pengerusi will see on paragraph 1(a), (b), is in relation to the obstacle to removing deceased voters multiple registrations and other fraudulent registration and (c) is the obstacle to scrutinize edition to removal from the existing rolls by the Election Commission.

Tuan Pengerusi: *Hello.*

Datuk S. Ambiga: *Yes.*

Tuan Pengerusi: *...To the page? Because...*

Datuk S. Ambiga: *Page 2, tab 1 Tuan Pengerusi.*

Tuan Pengerusi: *Ha?*

Datuk S. Ambiga: *Tab 1 Tuan Pengerusi. Tab 1 of the bundle, page two at the bottom. It starts with overall critic of the current system, the first paragraph.*

Tuan Pengerusi: *Tidak ada, different?*

Datuk S. Ambiga: *No. That is not the one.*

[Saksi-saksi berbincang]

Datuk S. Ambiga: *It is tick one with tab. There are two that have been handed to the Committee*

Tuan Pengerusi: *I did not see this one. You give me two. One this one, one is a paper...*

Datuk S. Ambiga: *The tab on it.*

Tuan Pengerusi: *By international group which I have not accepted because it belongs to other people. I will discuss with committee whether it is for reference. Satu ini. So, you are referring to this?*

Datuk S. Ambiga: *Yes, that so. So, at (a), (b) and (c) I set up what the essentially the problem are. If I can summarize Tuan Pengerusi, as far as the first issue is concerned, obviously I was answer to the problem is automatic voter registration and the...*

Tuan Pengerusi: *Okay. can we just take on that one because different opinion. Legal council, you have to amend the constituent what is your view?*

Datuk S. Ambiga: *If I could take Tuan Pengerusi to that particular section why they say that. They might have to be slight amendment...*

Tuan Pengerusi: *You differing from SUHAKAM views.*

Datuk S. Ambiga: *That they does not have the amendment?*

Tuan Pengerusi: *Yes.*

Datuk S. Ambiga: *Or they might have to be because there have two way to looking on it.*

Tuan Pengerusi: *No. Because I need to know the position that she presenting because in the previous group says no need, other say yes. I just want to know SUHAKAM opinion.*

Datuk S. Ambiga: *No. My view is there is only one small provision which talk about qualified voters which give the impression that the other person has to apply because it is define qualified voters. So, in strict legal...*

Tuan Pengerusi: *Okay. Enough.*

Datuk S. Ambiga: *No. I think it s important Tuan Pengerusi. In strict legal sense and I think the lawyer of the panel...*

Tuan Pengerusi: *I need to know the position that you take. Sila, continue.*

Datuk S. Ambiga: *Yes. This is under – maybe I mention it is Article 119(4) and it defines qualify date. It is 4(b), this is what it says, “Qualifying date means the date which the person apply for registration”.*

Tuan Pengerusi: *Apply or a voluntary.*

Datuk S. Ambiga: *But by virtual of that, it is assumed one has to apply to be a voter. Of course in legal term, you can have the legislation which deems application automatically. I think that is legal point.*

Tuan Pengerusi: *Okey.*

Datuk S. Ambiga: *But I do not think I can say that is open and shut that you do not need amendment. But assuming you need amendment, it is a very small amendment. Of course our constitution amended 700 over the time since 1999 election actually, not only has a constitutions have been amended, election laws has amended that have been over 30 amendment make to election laws so, I would say we must be never being coy about amending the law because we do it.*

Tuan Pengerusi: *Okay, understood. Please move on.*

Dato’ Seri Mohd. Radzi Sheikh Ahmad: *We not saying that.*

Datuk S. Ambiga: *No, that seem to bean an objection when there is an amendment but I saying we do not need it.*

Tuan Pengerusi: *No. The other sides support any. You can amend anything.*

Datuk S. Ambiga: *Absolutely. I’ll be surprise you did not support. Tuan Pengerusi, the second issues stand from basically the EC failure to utilize the agency link up system, the ALIS system. What we cannot understand is why if we have registration system, because where unlike many country do not have identity card system. We have an identity card system. So automatic voter registration is very easy for us, is very easy to implement.*

What we need to do is, we need to have an NRD database that has integrity and of course we need to have an EC database that has link to that. So the source will become the NRD but we have to ensure that is database that has the integrity. So, that is the issue in relations to that.

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What we cannot understand now at this point and time is, if the Election Commission is relying on the ALIS system, why is it they cannot clean up the register in relation to for example, dead voters; people who had died? Why is it we are unable to synchronize the two systems? I think EC answer in one of the forum was that the relative of the deceased have to go and inform the EC that the relative – and not many people will do that because we assume that all these are on records. Once a death certificate is issued, NRD must have those records. If NRD has those records, EC must automatically be able to capture that information. So, to me, really the issue is whether we can sort out all this online system that we have that need to be cleaned out. But again as I said, the integrity of the NRD database is very-very important.

Tuan Pengerusi, the other issue we have looked at is that, with that, if we can tidy up the NRD database and we can bring in an automatic voter registration, we can be actually do automatic removal of deceased voters. It should be possible. There is no reason why that cannot be done.

The other thing is of course we had a concerned over the issue of – lets me just give you the... I will hand up two bundle of documents which prove that...

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Just one minutes before you go on.*

Datuk S. Ambiga: *Yes.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *If someone dies, a voter dies at the moment, what is the procedure? How do you inform the death? Someone must inform of the death, right?*

Datuk S. Ambiga: *Of course. Yes. Yes.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *To whom they inform the death?*

Datuk S. Ambiga: *Yang Berhormat, I think it is a standard practice that it has to be a death certificate that would be the normal thing or you report to the police station. You need the burial permit anyway. Before you can get a burial permit, all these things have to...*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *That's must be automatically link to the JPN.*

Datuk S. Ambiga: *Yes. NRD must capture that information because once there is death certificate, surely that must happen. How can it be that the National Registration Department does not have information about death?*

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

Datuk S. Ambiga: *It cannot be right.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *I get it. Because, I got a case, it is a friend of mine whose father died in England. He went there for visit and then he died and nobody inform of his death here in Malaysia. So, for many years his name appeared first number one on the electoral rules, because there is no link. So, what you want, what you are requesting is that, there must be a system whereby anyone who is death, who is a voter, automatically he gets the burial certificate or a death certificate, it is automatically link to the JPN and JPN will automatically know and then straight away by at least to the...*

Datuk S. Ambiga: *Yes, absolutely. And in fact Yang Berhormat, I am actually rather concern that NRD does not have this information. If they can register birth, they must be register the death as well.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Can we ask the JPN bagaimana?*

Datuk S. Ambiga: *Certainly.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Bagaimana kalau seseorang itu meninggal – sekarang inilah, sistem yang ada sekarang ini?*

Dato' Jariah binti Mohd Said: *Yang Berhormat, sistem sekarang ini yang mana apabila seseorang meninggal, pemaklum yang terdiri daripada waris akan pergi memohon permit mengubur. Apabila dia dapat permit mengubur, mayat itu baru boleh dikuburkan. Setelah itu, pemaklum sepatutnya pergi mendaftarkan kematian tersebut kepada JPN.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Sepatutnya. Bermakna kalau dia tidak pergi pun tidak mengapa?*

Dato' Jariah binti Mohd Said: *Tidak pergi pun tidak apa.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Oh!.*

Dato' Jariah binti Mohd Said: *Kalau dia tidak pergi melaporkan kepada JPN, kita tidak tahu kematian itu berlaku.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Daripada segi undang-undang, adakah orang itu dipaksa untuk membuat laporan atau tidak?*

Dato' Jariah binti Mohd Said: *Tidak.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *That means kita mesti...*

Dato' Jariah binti Mohd Said: *Kalau pemaklum tidak melaporkan kematian kepada JPN, kita tidak boleh update kita punya sistem.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: Ertinya, sistem undang-undang kita tidak boleh memaksa dia buat itu?

Dato' Jariah binti Mohd Said: Tidak boleh paksa. Itu sistem sekarang.

Tuan Loke Siew Fook [Rasah]: Dato' Jariah...

Dato' Jariah binti Mohd Said: Jadi, apa yang berlaku sekarang, dia cuma pergi memaklumkan kematian kepada polis untuk mendapatkan permit mengubur, untuk tujuan menguburkan. Akan tetapi, dia tidak mendaftarkan kepada JPN untuk mendapatkan sijil kematian.

Tuan Loke Siew Fook: Persoalannya Dato', saya rasa apa yang dimaksudkan ialah mengapa permit mengubur itu yang didaftarkan dengan polis, yang dipohon daripada polis, mengapa ia tidak boleh *link-up* dengan Jabatan Pendaftaran Negara? Kalau *link-up*, ia tidak perlu buat dua kali. Kalau sudah mengambil permit mengubur, teruslah kita tahu dia sudah mati. Takkan tak mati dia pergi kebumikan, jadi, mengapa tidak boleh *dilink-upkan*?

Dato' Jariah binti Mohd Said: Dengan sebab itu Yang Berhormat, KSU Kementerian Dalam Negeri telah memaklumkan bahawa mulai 1 Disember, apabila pemaklum pergi memohon Permit Mengubur, Permit Mengubur itu akan disatukan dengan daftar kematian dan PDRM akan *link* terus dengan JPN dan JPN akan terus dengan SPR. Mulai 1 Disember.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Mula bulan 12?

Dato' Jariah binti Mohd Said: Yes.

Dato' Seri Mohd. Radzi Sheikh Ahmad: *So, there you are. That is the present situation.*

Datuk S. Ambiga: *I think the answer is not to pass another law for sink people to report because it would not happen, you know. A lot of people who are living far – it is to link with the burial permit and other things. But there are two things here actually. One problem is of course this issue of NRD database is not being accurate. The other problem is, the NRD database show that the people are dead, why are they still in EC rule? So, that is the second problem. In fact, we did a search and we found – and this is just an evidence, two bundles. I think over thousands people who are death, who are on EC rule. So, if we can forward that which we will forward in awhile...*

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

Datuk S. Ambiga: *That is the evidence, and that's really the tips of the icebergs. We just checked it a few days ago, they still have not removed. Although EC has been saying that they are cleaning it up, it is still not cleaned up I am afraid, as I have seen recently. That is something that very serious, Yang Berhormat. So, that is one of the thing.*

The other things of course is the...

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Of course I do not want to be elected by this people, you see.*

Datuk S. Ambiga: *Absolutely.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *No way. No one. None of us.*

Datuk S. Ambiga: *That man should not be voting... [Ketawa] Absolutely. I think if I can go through very quickly Tuan Pengerusi, the question of automatic voters registration, I am ready to take question on that. I do not think it is difficult to implement in a country where we have the identity card and certainly, it does not mean you are forcing people to vote. I think that is some argument that is been throws over and over again. Let's get it straight; when there is automatic voter registration, all you are doing is making it easier for those who are eligible to vote to become a voter. That's all. Because the present system, if we go into it, at the moment Yang Berhormat, we have 3.7 millions unregistered voters. It is not acceptable. And if we look at the weight at which EC is registering, they cannot catch up. So, for the next elections, we gonna have more than three millions people who are disenfranchised.*

And it is not necessarily because they did not apply to register but also because the process of registering is so..., because what they do is, the supplementary role is revised every three months. So, whenever you say you apply to register, that does not get possess for three months. And it can take up to six months because what they do is they wait for objections. So, we have given suggestion here on how to streamline that. And what we have said this – I mean, using IT is the best answer actually. Because once you have everything online, where suggesting even allowing registration online, and we are saying where there is not objections raised, it should be immediately registered.

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But what happening now is the electoral roll is revise is only every three month but because of possible objection its taking perhaps even another three month. So I can go to the post office which is a very simple process, that I agree and that excellent. I comment the parties for that but unfortunately it doesn't mean you vote in the next election. So if I go and register today or Monday, there's no guarantee that I would be able to vote in the next general election and that's is not acceptable and that is easily resolve - we have giving suggestions in our paper as to how that can be resolve.

Tuan Pengerusi: *Datuk Ambiga, itu dependant on the date of conformation, a certification by the SPR isn't?*

Datuk S. Ambiga: *Yes.*

Tuan Pengerusi: *While you are saying is make the date as soon as possible so that they can vote in the next isn't?*

Datuk S. Ambiga: *Absolutely.*

Tuan Pengerusi: *... Because the coming election, they declare last vote ...*

Tuan Mohamed Azmin Ali: *...After objection?.*

Tuan Pengerusi: *No, no. after objection, dipamerkan dan pada masa ia dipamerkan, the registrar to be use will be declare by SPR as the last one confirm. I think the concern is that..., as the time to been done, to be hasten to allow the confirmation the roll after objection in case the election is held in there the roll isn't that?*

Datuk S. Ambiga: *Absolutely Tuan Pengerusi. What we are saying is right now because the supplementary roll is revised only every three month. We actually make a suggestion that it is revise every month. Now that requires only a amendment to a regulation. Regulations are easily amended because they can just be put before parliament and amended. So whatever it is regulation that can be done instantly.*

Tuan Pengerusi: *I would like open to suggest that.*

Datuk S. Ambiga: *Yes. I been actually set it up in a paper here as to revising the electoral roll of the supplementary vote quicker but eventually we must go into an online system. That's the best because it should be instant. If I an illegible to vote and I register and there's no objection within seven day, I should immediately after that seven days be illegible to vote. That's what*

Tuan Pengerusi: *Datuk Ambiga, this one ada group has proposed that seven day is too short. In Sabah and Sarawak areas ini dia papan di Pejabat Daerah, there's no ICT access. Actually there requesting for 14 days rather than previous like that, they certain it. So they rasa - we have to be open ...*

Datuk S. Ambiga: *Yes. No, I think that's all. I have no objection; we have no objection to a reasonable time. Seven day is perhaps a bit short but what I'm saying is whether are no objection, they should immediately be registered and allowed to vote but unfortunately they stuck with this revision of supplementary rule after three month. So I think you would find a lot of people would gone and registered to vote, something that take five minute who after six to ten months still haven't be allowed or haven't be registered as voters.*

Dr. Mohd. Hatta bin Md. Ramli: *Datuk Ambiga, with regards to automatic registration, there be some odd people in the country who feel that his right not to be a voter impinge and he refuses to be registered, even though we said that whether they want to vote or not is up to them but let have automatic registration.*

So how do you handle this or if people refused to be in the list then they come forward to deregister themselves. Is that acceptable?

Datuk S. Ambiga: *Well I would be surprise. Automatic voter registration is not a new idea. It happening all over the world and I would be very surprise where people applied to deregister but to me, actually that is an easier problem to deal with than dealing with 3.7 million who are not registered. So you take it, you have a choice, you either want to deal with the 3.7 million who are not registered – the disenfranchise or do you want to deal, is it easier to deal with some disgruntle voters who may not want to vote. But to me, it does not impinge on their right to vote or not to vote. Everybody has a right to vote or not to vote. Registering them does not impinge on that right.*

Tuan Loke Siew Fook: *Tuan Pengerusi, just one question on automatic registration. While we support automatic registration but at the same time you were not solve the problem of planted voters as well because of auto registration base on the address base on NRD. So if someone have a systematic way of changing addresses or hundred of voters, then they automatically become voters of a constituency that they are not suppose to be. So how do you solve that?*

Datuk S. Ambiga: *I think that is not easy actually Yang Berhormat but what we have suggested is if you had a transparent online system, and then it does become easier for people to track it. Okay, the starting point actually is that we must have people of integrity in these areas. Unfortunately the trust doesn't appear to be there and that why we find a lot of this instances where people are complaining that you have such a instances of phantom voters but I think if you have an online system which is transparent and you have decision plus you have a synchronization of the NRD with the electoral. It makes the job of detecting those cases easier. I think that's the best that we can suggest.*

Tuan Loke Siew Fook: *Eventhough we can detect, I mean even right now we can detect, is not a problem of detecting. The problem is how to verify it and how to make the changes. I mean detecting is not a problem but the problem is after we detect, nothing can be done.*

Datuk S. Ambiga: *Yes, that true because on the supplementary roll, only the EC has the right to make changes. Is that point you making Yang Berhormat?*

Tuan Loke Siew Fook: *Yes.*

Datuk S. Ambiga: *Yes? No, I think that is a problem. We have actually suggested the solution at page 14 that There has to be transparent revision of both the principal and the supplementary roles after certification. So in other word..., yes.*

Tuan Mohamed Azmin Ali: Akan tetapi Datuk Ambiga, *I think* kita juga sedar *after 2001, we are not able to challenge the principal roll after the amendment.*

Datuk S. Ambiga: *That's right, seksyen 9A.*

Tuan Mohamed Azmin Ali: Ya. *So what do you suggest now? Can we review that particular amendment so that we can still challenge the principal roll* sekiranya kita dapat penyelewengan dan ada pengundi-pengundi yang tidak berhak mengundi?

Datuk S. Ambiga: *We have suggested that they remove Seksyen 9A , that amendment that doesn't allow the roll to go to the court. I think that was we have suggested because that was the previous position anyway and the court would able to deal with those issues but 9A came in which saying you cannot go to the court In relation to the principal and supplementary rolls. So I think our suggestion is to actually remove 9A.*

Tuan Mohamed Azmin Ali: Tuan Pengerusi, boleh kita dapat pandangan SPR tentang mengapa pindaan ini dibuat dan menghalang untuk *principal roll* ini dicabar sekiranya ada bukti yang sahih tentang pengundi-pengundi yang tidak berhak mengundi. Apakah pendirian SPR dalam hal perkara ini.

Tuan Pengerusi: *I think maybe they are not in position to answer. You want to say something? Because Since in the court process ada time dan protect tetapi I think* beginilah, jawatankuasa boleh membincangkan ini. Saya secara, *my party open to this I mean taking my head was chairman, I think my party is open to this suggestion tetapi let listen together.*

Datuk S. Ambiga: *Actually I was hoping to hear SPR answer as well but... [Ketawa]*

Tuan Wee Choo Keong: Datuk Ambiga, *can I just ask you one question? When we talk about automatic registration and all that, we also agree with automatic registration. What is your view, what do you think of when you have automatic registration than we should have a system 'vote where you live' base on your address rather than base on where you are registered as a voters.*

Datuk S. Ambiga: *It would be because it wouldn't happen that way actually.*

Tuan Wee Choo Keong: *No, that means you have to change your system to vote where you live rather than vote where you are registered.*

Datuk S. Ambiga: *No, but if you ...*

Tuan Wee Choo Keong: *...Because automatic registration should come with that. That's means if your address is in Jalan Bukit Bintang for example, then you votes in Bukit Bintang constituency.*

Datuk S. Ambiga: *No, but that is exactly the point because it would happen that way with automatic voters registration because yes it does happen that ...*

Tuan Wee Choo Keong: *So you agrees with vote where you live systems rather that vote where you are registered as a voters.*

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Datuk S. Ambiga: *It is not a question of whether I agree or not because I think that is an individual choice. You have to look at the way a life of people because many of them prefer to go home and vote where there were born and breathe. They may go out to the city to work but they prefer to go back and vote and their family home maybe there. So, you have to look at all those things. But, if you bringing automatic voter registration, then they vote where their IC – depending on what the IC says, you see.*

Tuan Wee Choo Keong: *That's why the address...*

Datuk S. Ambiga: *It will happen, it will happen automatically.*

Tuan Pengerusi: *Okay, this is where the dilemma is, but if you go for voter automatic registration, it will be the current address as for your kad pengenalan.*

Datuk S. Ambiga: *Absolutely.*

Tuan Pengerusi: *What we are giving is that, the latest address may not be really that address that they are actually living. It could be just for the purposes of being qualified to be put in that particular constraint. How do we clean up that kind of problem?*

Datuk S. Ambiga: *Two things I would say. One is proof of that would be of course when you go to register. When you get your IC is proof of your residence by way of – you know, agreements or whatever. Secondly, it is a problem we have now anyway. With or without automatically voter registration, this is a problem that we have. So, it is not a problem created by automatic voters registration and not a reason why you cannot have a automatic voters registration.*

Tuan Wee Choo Keong: *I cannot sees a problem, Datuk. What we are saying is, if we have this automatic voter registration, okay, fine. Do you agree that then we should have a 'vote by you live' system, in order to stop all this allegation of phantom voters or undi hantu?*

Tuan Pengerusi: *Ahli Jawatankuasa, yang dia punya detail on this one nanti we must have to – Datuk Ambiga, can you move on please.*

Datuk S. Ambiga: *Yes.*

Tuan Pengerusi: *The time is getting limited.*

Datuk S. Ambiga: *Tuan Pengerusi, the other things is that we have a grave concern about the allegation that the foreigners are being registered as voters. Now we look at page seven and eight of my submissions. You can see that we have an I/C code 71 which means that the country is not known.*

So we have found people with IC numbers with the IC code 71 which means we don't know where they are from. Now, we should not have a system like that. Code 71 should not exist. In fact, we look overleave infact various country and in fact doesn't error actually. China is 74, not 71 in my table there. Indonesia is 61, China is 74, India – every county has been given a code.

So, where are this people from the 71? Why is it we have that system that has to been clean up because it is give raise to a suspicion that we don't know where this people are come from. And it also fills the suspicion that we have many foreigner who are being register or naturalize. As far as that is concern Tuan Pengerusi, this is a matter of a very grave concern.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Okey, okey.

Datuk S. Ambiga: *To me, my suggestion is – sorry Yang Berhormat.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Before we go further, we have heard that's relations from the JPN, can we ask the JPN to explain this code 71 and 66 or whatever it is, can you please bear with us?*

Datuk S. Ambiga: *Certainly, certainly.*

Dato' Jariah binti Mohd Said: Terima kasih Tuan Pengerusi. Kod 71 ini digunakan oleh JPN sebelum tahun 2001 di mana orang-orang Malaysia yang lahir di luar negara pun menggunakan kod 71... *[Disampuk]* Ya, di mana-mana. Sebelum tahun 2001. Selepas tahun 2001, semua yang lahir...

Seorang Ahli: Hari itu cakap tahun 1991, bukan?

Dato' Jariah binti Mohd Said: Kita gunakan kod 71 sebelum tahun 2001 dan memang digunakan kod 71. Akan tetapi selepas itu, semua warganegara asing yang mendapat warganegara Malaysia menggunakan kod-kod negara itu sendiri.

Tuan Mohamed Azmin Ali: Akan tetapi dalam taklimat Ketua Setiausaha Kementerian Dalam Negeri, keterangan yang diberikan ialah sebelum tahun 1991. Ini satu perbezaan yang jauh. Tahun 1991 dengan tahun 2001 beza sepuluh tahun. Jadi saya hendak minta yang mana yang tepat sebenarnya, sama ada keterangan KSU KDN, Tan Sri Mahmood ataupun pegawai daripada JPN?

Tuan Pengerusi: *Maybe you better come back dengan kita sebelum...*

Tuan Loke Siew Fook: Satu lagi Tuan Pengerusi. Saya rasa perkara ini perlu satu penerangan yang cukup tepat. Tadi Pengarah JPN mengatakan bahawa kod itu ialah berdasarkan kepada warganegara negara-negara itu yang mendapat warganegara Malaysia. Akan tetapi apa yang kita difahamkan ialah, kod 71 ialah dia orang Malaysia iaitu dia lahir di luar negara.

Macam umpamanya Yang Berhormat Gombak dia kata dia lahir di Singapura, kod 71, tetapi dia bukan orang Singapur. Dia orang Malaysia tetapi dia lahir di sana. Macam mungkin - okey, tidak mahu guna contoh Yang Berhormat Gombak, saya guna contoh Yang Berhormat Rembau, Khairy. Khairy pun lahir di luar negara tetapi dia rakyat Malaysia. Adakah itu merangkumi semua?

Dato' Jariah binti Mohd Said: Kalau orang luar pun lahir di luar negara, dia pun kod 71. Kalau orang Malaysia pun lahir di luar negara, memang kod 71... *[Disampuk] Yes, IC.*

Tuan Loke Siew Fook: Akan tetapi untuk warganegara asing yang diberikan warganegara Malaysia, apakah kod itu?

Dato' Jariah binti Mohd Said: Selepas tahun 2001, orang luar mendapat warganegara Malaysia akan mengikut kod negara asal dia.

Tuan Loke Siew Fook: Sebelum itu 71?

Dato' Jariah binti Mohd Said: Sebelum itu semua 71. Akan tetapi kod-kod yang telah diberi 71 masih terus diguna pakai sehingga sekarang.

Tuan Mohamed Azmin Ali: Jangan guna Gombak. Saya hendak *clarify*, saya kod 71 tetapi ketika itu Singapura dan Malaysia bersama. Jadi saya rakyat Malaysia.

Tuan P. Kamalanathan a/l P. Panchanathan: Percaya Yang Berhormat Gombak rakyat Malaysia.

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Let's just summarize it. I means, kita subject to the year 1991. Is it the year 1991? Sorry Yang Berhormat, subject to the date, 1991 or 2001. The explanation was sebelum itu Malaysian born abroad, dia akan diberi number 71, or those people born abroad and then became Malaysian citizens were also given 71. But after that, each country abroad given a code number. For example, Singapore sekarang tidak jadi 71 lagi. Apa kod Singapore?*

Seorang Ahli: 66.

Dato' Seri Mohd. Radzi Sheikh Ahmad: 66. *So, those Malaysians born abroad after 1991 or 2001 subjects to this date would be given a code numbers 66.*

Dato' Jariah binti Mohd Said: Yes.

Dato' Seri Mohd. Radzi Sheikh Ahmad: *In Singapore.*

Dato' Jariah binti Mohd Said: Yes.

Dato' Seri Mohd. Radzi Sheikh Ahmad: *In Indonesia berapa?*

Dato' Jariah binti Mohd Said: *Indonesia 61.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Ada 61. That is the things you see. That is the explanation by the JPM.*

Tuan Pengerusi: *Alright Datuk...*

Datuk S. Ambiga: *Yes, if I could go on. Perhaps I will hand this list to NRD and they should give us an explanation. We did a quick check and we found a few people but 40 peoples here with the 71 code and under nombor rumah is all blank. So, there is lack of information here which also gives raise to more suspicion. We will hand this both to the PSC as well as to the NRD and perhaps you could do a check first on that.*

The other things of course is the phantom voters where we have cases of this, and again, we will send this to the committee in a minute. We did check on the army camps and we found that army personal registered as postal voter where their wife are using the ordinary IC numbers and we have found them both to be sharing the same IC because you are registered now as army personal as well as ordinary citizen, so you would be have an example of that. We have found...

Tuan Pengerusi: *You can even provide for us because we will discuss on that matter.*

Datuk S. Ambiga: *Yes, it is quiet serious.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *The wife or the personal?*

Datuk S. Ambiga: *The wife. The wife of the personal.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *The wife have to...*

Datuk S. Ambiga: *They are registered under the IC of the husband. We found about 40 cases in three camps - Rasah, Segamat and Senawang. And that is just a tip of the iceberg.*

Tuan Loke Siew Fook: *Semua kawasan saya.*

Datuk S. Ambiga: *Ya, I see.*

Tuan Pengerusi: *Ini the wife is using the IC of their husband?*

Datuk S. Ambiga: *Yes, that's right.*

Tuan Loke Siew Fook: *Dan didaftarkan oleh SPR. Saya rasa mungkin tersalah masuk daftar atau ada buat apa-apa, kita tidak tahu.*

Tuan Pengerusi: *Nanti bekalkan itu kerana ini immediate correction, tidak bolehlah begitu.*

Datuk S. Ambiga: *Yes, thank you very much Yang Berhormat. So, whatever we have, we will pass through Yang Berhormat. Now, moving on and completing this section, we think Yang Berhormat, and this may sound extreme, but I think it is important that we actually have a royal commission into this issue of registering of foreigners.*

I'm sorry but to me it is highest treason to this country, that they registering foreigner as citizen for the purposes of voting. If that is the case, that is evidence that I think be must have a royal commission to examine this. So, we would ask for that...

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Tuan Pengerusi: *You have some areas or evidence then you provide to us*

Datuk S. Ambiga: *It's difficult to get evidence only because we poor people who are given his citizens do not come forward, we precisely why you need a royal commission holding up all the people who are involve and asking them to explain, because that let me tell you what we should be doing is looking at all those have been registered or naturalize in the last five years and that list should be disclosed in Parliament.*

Tuan Pengerusi: *Okey, that part.....*

Datuk S. Ambiga: *Thank you..*

Tuan Pengerusi: *To the political parties have also ask...*

Datuk S. Ambiga: *Thank you.*

Tuan Pengerusi: *For commissioner enquiry into this matter.*

Datuk S. Ambiga: *It quite serious.*

Tuan Loke Siew Fook: Tuan Pengerusi, untuk *point* yang ini, pagi tadi kita dibekalkan data daripada JPM. Untuk tahun 2010, terdapat 15,288 kewarganegaraan baru yang diberikan, tolak 5,631 ialah daripada mereka yang lahir di Malaysia iaitu orang Malaysia yang tidak ada taraf kewarganegaraan. Apa yang paling banyak adalah dari Indonesia iaitu sebanyak 6,648 rakyat Indonesia yang diberikan warganegara Malaysia pada tahun 2010 sahaja. Apa yang saya berminat untuk mengetahui adalah mungkin SPR boleh berikan data daripada 6,648 ini, adakah semuanya telah didaftarkan sebagai pengundi dan di negeri mana. Saya rasa itu boleh memberikan sedikit gambaran tentang masalah yang dibangkitkan itu. Statistik ini agak sedikit – tahun 2005, saya menggunakan contoh Indonesia sahaja.

Tahun 2005, 69 orang. Tahun 2006, 75 orang, tahun 2007, 91 orang, tahun 2008 hanya 108 orang, tahun 2009 1,654 orang, tahun 2010, 6,648 orang. Satu peningkatan yang sangat mendadak. Kita hendak tahu penjelasan.

Tuan Pengerusi: *Okey, catatkan itu, I'll let..., dengan izin, we focus to listening because is a good intervention, tetapi kita perlu rumuskan juga setelah mendengar mereka di dalam Mesyuarat Jawatankuasa kita sendiri. I'll give you another minute.*

Datuk S. Ambiga: *I will do my best, because we have done a lot of work, I mean it is first time in 54 years Tuan Pengerusi we having something like this, please give a little bit luxury.*

Tuan Pengerusi: *We can also read and studies your document.*

Datuk S. Ambiga: *Sure. We would like to ask us question actually.*

Tuan Pengerusi: *You do the presentation.*

Datuk S. Ambiga: *Yes, I'm finish.*

Tuan Pengerusi: *Then we will interact with you.*

Datuk S. Ambiga: *Thank you. Tuan Pengerusi, this have another problem that we saw which was many multiple registration by mistaken intention by military or police personnel is registered as a poster voter in one locality and then using the police IC number as an ordinary voter in other locality, that another problem that we saw.*

Tuan Pengerusi: *Give us some additional inform.*

Datuk S. Ambiga: *Yes, will do that so...*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *For your information we were also told about that. But that, we are also told now the military personnel, they have got a special identity card, ia dipanggil MYTentera which carries the civilian numbers and also the military number. So, no way that can go twice now by using that IC Card. So, we are assured that the next electoral role and election coming will contain the numbers of both the civilian number and extra a military numbers.*

Datuk S. Ambiga: *Those are we suggested, thank you Yang Berhormat, that excellent, because we are suggested columns.*

Dr. Mohd. Hatta Md. Ramli: *Those are new retired, isn't it? Not the previously retired?*

Datuk S. Ambiga: *The other suggestion that we have made in my paper, so I won't - but they are all very well thought out if I may say so. We spend a lot of time and we think that be the things that can be implemented quite easily, particularly since we are going online, cleaning up is a very important. But I think the point are we made here is there are many problem with the electoral roll Yang Berhormat. We cannot go to the poles with the electoral role as at ease, and I'm sorry to say that is only when people raise the issue and pointed out – we are doing our own research and we have to. Now they should be doing this research, EC should be doing this research, but rakyat had been doing their own research raising the problem and then they rush and they clean it up.*

Throughout this evidence is, you have to do something about this, we cannot go to pole and this is why I hope a PSC makes a very strong recommendation that we don't go to the polls until this electoral issue is clean up.

So that, we have suggested an Independence Audit Committee be setup with all parties, and then give them the task of going through the role and cleaning it up. But I have to urge very strongly because there is too many error in the rolls right now, we cannot go to the poles with this, that our submission. So that on be electoral roll, all the others with send proposal we have are there, the other item I would like to point is indelible ink and the here I think it really speak for itself, our people is tab three on indelible ink....

Tuan Pengerusi: *Yes that one, so many people had said out. In fact we are in a concurrence, hanya the views is do you had to amend the Constitution or not?*

Datuk S. Ambiga: *No, absolutely nope.*

Tuan Pengerusi: *Can you give reappoint on this?*

Datuk S. Ambiga: *There nothing in the Constitution - you see in fact, if we look it can be done...*

Tuan Pengerusi: *The argument is that on article 119 and that when you say - because I don't want to be mark and therefore you are forbidding me to vote and therefore you infringing on my rights, this is the argument.*

Datuk S. Ambiga: *Yeah, but they can see the same things about they showing the IC, when you go in, they can say your forcing...*

Tuan Pengerusi: *Patuh the peraturan, patuh the requirement, patuh the regulation them.*

Datuk S. Ambiga: *Exactly, you just need the change the regulation, not in the constitution, that precisely point, and this can be done under section 16, of the Election Act that allows the Election Commission to make regulation, put it before Parliament and get it done.*

Tuan Pengerusi: *Okay, I just want to say that but there are split....*

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

Datuk S. Ambiga: *Can I debate with the person who said that because I happy to do that.*

Tuan Pengerusi: *Yang Berhormat Kangar dahulu.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Datuk Ambiga, we go ahead without demanding constitution when other people are saying you should amend the constitution, what we fear is that, we go ahead and then come election there was some challenge, and then the court host that it is unconstitutional, let me for the second. That is what happen to the university act, so many years before it was help to be unconstitutional.*

So we don't want people to look at us, all we are here in the Committee, who recommended it and this Committee was the recommended but indelible ink to be introduced without amending the Constitution. That all we fear, so why we - why we amend it after all is so simple is that.

Datuk S. Ambiga: *Of course the Committee is prepared to amend. I don't think one will object it but my personal view is totally unnecessary like using a nuclear weapon to kill an ant. I mean in that sense but I understand the misgiving but I will be very happy to debate this point with anyone and in fact the attorney general - No, I'm quite happy with Attorney General had a view and give a return view, we will give return response. If we can agree to that and be fine, and I'm sure the Bar Council will do the same.*

Tuan Wee Choo Keong: *Datuk Ambiga, I mean Attorney General are giving return view that the constitution had amended, I show you definitely, that no necessity for that, it just like a regulation saying that even you work, you are to cross this way.....*

Datuk S. Ambiga: *Yes, absolutely...*

Tuan Wee Choo Keong: *I fully agree with you, but the AG said that, it must be done that way, because the constitution had to be amended and AG will be here on Tuesday, we will ask them and definitely you know.*

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Tuan Pengerusi: *Okey Yang Berhormat Wangsa Maju. I just been reminded in the aspect that to all Ahli-ahli Jawatankuasa ini di bawah Peraturan 85 bahawa maklumat-maklumat yang dibekalkan kepada kita itu hanya boleh digunakan untuk tujuan perbincangan Jawatankuasa dan tidak boleh disclose to the public yet.*

So, saya minta pihak media you cannot report on the content of the proceeding. You can interview the saksi-saksi, "Keterangan yang diambil di hadapan sebuah Jawatankuasa Pilihan dan apa-apa surat yang dikeluarkan kepadanya tidak boleh disiarkan oleh siapa-siapa Ahli Jawatankuasa ataupun siapa-siapa jua sebelum Jawatankuasa itu membawa penyata itu kepada Majlis." So, all submission that we requested as required information by this Committee hendaklah solely for the purpose of decision making by this Committee. So, I just remind media who are covering that you cannot cover on these matters.

Dr. Mohd. Hatta Md. Ramli: *Can I just check with Mr. Chairman?*

Tuan Pengerusi: *Ya.*

Dr. Mohd. Hatta Md. Ramli: *We are in the Committee and we are still in the Committee. Yang Berhormat Wangsa Maju is mentioning it in the Committee.*

Tuan Pengerusi: *Ya but it is in front of the Public Hearing.*

Dr. Mohd. Hatta Md. Ramli: Ya betul. *In fact, the other day we meet, also there were others inside. So, mentioning it is okay but quoting it outside maybe is prohibited. But I think he has right to quote whatever.*

Tuan Pengerusi: *So, keep in mind that this is Pendengaran Awam. Okay, I just remain that, infact Datuk Ambiga, can you please proceed.*

Datuk S. Ambiga: *Yes. So on that...*

Tuan Pengerusi: *You go detail, do not worry because some are repetitive...*

Datuk S. Ambiga: *I understand.*

Tuan Pengerusi: *Some has been presented in the last two sessions.*

Datuk S. Ambiga: *Sure. No problem.*

Tuan Pengerusi: *We will read them up tetapi...*

Datuk S. Ambiga: *Thank you. I round up on inedible ink versus biometric. We are actually shown the differences. But, Biometric has the different purpose. Biometric is to identify the person. Inedible ink is to stop multiple voting. You got to understand that which is why – and the bigger problem is multiple voting.*

Tuan Pengerusi: *Well, biometric also solve multiple voting.*

Datuk S. Ambiga: *Yes of course. But they self slightly have difference purposes, Tuan Pengerusi. And also biometric of course you have the problem. If its break down as a glitch, you had it, your whole election can...*

Tuan Pengerusi: *We are agrees with that.*

Datuk S. Ambiga: *Okay. So we put that in..., the other thing I will end, part of the submission this way is to ask for international observers and that is something that we have set out at tab nine. I will be handing out to the committee later a paper on the code of conduct for the observers. But my own view is this. Because, there is so much discomfort with the way in which election has been held to date, and I think there is no doubt there is. If you want to engender trust in the system and you want to assure the people that everything is well, then, one of the way to do it is to bringing international observers. In fact, inedible ink and international observers is the way to get people to have trust in the system again. So, we will put very strongly advocate on that.*

Finally, before I round off, we have produce in our appendices a code of conduct which has been devised by the Indian Election Commission, and it is really worth's to do it. In fact, some of the submission we are actually taken part of the code of conduct which has be set up by India. Of course we have to add and we have to adjust it to our system, but it is a code of conduct enforced by the Election Commission.

I do not accept that the Election Commission does not have the powers. They have powers. And if I could read section 30 and I will finish with this. If you look at Election Offences Act, who is suppose to enforce the Election Offences Act? The Election Commission has an enforcement team, and this is the function of enforcement team, "To patrol, and to monitor the activities of the candidates and to ensure that written laws relating to elections are being complied with." That is the job. Section 4 of the same act, Election Offences Act also says that, which is that is the job of the Election Officer. Sorry, it is not in section 4. That is in another section that the job of the Election Officer is in fact to enforce election laws.

So, whose job is it? I cannot accept the Election Commission coming and saying that it is a job of the police. Then, why is it your enforcement officer there for? They were supposed to ensure compliance. While I agree with them that they do not have power to prosecute, yes. But neither the NACC by the way, and that is the argument for another day. But, they have a job to do and they must make a police report if there is an infringement of any election law. Right now they are washing their hand of it. Actually, that is not acceptable. That is all I have to say.

Tuan Pengerusi: *Okay Datuk, I think you are quiet a mouthful.*

Datuk S. Ambiga: *Ya, we done a lot of work, Yang Berhormat. We did not come here without knowing what we are talking about.*

Tuan Pengerusi: *Many are repetitive from the others. That is why we ask provoking question how you differ from others. I think there is presumably well written, so referring to that and sub committee should be request for further input from your legal people, we will be happy to do so. Okay, last few question...*

Datuk S. Ambiga: *Sorry, Yang Berhormat. We have two more people who just want to – four more, sorry.*

Tuan Pengerusi: *Unless it is really new, dialu-alu.*

Datuk S. Ambiga: *It is new. It is different from this area.*

Tuan Pengerusi: *If it is repetitive, then it is same.*

Datuk S. Ambiga: *It is different. And in fact, the last speaker will...*

Tuan Pengerusi: *You have to speaks as individual.*

Datuk S. Ambiga: *Yes. I just explaining what area they are gonna cover but I let them do that.*

Tuan Pengerusi: *Okay, introduce yourself. What is the issue that you want to address?*

Dr. Wong Chin Huat: *Good morning Tuan Pengerusi, Ahli-ahli Yang Berhormat dan tuan-tuan dan puan-puan sekalian. My name is Wong Chin Huat, a political scientist by training.*

Tuan Pengerusi: *Okay. What are you trying to address? Because, you are here in your personal capacity*

Dr. Wong Chin Huat: *I speak on the behalf of the BERSIH...*

Tuan Pengerusi: *No, you cannot speak on behalf. But you can reflect on the view of BERSIH.*

Dr. Wong Chin Huat: *Okay. Professionally I am a political scientist. I will be speaks on two topic. One is on postal voting including some of the issue that has been raised earlier on what alternative...*

Tuan Pengerusi: *Ya, postal voting sudah banyak, tetapi go straight to the point.*

Dr. Wong Chin Huat: *Yes, and I am going to do that. Tuan Pengerusi, I request to use power point because I need to show...*

Tuan Pengerusi: *No, we do not have.*

Dr. Wong Chin Huat: *...Especially for constituency redelineation.*

Tuan Pengerusi: *No, no.*

Datuk S. Ambiga: *No. I think we need to show this because constituency redelineation...*

Tuan Pengerusi: *No, you go straight to the point.*

Datuk S. Ambiga: *No.*

Tuan Pengerusi: *Some of the past I been in charge, if we need to call you another day for deepen intensive discussion; the sub committee can request you. You go straight to the point. What is the...*

Dr. Wong Chin Huat: *I am coming into that. Tuan Pengerusi, I just hope that you will give a bit allowance and spent time to assist Parliamentary Select Committee in the good faith that this is meant to...*

Tuan Pengerusi: *I know. But you go straight to the point because I am really listening to it over and over again. I am looking for creative innovative...*

Dr. Wong Chin Huat: *Sure.*

Tuan Pengerusi: *Thus far, no proposes like others.*

Dr. Wong Chin Huat: *I straight forward...*

Tuan Pengerusi: *So, go ahead, I give you three minutes to five minutes.*

Dr. Wong Chin Huat: *That is not fair, but I will try. Lets the public judge of whether this is still being fair, okay.*

Tuan Pengerusi: *No. Do you have submission here?*

Dr. Wong Chin Huat: *Ya.*

Tuan Pengerusi: *Do you have a piece of paper...*

Dr. Wong Chin Huat: *It is tab 2.*

Tuan Pengerusi: *Okay. Now continue.*

Dr. Wong Chin Huat: *I would like to goes to page 21. Page 21 that you see is the chart that shows postal voter where we have two types – ordinary voter list and postal voter list. That is a big problem because it is actually create a situation where you actually have two roles that lead to many problems.*

Tuan Pengerusi: *Okay, solution?*

Dr. Wong Chin Huat: *May I finish the question?*

Tuan Pengerusi: *No. I am provoking you because I want to get information from you. We do not want to listen to academic lecture, we want solutions. Pardon us, we are appointing because we want a right info. Otherwise, we have heard this before, you see. Okey, teruskan.*

Dr. Wong Chin Huat: *Okay. So, I will leave it to the Members to ask me questions since Tuan Pengerusi assume he will knows everything.*

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Tuan Pengerusi: *No, no. I said, how do you solve the problem that you raised?*

Dr. Wong Chin Huat: *Okay, go to the page 24. We propose to reform. One reform is actually on eligibility the other one is on conduct. On eligibility we suggest that postal voting to be extended to three groups of people. Firstly, of all the military and police voters this already had been in the list; second, to all oversea voters; and thirdly, domestic voters.*

Tuan Pengerusi: *Overseas we have discussed previous presentation.*

Dr. Wong Chin Huat: *Right. So the third one is actually about to say, if you go to page 25 (b) number 3, "All Malaysian is expected to be out of their constituency on poling day and at least 250 kilometers away from the nearest closest voting center. So, we are saying people who are far away from their constancy they should be able to vote. That's the idea of EC. The purpose of EC is to facilitate voting to increase...*

Tuan Pengerusi: *We will study that.*

Dr. Wong Chin Huat: *If you may let me stress why this is particularly important for your interest and for the member from Kapit. Well, in last election 2008 the West Malaysia registered a turn out rate 75% but only 65% east Malaysia. One of the important issues is because many East Malaysians are working and studying outside of the states because of poverty back home and not allowing them to vote on posted ballot is depriving their right.*

Tuan Pengerusi: *Okay, that one we conclude with my other colloques to discuss it further. The rest...*

Dr. Wong Chin Huat: *The oversea voters are expended everywhere and that's clear. Now the conduct is what we proposing is first of all we propose postal voting to be abolished except for the oversea voters if they leave far away from the foreign nations. The reason being that postal voting has shown so many flaws in the conduct, so we propose that to be abolished so, for the two groups the service voters and the mastic absence voters we propose to have at once of distance poling center. That explains the same thing. What happen is people vote to have their vote ballot counted for their own constituency. At once would be use to call that if the voting happens a day before, distance is on that day and same if the distance voting apply to Singapore and Brunei this is because of the distance.*

There we question raise early by other parties that this is impossible because it will cause logistic problem of having dealing about 778 constituencies. This is not necessary what we propose is this you have, you set up at once distance voting poling center, where voter will have to register two week in advance. So you would know who would allegeable to vote in those posting center. For that you need a longer campaign period, that's why we called for 21 days but to make life easy we will say 28 days maybe better. So what happen after you register there is that you go to the poling center you collect your ballot as usual but you will be casting, you will be queuing up 13 streams for State Elections assuming that the all states...

Tuan Pengerusi: *Okay this idea we going to develop further there. YB Gombak is in charge of this election process, 28 hari dia minta.*

Dr. Wong Chin Huat: *So, that is the part on this.*

Now the second issue that I would like to raise is actually consider donation. Please have a look on this... [Menunjukkan hand-out berkaitan]

Tuan Pengerusi: *That part we are looking at our terms and reference is point under number 5 but it's little bit too far at moment. We are looking at penambahbaikan for the election processes.*

Dr. Wong Chin Huat: *...But is that part of the issue, it was raised earlier on by...*

Tuan Pengerusi: *I allow you, I allow you.*

Dr. Wong Chin Huat: *I didn't hears any objections from you.*

Tuan Pengerusi: *I allow you. But, what are the points that you want to stress or what are the principle?*

Dr. Wong Chin Huat: *There are two issue. One is actually about allocating constituency with different electoral size, this is raised by most people.*

Tuan Pengerusi: *Okay it rose already this morning.*

Dr. Wong Chin Huat: *My point is this is unconstitutional because the constitutional provision says that constituency on every state ought to be approximately equal but the EC has come out and I would like the EC representative to response. If you...*

Tuan Pengerusi: *No, it is not for them to response. We are the want we want to hear from you.*

Dr. Wong Chin Huat: *Sure. Sorry, thanks.*

Tuan Pengerusi: *We will deals with them...*

Dr. Wong Chin Huat: *Thank you. Page 5 please if you look at the scheme, there is actually a three-tiered classifications scheme provided by the EC. We said that if you're urban seats parliamentary can go beyond 60,000 state seats 25,000. If its semi urban it will be 30,000 to 59,000 for parliamentary 15,000 to 24,000 for state, if it is rural 30,000 and below for Parliament and 50,000 or below for state. Now that scheme is completely unconstitutional because what's the constitutional does not provide for such leavage. It's merely said you need to give a weightage to rural constituency because of the problem. But what I want to draw to your attention was even in applying that, the EC is not acted honestly. If you may look at chart one, page 6... [Menunjukkan hand-out berkaitan] This is an example of state constituency of Selangor sorted out according to the electoral size. As you can see most of them are urban and then you have a small part of semi urban and only three constancy count as rural. Now the interesting part is this Kota Alam Shah in Sungai Pinang...*

Tuan Mohamed Azmin bin Ali: *Saudara Wong, which page are you referring to?*

Dr. Wong Chin Huat: *Page 6.*

Tuan Mohamed Azmin bin Ali: *Which text?*

Dr. Wong Chin Huat: *No, this is the separate one as I mention just now earlier.*

Tuan Mohamed Azmin bin Ali: *Page?*

Dr. Wong Chin Huat: *It's a separate one, this one, this page, the one with color...*

Tuan Pengerusi: *No we haven't received the submission and I have to authorize it, I thought the main submission for the group was let by 'Chinese ladies', you have other...*

Dr. Wong Chin Huat: *No, we have submitted just now. I think my colleague is sorting that out.*

Tuan Pengerusi: *Okay, okay. You go ahead. Summarize your points. Thank you.*

Dr. Wong Chin Huat: *Tuan Pengerusi, Sungai Pinang and Kota Alam Shah which are located in the heart Klang City according to the EC are semi urban.*

Tuan Pengerusi: *This are too details. Just the principles because when you go through constituency your Committee can make it to that. What's the principle?*

Dr. Wong Chin Huat: *Tuan Pengerusi, I need to give you few examples before I come to the point.*

Tuan Pengerusi: *Now, go straight to the point. Most of them here are fairly good listeners and went to high school you know so...*

Dr. Wong Chin Huat: *...Meru, Semantan and Selat Klang which are out skirt in Klang are considered urban. Sekinchan is rural while Sungai Burung and Sungai Panjang are semi urban. Now what is more fabritory in the process is that you have a case where Sri Serdang have 49,000 voters, while his neighbors Kinrara has 25,000 is double the size.*

Tuan Pengerusi: *Yes.*

Dr. Wong Chin Huat: *And if you compare in other way, the districts of Hulu Selangor form one constituency 64,000 but Sabak Bernam was split with about similar size of population was split into two. Now the point here is...*

Tuan Pengerusi: *So, what is the basic principle that you are talking about?*

Dr. Wong Chin Huat: *The principle here is that...*

Tuan Pengerusi: *Therefore how should we do it.*

Dr. Wong Chin Huat: *How should we do it the constituency at the moment 1/3 of the Selangor state constituency are largest from the smallest Parliamentary consequence. The proposal from BERSIH is to add on the constitutional provision that a state constituency must not be larger than half of the smallest Parliamentary constituency in the same state. The reason is very simple, state assemble person should not do more than what the MP does.*

Tuan Pengerusi: *We can review I think the basis upon which it is drawn, we are interested in that. Principles we could use to make more kawasan equitable, so we are willing to review the principle.*

Dr. Wong Chin Huat: *But the constituency mal - apportionment has also let to very serious problem. 33.79% voters in 2008 resided in 112 smallest Parliamentary seats which mean this 34% people can actually dictate the simple majority. All you need in the minimum is 17% of the votes to actually control a simple majority. Of course to be fair, any first pass the vote will give the figure 25% but ours is 17% much less in actual situation the Barisan Nasional won is smallest 112 Seat with 22.75% of votes. We all know that Barisan Nasional won 50% of votes in last election, which mean about 23% come from 112Sseat and the remaining 27% come from the remaining 28 Seats.*

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Tuan Pengerusi: *Okay, we willing to setting a principle on the amendments that we want to propose which could be used when they do withdrawing. That is kind of stuff they want.*

Dr. Wong Chin Huat: *That is on pages 9 you can see that...*

Tuan Pengerusi: *Okay, your five minutes is gone. I give the last...*

Dr. Wong Chin Huat: *The other part is actually gerrymandering. The gerrymandering is very serious. As you can see this page 11 and page 12, we have maps of Selangor's Parliamentary and States Constituency...*

Tuan Pengerusi: *Okay, you can send it to us later and we study on that.*

Dr. Wong Chin Huat: *Overlapping with the Local Council. This is the figure I want to tell and therefore I can propose my solutions.*

Tuan Pengerusi: *Okay, it's 1 o'clock, so I have to leave you there. You can submit and we will read on those thing details. Then if we want some further input from you, we will call you. But this one is personal proposal, Sir. The proposal is that – we should have actually three proposals. One, the constituency should not cross boundaries of local authorities. Second, no arbitrary combination of local communities is allowed.*

Tuan Pengerusi: *No what?*

Dr. Wong Chin Huat: *No arbitrary combination of local communities is allowed. The example I give to you...*

Tuan Pengerusi: *Okay, that's a good proposal. Don't give example, just the principal.*

Dr. Wong Chin Huat: *The example I give it to you is actually Selat Klang. Without details how do we exhibits the principal? Selat Klang is a constituency consist of island plus a small part of tower ship in Klang. They are not even connected, How can you actually draw constituency on that? So what we suggesting that, it should not be arbitrary. The covering out of constituency should be based on the principal of communities of interest.*

Tuan Pengerusi: *That is the kind of input that we want. Because we want to develop that as a guideline for SPR.*

Dr. Wong Chin Huat: *Lastly, there should not be arbitrary partitioning of local communities.*

Tuan Pengerusi: *Okay, point noted.*

Dr. Wong Chin Huat: *...Because you have many communities that have the electoral elect boundaries cutting them across. Thank you.*

Tuan Pengerusi: *Okay. Actually I have to call it off day, but Madam, did you register that you want to speak?*

Puan Maria Chin Abdullah: *Yes, of course.*

Datuk S. Ambiga: *Yes, they all registered to speak but...*

Tuan Pengerusi: *No, no, they are registered to attend but they are not registered to speak.*

Puan Maria Chin Abdullah: *No, I'm registered to speak.*

Tuan Pengerusi: *No, no.*

Puan Maria Chin Abdullah: *I did registered to speak because you ask for five minute.*

Tuan Pengerusi: *Okay, I give you.*

Datuk S. Ambiga: *Can I interject for minute Yang Berhormat. I'm a little concern that there are being rush so much. Because, we done a lot of works as I just said. This is one since 54 years and I think you should given us – Dr. Wong knows a lot about elections.*

Tuan Pengerusi: *I know Madam but...*

Datuk S. Ambiga: *...And it will be shame that you did not hear any much completely.*

Tuan Pengerusi: *We all here to analyze, we speak the work to Committees and we allow for a second appearance when we feel that we need you to...*

Datuk S. Ambiga: *But perhaps we should break here which is one ring Yang Berhormat... [Ketawa] I don't want to dictate your schedule but I don't want the remaining speakers to be rush because what they are going to say is important.*

Tuan Pengerusi: *Because, the original was only Datuk Ambiga, okay. Because I'm dealing with..., but I am open that you are reflect the views of the group, the find, that's okay. But I have to authorize the spoke one. I give five minute. What is the key point? And the rest, you can susuli dengan kami, alright?*

Puan Maria Chin Abdullah: *Yes. I will take five minute if you don't...*

Tuan Pengerusi: *Then we call you back when it need be.*

Puan Maria Chin Abdullah: *I will go straight to the point if there is no interruption. I am talking about the 21 list campaign period. If you look page 34, actually if you look at how the...*

Tuan Pengerusi: *Just state your name, please.*

Puan Maria Chin Abdullah: *My name is Maria Chin Abdullah. I am representing BERSIH.*

Tuan Pengerusi: *No, you cannot represent but you can use...*

Puan Maria Chin Abdullah: *Thank you very much. I want to actually register myself as BERSIH. Okay, the 21 days of campaign period if you look at the graph on page 34, it is very arbitrary. We started of with 40 over odd days and then it dropdown to seven to eight days and then suddenly in 2008, we decided that the campaign periods were be 13 days. And this has implication. One is that, that is a no consistency in the fixing of the campaign period. Secondly is that you have totally disregard oversea voters.*

Tuan Pengerusi: *Okay, that part is pointed out.*

Puan Maria Chin Abdullah: *If you look the table that I have given, although BERSIH says 21 days, if look at the process of bringing in and allowing oversea voters to vote, it is actually more than 28 days. I think we should give them one month. Recommendation is that...*

Tuan Pengerusi: *Have you considered the costing possession in there?*

Puan Maria Chin Abdullah: *Of course we have considered the cost and I don't think that it will be very costly.*

Tuan Pengerusi: *You go to the Sabah, Sarawaklah.*

Puan Maria Chin Abdullah: *It will give more costly if you disenfranchise the voters, okay?*

Tuan Pengerusi: *Okay, okay. Just present the case. I need the MP's to...*

Puan Maria Chin Abdullah: *I think that you are elected by the voters, so make that a big consideration. The recommendation is actually to establish a meaningful campaign period which would be not less than 21 days. And because of the longer campaign period which actually not just allow voters to actually vote, but to also allow more meaningful campaign to be carry out where voters was actually get correct and trustworthy information.*

The other topic I want to bring up is really about the corruption on page 48. That is actually happening and particularly we are actually highlighting the vote buying. If you look at page 48 and also it is already guaranteed in the Election Laws as to what it means by bribery, as since you all know about the law, I don't have to read it...

Tuan Pengerusi: *Solutions, solutions?*

Puan Maria Chin Abdullah: *Yes, I am coming to the solutions. If you understand what is vote buying, on page 48 we have actual listed out the three major offences of vote buying that is happening in our country and in every election it repeated itself. And no action actually really been sincerely been taken up to actually caught vote buying. We also have included a CD where we have links to all the video which actually show how the vote buying has actually been happening and yet SPR have not taken any actions.*

So the recommendation is really that we want to really sincerely hope that SPR were taken their job seriously to stop the vote buying. And it is also if we, as my colleague has actually said it, I am just reminding you that you do have power to actually take people to task when you actually observed vote buying.

Tuan Pengerusi: *Datuk Ambiga already stressed on that point.*

Puan Maria Chin Abdullah: *The other second recommendation is that you have to establish a vigilance monitoring mechanism pre and during elections on vote buying and also to allow public to report about vote buying without taking them to task.*

Thirdly is that development projects announces close to or, and during election must not be allowed because this is conditional offer, unless for emergency or disaster purposes. And if such purposes are do happen, disaster and all that, then, all the political parties should also share this limelight in the media. So the third one is actually are we also hope that EC were really be empowered to penalizes those people who are actually engaged in vote buying...

Tuan Pengerusi: *Okay, point is noted.*

Datuk S. Ambiga: *We have two more, Tuan Pengerusi...*

Tuan Pengerusi: *Two more what?*

Datuk S. Ambiga: *Speakers.*

Tuan Pengerusi: *No, they have not registered as speakers.*

Datuk S. Ambiga: *They have. They all have registered actually.*

Tuan Pengerusi: *They are not, are they?*

Puan Maria Chin Abdullah: *We are registered five persons to speak and that was actually a phone call from the pegawai from the Parliament who ask us to name who are going to speak and we gave five names.*

Tuan Pengerusi: *Okay, I give them tiga minit setiap orang.*

Datuk S. Ambiga: *Before that, just quoting the section on the enforcement officer, I mentioned a section in the Election Offences Act. There is one more in the Election Act, section 4(5). That is the power and duties of the enforcement officer. Its say all the powers and duties given to him for the enforcement of laws relating to elections. That is just for the record.*

Tuan Pengerusi: *Okay, can you remaining to the principle and what is the key point. Kalau boleh go straight to the point. We all reasonably know about the background of the issue, just mention the problem and say this is the way you want it to be solved, okay? The rest we can baca. Thank you.*

Encik Andrew Khoo: *Thank you very much Tuan Pengerusi. My name is Andrew Khoo. I am a lawyer and I am also a member of steering committee of BERSIH 2.0. I take it to the bundle. I think the first important think that I would like to draw to the Select Committee's attention is in tab 6 which is entitled 'Proposed Reform on Strengthening Public Institution Involved in the Electoral Process'. Here we are talking about the composition and the way that the Election Commission is established.*

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Just a reminder, I am sure the SPR knows this but a reminder that the SPR is a body created by constitution appointed by Duli Yang Maha Mulia Yang Di-Pertuan Agong with the consultation with the conference of rules. You know the significant of that is that there is no consultation mentioned with the government or with the Prime Minister. So the conclusion is that the SPR is in the sense above government. And what we have found unfortunately in our discourse with the members of the SPR is that they very much see themselves as just another government department. That clearly affects the overall attitude towards the policing and the monitoring of the electoral process in this country because if from the top you get it wrong, then all the way down to the bottom you will also get it wrong.

Tuan Pengerusi: *Solution to the problem.*

Encik Adrew Khoo: *Solution to the problem is firstly to look at appointing non former civil servants to the Suruhanjaya to basically open up the appointment to include members of civil society, publicbasically other stakeholders in the electoral process and not just seeing to be with apologies, a kind of like retirement benefits for former civil servants. You have to actually understand your role as SPR. Commissioners you are.*

Tuan Pengerusi: *SUHAKAM has raised this earlier.*

Encik Andrew Khoo: *Just to point out the fact that in terms how you remove a commissioner. It is the same as the process of removing a Federal Court Judge. That is the level at which the SPR is placed in the constitution and therefore it needs that operational and administrative independent from the government to have it, to force it to rely on government for you know in so many ways. Makes it and creates the environment that it becomes subservience to the wishes of government. So you look at the history of SPR. I don't mean to lecture you but if you look the history of SPR, you will see times when...*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *I think to be fair to the Chairman, we listen to you view, no need to lecture us. We listen to your view, please and then we can engage each other if in...*

Tuan Pengerusi: *This has been raised earlier YB through SUHAKAM. We are open to that. Okay. Just stress your argument. Why you want to see that way. That will be important info to us.*

Encik Andrew Khoo: *Thank you YB Tuan Pengerusi, thank you YB Member of Alor Gajah. All I am saying is that we look at how who gets appointed to the SPR to make sure it is representative of all the different stakeholders and so it's not just the government or former government officers but also..*

Tuan Pengerusi: *SUHAKAM earlier suggest to the committee of Parliament to select in a way willing to telitikan itu.*

Encik Andrew Khoo: *Standing from that then SPR does also need to again appreciate but it has the power. I know this is the point that has been off repeated. It is not a toothless tiger. It is a body that has the power to regulate the election but I think the other thing that needs to be taken into count is the idea of what regulate on the conduct of the election means. The conduct of the election must be given a broad interpretation. It is not just about the electoral machinery but I venture to suggest that it also include the environment in which elections are conducted. So when you come to this then it branches off into two other areas.*

One is access to media. I know YB from Wangsa Maju talked about it earlier you know. It is not just the internet media. That is free for all. Anybody can go on to that but when you talk about television and radio, then you have the restrictions. When you talk about mainstream media, then you have the restrictions. So, that is not an even a level playing field, not a level of playing field in terms of access to media.

Tuan Pengerusi: *Okay, points taken.*

Encik Andrew Khoo: *Another point that will take also is things like the ability to hold political ceramah during the election campaigns and what I would call that a symmetrical application of the law. It is unbalance, it's not even.*

Tuan Pengerusi: *Why?*

Encik Andrew Khoo: *It favors the government of the day in terms of the ceramah and the terms and conditions set in the ceramah. You'll get reports and evidence of ceramah from political parties not linked to the government being interrupted, the speaker list being interrupted with. You never see that in ceramah for political parties of the government of the day. I think that's why I call the asymmetrical application of the law.*

Tuan Pengerusi: *That part we in Sabah and Sarawak, we don't really have that kind of problem unless you are using statement you know, sedition and...*

Encik Andrew Khoo: *With due respect..*

Tuan Pengerusi: *We just lambai each other at the....*

Encik Andrew Khoo: *With due respect...*

Tuan Pengerusi: *I have to correct but it is not a sweeping statement.*

Encik Andrew Khoo: *With due respect YB Tuan Pengerusi, I was for example in Kuching during the State General Election and I saw first hand how that is done. So I am not making a sweeping generalization. I am speaking based on my personal observation of what happened.*

Tuan Mohamed Azmin Ali: *Okey. Mungkin Tuan Pengerusi, it was not a problem for you representing the government of the day.*

Tuan Pengerusi: *No, I was an apposition before... [Ketawa] No, no. I'm two terms as apposition MP...*

Tuan Mohamed Azmin Ali: *I know Datuk Seri.*

Tuan Pengerusi: *I am much older than any of you.*

Tuan Mohamed Azmin Ali: *Pengalaman kita di Sarawak State Election, we were dragged out even from the long houses by the police.*

Tuan Pengerusi: *May be...*

Tuan Mohamed Azmin Ali: *Well, ini yang isunya. Program itu bertemu dengan rakyat menjelaskan program, polisi dan manifesto kita. Polis digunakan untuk tarik, I mean physically dragged us out from the long house. This is our experience. It won't happen to you, okay.*

Tuan Pengerusi: *I was the apposition before, I was never been dragged out. Depends on what you say to. The people inside there... [Ketawa] But I don't know. There may be some cases like this. Ada provoke, retorik, ada provoke and acting in mannes that should not be. I acknowledge that. Okay, last few points Mr. Andrew before I listen to your colleague.*

Encik Andrew Khoo: *Yes, thank you very much YB Tuan Pengerusi. Last few points. The other thing that links to this of course is the bill of the government machinery use for partisan political campaigning and also the use of government organization specifically in our presentation pointing to organization like KEMAS and all the Jawatankuasa, the JKKKs in the way that they are in some ways used to promote support for the government of the day.*

Tuan Pengerusi: *Akan tetapi to be fair, Mr Wong you know council, it depends who is in charge of the state, who is in charge of the government. To the large extent...*

Encik Andrew Khoo: *We are not..*

Dr. Mohd. Hatta Md. Ramli: *We have the principal you know.*

Encik Andrew Khoo: *We are not saying that this is one party or another party. That's why I am using very neutral terms in talking about the government of the day. I think you do tend to see a bill and this is something that the SPR as an independent body above government federal and state should be looking in to. And this is where I would like to conclude in the sense that the SPR really needs to look very much more closely at the overall environment of election in this country. We are talking very much about corruptions. We are talking also about dirty politics and one of the things that we suggest is a governing of the definition of corruption, governing of the definition of some of the offences under the Election of Offences Act which can already be done without any requirement to change...*

Tuan Pengerusi: *Okay, point taken.*

Encik Andrew Khoo: *So that the whole of conduct that my colleague is only referred to from the Indian Election Commission and the other things where you are talking about improving the general environment.*

Tuan Pengerusi: *Well part of the core terms of reference. Number four here is the institution. Tan Sri Fong is heading that part. I don't want to look at the best practices else where. So it is open to all these views and I have the final details, you want to submit as references to the successful places. We are willing to address some of these points.*

Encik Andrew Khoo: *I note your question YB Tuan Pengerusi. In terms of caretaker government in the operated said I believe Germany also does to certain extend. So there are existing examples on how caretaker governments are operated and also the methodology of caretaker government. In other words no new policies of spending, no new policies announced during the period of care-taker...*

Tuan Pengerusi: *I notice you...*

Tuan Wee Choo Keong: *In UK, you have caretaker government?*

Encik Andrew Khoo: *Yes.*

Tuan Wee Choo Keong: *UK.*

Encik Andrew Choo: *Yes, very neutral.*

Tuan Wee Choo Keong: *In United Kingdom do you have a care-taker government?*

Encik Andrew Choo: *Do you have care-taker principals?*

Tuan Wee Choo Keong: *No, no. Do you have a care-taker government?*

Encik Andrew Choo: *No, the answer to your direct question is - no it doesn't have a care-taker government but it operates...*

Tuan Wee Choo Keong: *How about United States?*

Andrew Khoo: *No, no as well but you know, in some cases...*

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Tuan Pengerusi: *So, who takes care of the government? He is still the president until handing over.*

Encik Andrew Khoo: *There is head of state but its handed over temporarily to, yes, to civil servant even, in order for them to just carry on with the day-to-day management without the right to make any new policies or any changes of the law. So, it is just as a caretaker until the new government is elected and so on into the office. That way, there is no abuse of the position of incumbency in this country when it comes to the election process.*

Tuan Pengerusi: *Ya, we willing to look at the final details on how the caretaker government should function. So that, in such a way that it does not infringe maybe in the conduct of election and all of this thing. We are willing to listen, Sir. Okay gentlemen, thank you very much.*

Encik Andrew Khoo: *Thank you very much.*

Datuk S. Ambiga: *Yang Berhormat just before that. Just to tie up on this point if I may with Lee. There is the code of conduct which we referred to. It is there at the back. Now, it also provide for the situation when election are called, whether how much the government can do. So, even you don't go to the caretaker government route, if you have the code of conduct where by the government cannot go out then be Santa Claus immediately, that's quite a good way of controlling that. So, perhaps if we look at the code of conduct – and the code of conduct is wonderful if I just can read one paragraph, "No party or candidate shall include in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes community... etc."*

There are wonderful clauses there, which actually will avoid dirty politics. Because the rakyat is sick of hearing about the sex videos and so on. We want to know what the policies are. That's how we want to choose the candidates on.

Tuan Pengerusi: *Yes, sure.*

Datuk S. Ambiga: *Thank you very much for that.*

Tuan Pengerusi: *Okay Sir, can you please introduces yourself and what focus you like to make.*

Tuan Wong Piang Yow: *Selamat petang Tuan Pengerusi. Saya minta kebenaran untuk guna bahasa Inggeris.*

Tuan Pengerusi: *Boleh, bisa.*

Wong Piang Yow: *Can I refer it to this handout?*

Tuan Pengerusi: *Name please, because I'm very generous over this, to give five speakers. So, confine to the time and go straight to the point.*

Tuan Wong Piang Yow: *Thank you very much, thank you very much. My name is PY Wong. I shall refer from claiming that I am come from BERSIH. I am here to make proposal on how to BERSIH the operational issue. There are four main items I want to talk about. Can I refer to this Proposal for Reform of Election Laws and Practices?*

Tuan Pengerusi: *Can you just straight to the point. Mention the petition ya. Nanti puas didengar bah, itu juga so what is your solution?*

Tuan Wong Piang Yow: *This is on operation regarding polling agent - the first item is on the Pemerhati Barung that we called the Barung Agent. The Barung is where the voters are stream according to their various polling station. The current regulation allow for one Barung Agent per shift...*

Tuan Pengerusi: *Polling agent, isn't it?*

Tuan Wong Piang Yow: *Ya, Pemerhati Barung. The regulation allows for one Barung Agent per shift. If you have three or four queues, it is certainly impossible for the Barong Agent to perform theirs duty properly. Now, in the newest report of suspicious voters, I think it is important for the SPR to make use of the candidates and their agents to supplement and help them and ensure that only genuine voters vote. So our suggestion is that, instead of restricting to one Barung Agent per barung, allow the agent to submit up to five or as many queues as the SPR search in for that particular barung. For large centre you may have three or four queues. Then, allow for three or four Barung Agents.*

The SPR state stipulate in their procedure that if there is only one saluran per daerah mengundi, there is no barung, actually that is not correct. In Sarawak State Election, even though there are many daerah mengundi with one barong, one saluran, they had barungs there but the candidates who were caught flag folded when there and you will find there lots of other partie's helpers were working there at the barung. Therefore my suggestion is that, in respective of the number of saluran in daerah mengundi, set a barong and use that as sekeliling, so everybody knows exactly what are their functions.

Now the other thing, if you look at the set up for the barung, many areas you have the Barong Agents standing at the back, behind the clerk. I think this is not a very good practice. We should respect the candidate agents and give them proper facilities like tables so they can complement the work of the SPR.

Tuan Pengerusi: *Okey Mr. Wong, these are...*

Tuan Wong Piang Yow: *I'm talking on the operational issues - Operations plus solutions until the problem unsolution. I am not talking fairy tales. These are directly applicable on the ground.*

The other thing we will to suggest is to allow the Barung Agent to be supplemented with technical and legal team, because if you had illegal voters, the main issues is their address. The current voter wrote that there is issue to the Barung Agent and the polling agent doesn't show the address. Therefore, he needs support team to help him if there is a suspicious voter and also...

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Mr. Wong, if we introduce this indelible ink, you don't need all these thing, do you? Do you agree with me?*

Tuan Wong Piang Yow: *Let me come to that later.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *No, no, no. We are almost agreeable on this point that we may introduce the indelible ink. So I think all these thing become the redundant anymore. There is no suspicious anymore. I mean, no one can vote twice...*

Tuan Wong Piang Yow: *Indelible ink is a process to preventing double voting.*

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

Tuan Wong Piang Yow: *Indelible ink doesn't solve the problem of a phantom voter. We are talking about two different situation altogether. So, let me finish it with barung and then I go to polling agent. So, my suggestion is that to allow the Barung Agent to be assisted with legal team and technical team because they need access to laptop or computers to handle the database.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *To do what..., to do what?*

Tuan Wong Piang Yow: *To check on the voters who are suspicious because the way of checking is the address, not according to the data in the...*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *You have the indelible ink to check everything.*

Tuan Wong Piang Yow: *The indelible ink doesn't point out phantom voter.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *There would be no phantom voters if we use indelible ink. If you are saying that if we are introduce the indelible ink and still we got phantom voter, then, no point to use the indelible ink.*

Dr. Mohd Hatta bin Md. Ramli: *Yang Berhormat Kangar, I think the point is valid. The indelible ink is to stop double voting. Phantom voters are those coming on behalf of the date for example.*

Tuan Pengerusi: *That qualified the voters lah? But the name is there.*

Dr. Mohd Hatta bin Md. Ramli: *Akan tetapi ini different, it is different.*

Tuan Wong Piang Yow: *Let me carry on with these type... Let me finish.*

Dr. Mohd Hatta bin Md. Ramli: *Ya, I think we should listen here.*

Tuan Pengerusi: *Ya, finish it.*

Tuan Wong Piang Yow: *The provision for the Barung Agent to check using MyKad reader on any voter that is been suspicious. Make allow this as a provision, not mandatory in case there is suspicious voter; allow a provision for MyKad reader. Because we have concern about the reliability of the MyKad, but occasionally as a supplement, it can be useful.*

Now I come to polling. The regulations provide for the appointment of a returning officer and assistant returning officer, these people hold very wide powers. They shouldn't come from the civil service. They should come from the public sector. The returning officer and the assistant returning officer should be people from the public, not from the government. This is the point I am suggesting.

Tuan Pengerusi: *The idea was not the government servant. It is supposed to be political neutral or what, because public sector much harder to tapis, isn't it? If politically they are align to undisclosed political parties...*

Tuan Wong Piang Yow: *Unfortunately, today a lot of civil servant thinks that they are beholdng to the party empower and they not able to act independently. This is a very sad commentary on the state of affairs in our nations and I hope I wouldn't have to talk about this.*

Tuan Pengerusi: *Mr. Wong, it can be in overall statement. It can happen to both side of the Parliament, any side, any side.*

Tuan Wong Piang Yow: *We are saying that the elections involve the people so, government is of the people, therefore the people should be having a more direct say to it rather than the having government servant. In the past, the practice has not been very satisfactory, so we are suggesting that we should have people from the private sector on that.*

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Tuan Pengerusi: *Okey.*

Tuan Wong Piang Yow: *Admittance to poling station the regulation currently provide for Returning Officer and any officer on poling towards anywhere they like. Now this is double provision because in the postal voting, clause regulation 3 they are already given a postal vote. Why are they being offered another vote in this case? So my suggestion is removed this clause. If you going to polling station you find the screen this high two fit. Unfortunately I'm not ever show a power point but I'm sure you can imagine two feet high screen to watching. Why is necessary?*

Tuan Pengerusi: *Two fit high?*

Tuan Wong Piang Yow: *Two fit high.*

Tuan Pengerusi: *With the scene the lah. Jadi what do you want? You want in four or one feet?*

Tuan Wong Piang Yow: *This is too high so, my suggestion is to rotate the 180 degrees so the candidate's agent can see the back of the voters. The current worried is voters may take ballot paper or they take additional paper and stuff into the ballot box. This is a very simple procedure which is well within the...*

Tuan Pengerusi: *But that is it counted as voted, isn't it - the additional paper that you mean?*

Tuan Wong Piang Yow: *We have a issue...*

Dr. Mohd. Hatta bin Md. Ramli: *It does, there is an issue here, there is an issue here Tuan Pengerusi, that why we must listen.*

Tuan Wong Piang Yow: *Then the other thing is the current poling agents are sitting a few feet away from the SPR Clerk. When the clerk takes the MyKad and read, the Poling Agent can only see the back of the voter. Our suggestion is that the police agency decides the clerk so that they can look at the face of the water well he is been check. This will help the clerk in their duties. The next thing is the clerk one is the only clerk who has supposes to have a writing instrument. Clerk 2 and clerk 3 should not been having writing instrument because clerk 2 test the ballot paper, clerk 3 does for preparation. Our recommendation is to split the three clerks the desk separate by six inches Clerk 2 and clerk 3 is not allowed to have any pencil or pen. So, that there is mysterious marking on the ballot paper.*

Then the issue of the ballot paper current practice while secrecy oath because you are tarring and issue sequentially. That mean if a voter number 15 come in, you tie the first ballot paper straight away you can let the voter with the ballot paper. This actually is a violation of the secrecy of his vote. We recommended that the issue the ballot paper to be randomized. That means like what happen a practice in Lembah Pantai last election. The second clerk test 5 ballot black paper, they test 5 ballot paper put it down at a readiness of clerk 3. So when the voters come he can choose any of five ballot paper, allow for perforation, and the clerk is not allow to fold the ballot paper because is not provider in the regulation. So that the voter can check the ballot paper to see weather there's any marking on it and when he satisfied that the ballot paper is clean, he used it for marking.

Tuan Pengerusi: *But...*

Tuan Wong Piang Yow: *So I'm talking about problem and solution.*

Tuan Pengerusi: *Yes.*

Tuan Wong Piang Yow: *Now procedure before opening on poll, there is problem with Form 13. Current Form 13 has the part 'A' for opening of ballot paper statement and part 'B' for closing of ballot paper statement. If you are in private business and you have any stock coming in you have a stock entry card. That part 'A' is supposed to in stock entry cards. When he comes in Presiding Officer should sign acknowledge how many ballot paper his received from the Returning Officer...*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *So are you talking about the Borang 13 now?*

Tuan Wong Piang Yow: *Form 13 that I see currently there is a weakness on Borang 13 because is no provition...*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *No, no are you referring to the Borang 13 now that has been use now?*

Tuan Wong Piang Yow: *Yes yes...*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *No as amended?*

Tuan Wong Piang Yow: *Have you amended it?*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *Oh yes.*

Tuan Wong Piang Yow: *Now we have seen it so have talk about now.*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *Alright.*

Tuan Wong Piang Yow: *So ..*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *Have you amended Borang 13 and Borang 14 has been amended.*

Tuan Wong Piang Yow: *While amended look at presently we are talk about now. Is it goes to fill in two parts?*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *You have a look the amendment.*

Tuan Wong Piang Yow: *So in that case our skip this part of...*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *Okay alright.*

Tuan Wong Piang Yow: *It just in passing?*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *Okey.*

Tuan Wong Piang Yow: *My suggestion is Form 13 be split in two parts so that opening statement you can sign and closing statement you can sign. Furthermore Form 13 existent to his treated very casually. It is very imported document to...*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *You have the poling agent there you see. You have polling agent for all parties contestant the election there. They are oblige to sign they want they have to check.*

Tuan Wong Piang Yow: *Your Form 13 doesn't have a provision for the polling agent.*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *Oh yes.*

Tuan Wong Piang Yow: *You sign on the first part.*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *You look at the new Borang 13 and the Borang 14 okay.*

Tuan Wong Piang Yow: *Also may I suggest that this Borang 13 be mandatory to be issued to the polling agent.*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *It is, it is, it is...*

Tuan Wong Piang Yow: *So thank you very much. I'm very glad to hear that the SPR is jumping a head of us. Now straitening the proof of identity of voters currently the present practice is the Presiding Officer may in discretion require any voter before is giving a ballot paper to finished such evidence of his identity as the Presiding Officer made deem necessary and to make a subscribe to the declaration select in Form 11 in the First Schedule. An every such declaration shall be exam from stamp duty. Form 11 does not provide adequate provision to prevent double voting. Then for those who are voting once only is enforce in the Second Schedule of law book refer to page 171...*

Tuan Pengerusi: *So this is I think actually our return up the Ccommittee, Subcommittee can study this...*

Tuan Wong Piang Yow: *Okay very good. Then the guide lines to the calon, person in 'purdah' can coming and vote. In order the person has to do is sign Form 11. I think this is not a healthy practice because this procedure is preventing the candidate agent from fulfilling his duty of ensuring that only legitimate voters should vote. We suggest that this be removing. Any voter who comes in must provide proof that they are eligible to vote. No, we shouldn't been providing avenue for them to bypass the procedure. Now a person...*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *I think the law is quite sufficient there. The 'KTM' must be satisfied that the man or the woman, sorry the woman wearing the 'purdah' is not the man. So he has to satisfy himself.*

Tuan Wong Piang Yow: *In that case, are you making such a provision in your regulation for the calon? It should be removed.*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *No, no, no it stated there, quite clearly unless you know if - then they go on to the next step to sign the Borang 11.*

Tuan Wong Piang Yow: *Ya what was the point I can put the man in 'purdah' is sign Form 11, he can vote already.*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *No, no, no. He will make sure he satisfied. He's got the clerk there.*

Tuan Wong Piang Yow: *...Fundamental another woman. We are saying that this a weakness here please look at it at.*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *We have a polling agent there for both all parties polling agents are there.*

Tuan Wong Piang Yow: *Now is the 'purdah' you say for the religious reason that lady cannot be exposed the man the agent is stuck.*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *No there is a clerk they was a woman.*

Tuan Pengerusi: *We can hear from the voice.*

Tuan Wong Piang Yow: *Anyway, just one point to look at. Now the other thing identification of document for eligibility to received a ballot paper.*

Tuan Pengerusi: *Valid point.*

Tuan Wong Piang Yow: *Currently we should use the document that the SPR accept to the register a voter into the voter rule as a document that is used as proof of eligibility of voter. Currently accept only MyKad or temporarily IC to register a person as a worker. We suggest you should use the same standard to determine whether a person is eligible to receive a ballot paper. Right now in your regulation you have everything under The Sun. It's not you allow a person to come in with the key the moment you enter you can use a screw driver to leave the room. This is a very strength way of running things. Now you have driving license with the...*

Seorang Ahli: *Passport.*

Tuan Wong Piang Yow: *Driving license is a photograph also the government document ...*

Dato' Seri Mohd Radzi bin Sheikh Ahmad: *If you have the...*

Tuan Wong Piang Yow: *That is again talking about double voting we are talking about a person who is not eligible to vote in the first place.*

Tuan Pengerusi: *...Not eligible...*

Tuan Wong Piang Yow: *So we are talking about different issues.*

Tuan Pengerusi: *Okay this I think I given you 15 minute already. Beside of this you turn in front details the sub committee will study okay. I make a revision and see the application*

Tuan Wong Piang Yow: *[Bercakap tanpa menggunakan pembesar suara]*

Tuan Pengerusi: *Which one?*

Tuan Wong Piang Yow: *Counting of vote.*

Tuan Pengerusi: *Okay final. Last one. You have new creative thing.*

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Encik Wong Piang Yow: *In the Second Schedule of the law book page 171, it has a very clear criteria for a valid vote. Allow to me to read, "The voter will go into the place reserved for the marking of ballot papers and mark a cross in the space provided for the purpose on the right hand side of the ballot paper opposite the name of whom he votes."*

Tuan Pengerusi: *Okay.*

Encik Wong Piang Yow: *This is very, very clear. But this is where the problem is that – additional provisions in the law say that the KTM shall use its discretion to determine the hindsight of the voter. And from there, the SPR come out with a guide book, 'Undi Ragu' that identify 31 different ways that a ballot paper can be valid including a dot. So a simple process with so well define in the law had been made so confusing and that's why a lot of time on an argument is wasted in the counting station over simple issue. So, we suggest this book on the valid ballot to remove it and only a cross in the box provided, because it is also suppose to be shown at the door when you enter. What is so complicated about that? Why are you making so difficult?*

Tuan Pengerusi: *Some more want to cost. They just want to put kasi bulat.*

Encik Wong Piang Yow: *In that case, they have not complied with the instruction or indicating the intention because the intention is very...*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Only one cross. One 'X', no more.*

Encik Wong Piang Yow: *No, that is what you have indicated to. So, stick to it.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Okay, okay.*

Tuan Pengerusi: *Agreeable, agreeable. I think argument there was in the indication of preference also...*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Point will taken.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *If you tick like that cannot be counted?*

Encik Wong Piang Yow: *Well, this is your regulation.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *No, no.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Point will taken.*

Tuan Pengerusi: *Will taken.*

Encik Wong Piang Yow: *What we are saying is if you had given instruction to do this to indicate your intention, if you don't comply with the instruction, you have no indicator instruction. It is very clear and simple. Why the only...*

Tuan Pengerusi: *Okay Mr. Wong. The rest of it I think we can read and the committee – let Yang Berhormat Gombak can study.*

There is several other groups to sat, they are saying that I am giving too much time. Seven groups waiting there. I had been very generous Datuk Ambiga. I give you two hours.

Datuk S. Ambiga: *Thank you very much Tuan Pengerusi but I hope – we did a lot of work as well...*

Tuan Pengerusi: *I appreciate..., we might call some of you for interaction in Ambiga matters...*

Datuk S. Ambiga: *And thank you for hearing BERSIH's argument. Thank you very much.*

Tuan Pengerusi: *Whatever is Ambiga statement..., the good statement, I think we all concern.*

Dr. Mohd. Hatta Md. Ramli: *Tuan Pengerusi, I would like to suggest to Ambiga and BERSIH that if they anymore thing, we have another five places of Public Hearing. You can come again...*

Datuk S. Ambiga: *Thank you. Yes, we will be on that. Thank you very much Tuan Pengerusi.*

Tuan Pengerusi: *I had to calls for adjournment. People here are very hungry and seven groups outside waiting. Half an hour sahaja, 45 minutes, we will back on 2.30 p.m.*

Mesyuarat ditangguhkan pada pukul 1.43 petang.

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Mesyuarat dimulakan pada pukul 2.36 petang.

[Yang Berhormat Datuk Seri Dr. Maximus Johnity Ongkili **mempengerusikan Jawatankuasa]**

2.30 ptg.

Tuan Pengerusi: Okey, Ahli-ahli Yang Berhormat, Ahli Jawatankuasa Pilihan Khas, semua pegawai-pegawai *watching brief* yang memainkan peranan yang penting. Saya hendak panggil mesyuarat bermula kembali. Juga bagi pihak media dan semua sekali lagi saya peringatkan ini sesi Parlimen bersidang di mana yang memanggil saksi-saksi untuk memberi keterangan ataupun memberi maklumat kepada jawatankuasa dan pada masa yang diberi, mereka itu boleh berhujah secara Ahli-ahli Parlimen sementaramah di hadapan Jawatankuasa.

Kumpulan seterusnya ialah daripada Pemuda PAS diketuai oleh Saudara Pemuda PAS, Saudara Suhaizan bin Kaiat.

[Saksi-saksi dari Pemuda PAS mengambil tempat di depan Jawatankuasa]

Tuan Pengerusi: Saya jemput perkenalkan. Kumpulan yang lain, saya difahamkan ada dua yang lain tetapi satu sahaja yang akan berbicara kecuali minta izin daripada pihak kami untuk menjawab ulasan-ulasan. Saya beri 10 minit penyampaian. Jika perlu nanti kita tambah, okey, sila.

2.31 ptg.

Encik Suhaizan bin Kaiat [Pemuda PAS]: *Bismillaahir Rahmaanir Rahiim. Assalamualaikum warahmatullaahi wabarakaatuh.* Tuan Pengerusi, terima kasih kerana diberi ruang. Pertamanya saya perkenalkan di sebelah saya saudara Mohd. Adrani Musa dan sebelah kanan saya saudara Kamaruzaman bin Ahmad Nur. Saya akan *present*, selepas itu kalau soal jawab, mungkin saya minta rakan-rakan untuk membantu. Okey. Jadi, Pemuda PAS, kita memang ada satu *task force* yang berperanan untuk mengenal pasti masalah-masalah yang berlaku...

Tuan Pengerusi: Ada bahan-bahan yang disediakan?

Encik Suhaizan bin Kaiat: Ada, saya sudah bagi tadi.

Tuan Pengerusi: Teruskan.

Encik Suhaizan bin Kaiat: Baik, Pemuda PAS kita memang ada wujudkan satu *task force* yang berperanan untuk melihat masalah-masalah yang berlaku dalam perjalanan pilihan raya di negara kita. Jadi diharapkan pengerusi dan semua ahli panel tidak jemu untuk mendengar penjelasan tentang masalah yang kita sedang hadapi.

Pertama sekali adalah kita telah melihat satu masalah di mana 240 orang warga asing yang berada dan berkumpul di Astana Dugang Country Resort pada 12 Oktober 2011 dan Pemuda PAS telah membuat keponganan di kawasan ini yang kita dapati bahawa daripada saksi-saksi yang ada di sana, dalam bas kita dapati bahawa mereka pergi ke Kuala Lumpur, ke Putrajaya adalah untuk mendapatkan IC. Mereka ini adalah warga asing dan ada taklimat-taklimat tertentu di dalam bas. Ada juga arahan-arahan tertentu yang meminta mereka untuk memangkah parti pemerintah apabila mereka mendapat IC. Jadi, kita telah membuat satu keponganan di..

Dato' Seri Mohd. Radzi Sheikh Ahmad: Di mana, hari bulan itu berapa? Tidak berapa dengar tadi. Di mana, hari bulan, ulang sekali lagi.

Encik Suhaizan bin Kaiat: Saya rapatkan sedikit ya. Peristiwa itu berlaku pada 12 Oktober 2011 di Astana Dugang Country Resort. Saksi utama adalah Saudara Adrani di mana beliau telah membuat keponganan di kawasan ini dan bila keponganan dibuat, pihak polis datang. Apabila kita tanya, apa tugas mereka untuk hadir ataupun apa fungsi mereka ataupun apa *job* mereka untuk hadir di Astana Dugang ini?

Mereka jawab, pihak polis jawab, bahawa 240 orang warga asing yang hadir di Astana Dugang ini untuk mengikuti kursus keusahawanan. Pada hal mereka adalah warga asing dan ini sangat memusykilkan kita dan kita di peringkat Pemuda PAS Pusat memang biasa mendengar bahawa pemberian IC diberikan kepada warga asing. Saya mendapati bahawa ia satu proses pemberian kewarganegaraan yang dipermudahkan. Itulah yang kami dapat simpulkan tentang beberapa penemuan-penemuan yang seumpama ini. Itu yang pertamanya.

Tuan Pengerusi: Sebelum saudara Suhaizan meneruskan, *just* untuk beri peringatan, tema rujukan di sini adalah soal penambahbaikan sistem pilihan raya. Jadi kaitkan balik kepada perkara itu.

Encik Suhaizan bin Kaiat: Ya, ya. Apabila kita lihat ini, sebenarnya apabila warga asing ini barangkali tidak mengetahui sangat tentang perkembangan politik negara, mereka apabila diberi kewarganegaraan, mereka akan mudah terhutang budi kepada kerajaan yang memerintah. Ada ikrar-ikrar tertentu yang telah dibuat di dalam bas. Apabila mereka dapat IC biru, mereka mesti ataupun diminta berikrar untuk menyokong parti memerintah. Benda ini juga dikeluarkan oleh PKR dalam beberapa *statement* sebelum ini. Saya sertakan gambar-gambar sekali - bas dan juga warga asing dan tempat kejadian ini berlaku, pada 12 Oktober 2011. Dan daripada penglihatan kita sekarang ini perkara ini terus berlaku tanpa adanya seolah-olah tidak ada serik apabila kita buat pendedahan ini. Ia terus berlaku dan ini sangat membimbangkan kita. Itu yang pertama.

Keduanya adalah isu kad pengenalan berkembar dalam Daftar Pemilih Induk SPR. Berkembar ini maknanya, namanya adalah sebiji sama, tidak ada kurang, tidak ada lebih. ICnya pun sama kecuali beberapa digit sahaja berbeza, okey. Kita pernah menghantar maklumat ini kepada JPN, kita hantar sepuluh nama. Sembilan nama JPN kata *genuine*. Satu sahaja yang tidak *genuine* iaitu Azinah binti Mohd Fazin yang tertera di muka surat enam itu. Azinah binti Mohd Fazin di mana dia ada dua identiti di dalam daftar pemilih SPR yang sah tetapi JPN telah membuat semakan dalam *database JPN* bahawa dalam JPN hanya ada satu sahaja.

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Persoalannya bagaimana SPR boleh mendaftarkan seorang pengundi klon di dalam daftar pemilih SPR. Itu persoalannya. Sebenarnya data ini kita juga ada banyak, hampir mencecah 10,000 data ini tetapi kita tidak dapat keluarkan. Cuma kita buat analisis serba sedikit. Sekarang ini dalam apa yang kita bentangkan kita sertakan 100 nama yang kita rasa curiga yang berkemungkinan sama dengan kes Azinah binti Mohd Fazin ini.

Jadi cuba kita lihat salah satu nama sebagai contoh ya - nama Noshasniza binti Ahmad - itu tidak sedap ya. Kita ambil nombor dua ya - Zamzulazmi bin Daud. Nama dua-dua sebiji sama, mengundi di Kuala Neris, DUN Tepuh tetapi ICnya menarik. Hanya dipisahkan oleh satu digit terakhir iaitu digit '5' dan '6'. Sedangkan namanya ialah sama. Saya tidak dapat menafikan dalam *database* yang kita ada itu kemungkinan ada nama-nama yang *genuine*, maknanya bukannya berkembar. Kita tidak nafikan. Akan tetapi, takkanlah dalam 10,000 ini tidak ada yang palsu? Itu persoalannya dan benar apa yang JPN pernah hantar kepada kami dalam sepuluh nama yang kami bagi itu, satu adalah palsu. Kalau ikut biasanya formula itu 75 ini lelaki, 76 ini perempuan, tetapi dua-dua ini lelaki. Kami sertakan 100 contoh berkenaan dengan kes ini ya. Itu yang kedua.

Ketiga adalah – saya tidak tahu hendak guna apa terminologi tetapi saya kata bahawa kad pengenalan lama itu melahirkan dua kad pengenalan baru. Saya anggap sebagai kad pengenalan lama ini beranak, beranak. Satu kad pengenalan lama, keluar dua kad pengenalan baru. Saya berikan contoh. Kita daftarkan ada banyak tetapi kita bagi lebih kurang dalam 20 daftar. Contohnya di muka surat 17 - Aminah binti Majid, IC lamanya 2461248. Ada satu IC lama tetapi melahirkan dua IC baru. Apabila bantahan kita buat pada minggu lepas, apabila kita buat bantahan ini, SPR memang keluarkan data tersebut. Akan tetapi persoalannya, bagaimana satu masa dahulu nama ini wujud dalam Daftar Pemilih SPR yang sah sedangkan di antara SPR dan juga JPN, ada satu sistem menghubungkannya yang dipanggil *ALIS System*. Ini sangat memusykilkan kita. Itu yang ketiga.

Yang keempatnya adalah penduduk sementara sebagai pengundi. Kita bagi contoh sekali di muka surat 19. Ada tiga bukti kita bagi ini. Contohnya nama - Numi binti Syukri yang mengundi di DUN Hulu Besut dan Parlimen Besut, Terengganu, tetapi apabila disemak di JPN, beliau ini adalah mempunyai Kad Pengenalan Sementara. Akan tetapi JPN ini pelik juga. Kadang-kadang dia kad sementara, kadang-kadang dia jadi warga asing, kadang-kadang dia jadi biru. Macam juga biskut, sekejap ada sekejap tidak ada. Kita jadi susah begitu sebab apabila kita semak, kadang-kadang dia biru, kadang-kadang dia merah, kadang-kadang hijau. Ini sistem apa pun kita tidak faham.

Seterusnya, kita di peringkat Dewan Pemuda PAS melihat dua pilihan raya kecil dengan penuh teliti iaitu Pilihan Raya Kecil Bagan Pinang dan juga Pilihan Raya Kecil Sibul. Dalam pilihan raya di Bagan Pinang, kita diminta untuk membuat kajian berkenaan dengan undi pos secara khusus. Kita dapati dalam undi pos di Bagan Pinang, apa yang kita lihat paling lemah adalah terdapat kertas undi yang tidak dikawal oleh petugas parti.

Bermaksud bahawa ada sampul keutamaan, ada kertas undi yang diundi di dalam kem tetapi lebih daripada kertas undi itu yang diserahkan kepada pihak tentera tidak dikawal oleh sesiapa. Jadi kita sangat khuatir kertas undi ini di manipulasi oleh pihak tertentu. Saya akan tunjukkan bukti bagaimana insiden manipulasi ini pernah berlaku.

Seterusnya, satu kecurigaan yang berlaku muka surat 24 kita melihat sekali ya. Ini keputusan yang kita dapat dalam Pilihan Raya Kecil Bagan Pinang di mana terdapat 17 peti undi ataupun 17 karung undi...

Tuan Mohamed Azmin Ali: Saudara, kami tidak dibekalkan dengan dua muka surat iaitu muka surat 23 dan 24 tidak ada.

Encik Suhaizan bin Kayat: Oh, tidak ada ya?

Tuan Mohamed Azmin Ali: Tidak ada. Semua tidak ada.

Encik Suhaizan bin Kayat: Oh! Mungkin silap fotostat di Parlimen tadi. Saya punya copy ada ini.

Tuan Pengerusi: Bagi original ini kepada pihak Setiausaha. Okey, terus.

Encik Suhaizan bin Kayat: Terus. Terima kasih. Di muka surat ini menarik tapi malangnya tidak nampak ya. Muka surat 24 ya. Semasa Pilihanraya Kecil Bagan Pinang ada 17 karung undi pos. Daripada 17 ini, ada tiga karung iaitu 14, 15 dan 16 - tiga karung ini mereka tanpa kawalan daripada petugas, mereka ini katanya mengundi di MINDEF, dan petugas ataupun tentera yang mengundi itu dikatakan hampir pencen. Saya ulang. Mengundi di MINDEF, mereka ini katanya hendak pencen, tanpa kawalan petugas kita.

Peti-peti yang kita kawal semuanya adalah kita dapat walaupun tidaklah bangga sangat kita dapat. Dapatlah 52 daripada 227, 71 daripada 217 yang kita dapat. Akan tetapi dalam tiga karung ini iaitu karung 14, 15 dan 16, PAS dapat kosong kepada ketiga-tiga ini. Ini sangat mustahil sekali apabila sepatutnya anggota tentera yang sudah hendak pencen mereka biasanya lebih bersifat kritikal kepada kerajaan. Sepatutnya mereka bagilah kalau tidak dua, bagilah satu, bukannya kosong. Kalau hendak menipu, janganlah nampak sangat.

Tuan Pengerusi: Akan tetapi kemungkinan juga itu adalah realiti. *So, we cannot discount* juga perkara itu.

Encik Suhaizan bin Kayat: Ya lah, ya lah.

Tuan Pengerusi: Akan tetapi *we take note* apa yang dicakapkan itu.

Encik Suhaizan bin Kayat: Biarlah rakyat menilai tidak mengapa.

■ 1450

Seterusnya apabila kita lihat penggunaan daftar pemilih yang berbeza muka surat 25, ini menarik sungguh.

Sebenarnya daftar pemilih yang sepatutnya digunakan mengikut Peraturan 14(a), Peraturan-peraturan Pilihan Raya, Perjalanan Pilihan Raya 1981 menyatakan bahawa daftar pemilih yang dikemukakan kepada calon pada hari penamaan hendaklah merupakan naskhah sah pemilih yang akan digunakan oleh pengurus, pegawai pengurus dan ketua tempat mengundi satu tempat mengundi pada hari mengundi.

Malangnya dalam kejadian di dalam Pilihan Raya Kecil di Bagan Pinang, pihak SPR telah menggunakan daftar pemilih yang berbeza. Daftar pemilih yang sebenar adalah muka surat 27, akan tetapi dia gunakan sesuka hati muka surat 28. Itu formatnya jauh berbeza daripada asal. Ini kepada saya satu kesalahan. Seterusnya muka surat 29, saya terpaksa *skip, skip* apa yang penting sahaja. Muka surat 29 terdapatnya pertindanan pengundi. Bermaksud bahawa seorang anggota tentera di dapati boleh mengundi di dua tempat.

Tuan Mohamed Azmin bin Ali: Saudara Suhaizan.

Encik Suhaizan bin Kaiat: Saya.

Tuan Mohamed Azmin bin Ali: Sebelum saudara teruskan keterangan, apa perbezaan ketara di antara daftar pemilih pada muka surat 27, dengan muka surat 28?

Encik Suhaizan bin Kaiat: Terima kasih. Kalau kita lihat di situ cuba lihat Puan Kamariah binti Hassan. Puan Kamariah ini sebenarnya isteri kepada Abdul Rashid bin Zakaria. Kamariah binti Hassan dia tidak ada IC. Bagaimana petugas kita mahu menyemak IC Kamariah ini sama ada dia *genuine* ataupun tidak berdasarkan kepada nama. Kalau kita lihat yang kedua bilangannya ada *sequence*, satu sampai 50. Akan tetapi di sini dia tidak *sequence*. Dia suka-suka sahaja.

Zairul Azrul bin Yem, yang kedua Khairul. Patutnya Khairul di atas daripada Zairul kalau ikut *alphabet*. Ini sudah tidak betul sebenarnya. Maknanya sekarang ini dia buat seolah-olah buat *summary* kepada daftar pemilih. Ini tidak benar, ini salah mengikut Peraturan 14(a) sebenarnya. Pihak SPR ataupun kalau tidak SPR pun maknanya pihak berkuasa tentera yang menjaga undi di dalam kem tidak seharusnya *summarize* perkara ini. Ianya mengelirukan petugas kita. Terus. Seterusnya dalam kes *double voting* ini, ataupun pengundian bertindan ini, kita telah dapati di Bagan Pinang waktu itu terdapat 253 pengundi pos di kalangan anggota tentera yang boleh mengundi di dalam kem dan dalam masa yang sama juga dia boleh mengundi di luar, contohnya di Kelantan atau Terengganu sebagai pengundi awam.

So, dia memiliki dua hak mengundi menggunakan identiti yang berbeza. Ini bercanggah dengan Perlembagaan. Kita telah nyatakan perkara ini kepada SPR, SPR berjanji bahawa dia akan bersihkan semua ini selepas ini.

Malangnya selepas BERSIH baru ini, masih terdapat nama-nama yang bertindan. Sebab itulah wujudnya 42,000 daftar yang dicurigai oleh SPR.

Tuan Pengerusi: Banyak lagi?

Encik Suhaizan bin Kaiat: Terus lagi. Cara serahan sampul keutamaan, ataupun cara sampul kertas undi. Ini saya sebut, ini saya lihat dengan mata dan kepala saya sendiri satu kertas undi pada jam 7.30 malam diserahkan di depan satu pasar raya di Bagan Pinang. Bila kita lihat macam tidak formal. Makna dia serahkan itu, serahkan kertas undi, serahkan sampul yang mempunyai kertas undi di depan pasar raya jam 7.30 malam semasa pengundian, semasa Pilihanraya Bagan Pinang ini. Soalnya salah atau tidak isi Peraturan ini. Tidak salah sebenarnya. Itulah peraturan yang ada dalam...

Dato' Seri Mohd. Radzi Sheikh Ahmad: Pukul 7.30 malam...

Encik Suhaizan bin Kaiat: Pukul 7.30 malam. Yang Berhormat Dato' bukan 7 malam, pukul 12 malam pun tidak salah peraturan ini sebenarnya.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Selepas pengiraan sudah sudah tamatlah.

Encik Suhaizan bin Kaiat: Belum, belum. Akan tetapi maknanya kalau kita lihat boleh diserahkan begitu sekali macam kita hendak serah kad jemputan sahaja, so macam tidak seriuslah kita punya pilihan raya itu dan terdedah kepada manipulasi.

Tuan Pengerusi: Soalan - kepada siapa, kepada ketua...?

Encik Suhaizan bin Kaiat: Dia ada Unit Semboyan yang menyerahkan kepada pengundi.

Tuan Pengerusi: Okey, jadi pengundi kasi balik. Ini baru beri kertas undi.

Encik Suhaizan bin Kaiat: Yes.

Tuan Pengerusi: Belum kasi balik.

Encik Suhaizan bin Kaiat: Belum. Kasi balik itu dia boleh beri bila-bila masa sahaja.

Tuan Pengerusi: Ya, ya.

Encik Suhaizan bin Kaiat: Jadi saya rasa untuk setakat ini sahaja.

Tuan Pengerusi: Jadi katakan bukan di berek akan tetapi di pasar.

Encik Suhaizan bin Kaiat: Ya, di pasar. Di depan pasar malam.

Tuan Pengerusi: Barangkali dia wakilkan untuk bawa sama dia.

Encik Suhaizan bin Kaiat: Ya lah wakillah itu, betul. Dia sebenarnya siapa-siapa pun boleh ambil. Bapa kitakah, datuk kitakah semua boleh ambil, kita punya kertas undi itu. Itulah saya kata bahawa tidak serius.

Tuan Pengerusi: Okey.

Encik Suhaizan bin Kaiat: Seterusnya adalah Menteri BN berkempen dalam kem tentera. PAS dan juga Pakatan Rakyat tidak dibenarkan berkempen dalam kem. Akan tetapi dua menteri ini dibenarkan berkempen menyebut sekali berkenaan dengan pilihan raya. Pertamanya adalah Menteri Besar Negeri Sembilan, yang kedua adalah Menteri Pertahanan yang kita kasihi Dato' Seri Dr. Ahmad Zahid bin Hamidi.

Seterusnya adalah kita masuk juga dalam pilihan raya di Sibul. Tadi di Bagan Pinang sekarang Sibul pula. Di Sibul kita dapati bahawa petugas SPR sebagai pengundi pos ini memang ini normal. Maknanya sebahagian daripada petugas SPR menjadi pengundi pos. Itu normal, biasa. Akan tetapi apa yang kita pertikaikan adalah keputusan yang dibuat di saat akhir dan nama mereka sebagai pengundi awam tidak sempat dibatalkan dalam daftar pemilih SPR.

Dengan itu sebenarnya kita boleh dapati bahawa dia boleh mengundi dua kali kalau dia buat, kalau baca tidak cekap dia boleh mengundi dua kali. Satu sebagai pengundi pos satu lagi sebagai pengundi awam. Ini sepatutnya dibaiki. Seterusnya adalah petugas SPR membawa balik kertas undi. Terdapat 200 petugas SPR di Sibul telah membawa balik kertas undi mereka ini.

Lihat muka surat 36 dan 37 YB Loke pun ada masa itu. Muka surat 36 ini, inilah pengundi pos Sibul. Gambar itu, macam seorang penjual VCD kata Yang Berhormat Loke. Muka surat 37 pelajar macam pelajar sekolah menengah sahaja akan tetapi dia mengundi sebagai pengundi pos. Sebab itulah kita syaki bahawa kertas undi yang dibawa balik sebanyak 200 tadi disyaki telah dijual kepada pasaran gelap. Betul, sebab kita kawal.

Bila kita kawal akhirnya hanya sebahagian sahaja undi yang kembali ke tempat pengiraan. Yang lain-lain mereka takut sebab kawalan daripada kita. Itu belum memerintah lagi itu. Seterusnya petugas SPR bukan sebagai pemilih. Terdapat seorang bernama Justis Leo B. Lewis, nombor kad pengenalan seperti yang tertera pada muka surat 38. Beliau ini sebenarnya bukanlah seorang pemilih di Sibul akan tetapi didaftarkan sebagai pengundi pos di Sibul.

Seterusnya undi berlebihan mengikut kod. Lihat, kod 708 – Unit Udara PDRM. Undi yang dikeluarkan enam akan tetapi undi yang diterima 24. Kod 429 – Unit Tentera Darat. Unit yang dikeluarkan 160, akan tetapi undi yang diterima 161. Macam mana pula undi yang diterima itu lebih banyak daripada undi yang dikeluarkan. Ini tidak munasabah langsung.

Terdapat 1,040 undi tentera dan polis tanpa kawalan agen PR. Okey, ini lebihan. Makna bila mereka tidak mengundi di dalam kem, so mereka mengundi entah di mana akan tetapi ada 1,040 yang tidak dapat dikawal oleh petugas parti. Saksi tentera yang meragukan. Saya bagi contoh pada muka surat 39. Cuba lihat sama-sama muka surat 39.

Ada terdapat Borang 2, empat keping Borang 2, namanya sama. Akan tetapi sebenarnya kejadian ini bukan berlaku di Sibu. Kejadian ini berlaku di Johor Tenggara pada tahun 2008.

Namanya adalah PW Aziz bin Abdullah. Semua alamatnya sama, cop empat-empatnya sama akan tetapi mempunyai empat tandatangan yang berbeza. Ini sah baru penipuan telah berlaku di mana tandatangan ini dibuat oleh orang yang berbeza. Sebab itu tandatangan berbeza walaupun orangnya sama.

Seterusnya lihat muka surat 40. Ini kita lihat macam mana apa kita sebut sebagai undi pos ini semacam *fixed deposit* pada parti pemerintah walaupun pengerusi kata tidak mustahil. DAP dapat 18,775 yang meliputi 50% sokongan. BN hanya 42. Lihat, itu adalah undi awam. Bila kita lihat pada undi pos lihat perbezaan yang jauh ketara sekali.

■1500

Barisan Nasional dapat 82%, DAP hanya dapat 2.47%. Kalau DAP dapat 30% itu munasabah juga tetapi kalau dapat hanya 2.47% dibandingkan dengan 50% undi awam, sangat mencurigakan.

Kemudian muka surat 41, ini adalah pendedahan bekas anggota tentera. Empat orang yang telah kita jumpa iaitu Mejar (B) Rizman Mastor, Mohamed Nasir Ahmad, Mohd Kamil Osman dan Kamaruzaman Ibrahim. Keempat-empat bekas anggota tentera ini mengaku bahawa semasa beliau berkhidmat sebagai anggota tentera, beliaulah yang memangkah kertas undi bagi pihak rakan-rakan mereka, dan sebab itulah tidak mustahil apa yang berlaku di MINDEF di mana kita dapat kosong, manakala rakan Barisan Nasional dapat 200 lebih. Okey.

Terakhir sekali adalah *advance voting*. *Advance voting* ini adalah cadangan daripada SPR sendiri – ini di muka surat 44 – tentang penggunaan *advance voting*. Kita tidak nampak apa sebenarnya mekanisme *advance voting* ini sebab tidak pernah dijelaskan kepada kita. Akan tetapi pada kita, ia sepatutnya dijelaskan. Sama ada *advance voting* ini adalah satu spesial ataupun kaedah undian baru ataupun ia termasuk dalam undi pos ataupun ia termasuk sebagai pengundi awam, kita tidak jelas.

Kalau dia pengundi pos, kita sangat bangkang sebab undi pun banyak masalah, jadi mengapa perlu ditambah dengan *advance voting*. Kalau dia hendak buat *advance voting* sendiri, *amendment* perlu dibuat pada peraturan pilihan raya yang menjelaskan tentang *advance voting* ini. Jadi, itu tidak jelas. Walaupun Tan Sri Abdul Aziz pernah berjanji bahawa SPR akan melaksanakan *advance voting* pada Julai 2011 tetapi sampai ke hari ini kita tidak jelas lagi apakah sebenarnya *advance voting* tersebut. So, terima kasih. Itu sahaja pembentangan saya.

Tuan Pengerusi: Terima kasih. Satu penyampaian yang begitu menyeluruh, banyak idea-idea, laporan-laporan walaupun kurang dari segi tindakan yang harus dibuat atau apa penambahbaikan bagi setiap perkara yang dibangkitkan tetapi ini barangkali ada Yang Berhormat ingin bangkitkan. Saya buka untuk Ahli-ahli Yang Berhormat jika ada soalan susulan atau mohon penjelasankah. Tidak ada? Yang Berhormat Kuala Krai mulakan dengan belia daripada kumpulan yang sama.

Dr. Mohd. Hatta Md. Ramli: Terima kasih Tuan Pengerusi. Kita mendengar tadi tentang usaha-usaha untuk membuat pendaftaran ataupun pemberian kad pengenalan kepada warga asing dengan *plead* ataupun dengan pengakuan untuk menyokong sesuatu pihak. Kita diberikan satu contoh tadi, adakah boleh diberikan beberapa episod lain yang didedahkan dan bukti-bukti lain kalau ada?

Tuan Pengerusi: Okey, sila.

Encik Mohd. Adram Musa: Terima kasih Tuan Pengerusi. Saya ingin menjelaskan sedikit sebanyak apa yang berlaku di *ground* dekat sana, pengakuan daripada mereka yang mendapat IC yang dikatakan kad pengenalan daripada warga asing itu sendiri kerana saya membuat penyiasatan yang lebih detil dan saya telah serahkan perkara ini kepada Parlimen tempoh hari dan Menteri Dalam Negeri sendiri pun telah berjanji untuk memberikan keterangan kepada PSC itu sendiri.

Saya jelaskan pengakuan mereka sendiri yang antaranya bekas pekerja, mereka ini menyatakan mereka dikehendaki membayar sebanyak RM5,000 untuk mendapatkan IC ini dan akhirnya pengakuan mereka, mereka dikehendaki untuk mengundi kepada parti tertentu sahaja. Itu salah satu. Dan ia tidak didedahkan kepada media itu sendiri atas faktor-faktor keselamatan. Asasnya kami menuntut supaya satu suruhanjaya khas ataupun Suruhanjaya Diraja untuk menyiasat perkara ini supaya saksi-saksi ini boleh tampil ke hadapan tanpa perasaan takut dan juga dalam keadaan tiada ancaman. Itu sahaja pandangan daripada saya.

Tuan Pengerusi: Yang Berhormat Rasah.

Tuan Loke Siew Fook: Terima kasih Tuan Pengerusi. Oleh sebab tadi Saudara Suhaizan ada sebut nama saya, saya pun kena bagi sedikit keterangan. Memang benar saya juga berada ketika Pilihan Raya Kecil Sibul semasa penjumlahan kertas-kertas undi pos. Pada ketika itu baru saya tahu bahawa pengundi-pengundi pos yang melibatkan petugas-petugas SPR sementara dibenarkan menjadi pengundi pos dalam satu-satu pilihan raya.

Akan tetapi persoalannya ialah, seperti yang dikatakan tadi, praktis sekarang ialah apabila undi pos itu dikeluarkan kepada pengundi-pengundi pos ini, mereka dibenarkan beberapa hari untuk mengundi, dan dalam kategori pemilik pos sementara ini yang bukan tentera dan bukan polis, mereka dibenarkan mengambil undi pos itu dan kembalikan undi itu sebelum pukul 5 pada hari pengundian dan dalam tiga empat hari itu undi pos itu boleh dibawa balik.

Ini sedikit berbeza dengan tentera dan polis. Polis sekarang ini dia kena buang undi di balai polis ataupun tentera dia kena letakkan dalam barung di kem tentera tetapi untuk pengundi-pengundi pos sementara ini, mereka dibenarkan ambil balik tiga empat hari. Jadi undi itu seperti yang dikatakan tadi, ia berkeliaran di sekeliling, di luar. Jadi saya hendak tahu apakah praktis ini masih diteruskan oleh SPR atau bagaimana ia dapat – adakah apa-apa rancangan daripada SPR untuk menambahbaik kerana perkara ini saya rasa memang tidak sihat.

Ini kerana bagi pengundi biasa, kita hanya dibenarkan memegang undi itu tidak sampai lima minit. Ambil undi itu, kena pangkah. Kalau *you* ambil undi itu lebih daripada dua minit, pegawai KTM sudah panggil cepat-cepat untuk pangkah dan buang undi itu. Tidak boleh lebih daripada lima minit pegang undi itu. Padahal, pengundi pos sementara ini dalam kes ini boleh pegang undi itu empat lima hari. So saya rasa ini perlu diberikan perhatian oleh SPR dan saya harap ada sedikit penjelasan daripada SPR.

Encik Suhaizan bin Kaiat: Saya hendak tambah sedikit. Sebenarnya salah *statement* Yang Berhormat itu. Sebenarnya anggota tentera itu, dia sebenarnya dalam peraturan undi pos tidak dinyatakan bahawa dia kena mengundi di kem. Itu adalah urusan pentadbiran SPR sahaja. Maksudnya SPR membuat inisiatif memudahkan urusan. Kalau katakan anggota tentera itu *against* dengan tindakan SPR itu, dia pun boleh bawa balik juga.

Tuan Loke Siew Fook: Akan tetapi praktis itu ialah dia undi dalam kem.

Encik Suhaizan bin Kaiat: Ya, tetapi itu sebenarnya dalam peraturan tidak ada. Cuma SPR maksudnya buat inisiatif untuk memudahkan urusan itu. Itu sebenarnya. Dan empat hari ini satu masa yang lama dan sebelum-sebelum ini pun, sebelum ada inisiatif SPR ini, mereka pun boleh bawa balik juga. Itu yang sebenarnya.

Tuan Pengerusi: Ini pendengaran awam sebenarnya. Jadi *not oblige to answers* tetapi kalau untuk tujuan memperjelaskan boleh. Saya jemput.

Encik Harun Che Su: Tuan Pengerusi, perkara ini adalah bersifat teknikal. Jadi kami mohon untuk menyiasat dahulu.

Akan tetapi kalau mengikut amalnya, memanglah kita keluarkan kepada mereka tetapi mereka membawa keluar itu, itu yang makanya yang boleh dibawa ke Jawatankuasa untuk penambahbaikan sekiranya ada ruang di sana. Jika kita nampak ada kelemahan, kita cadangkan.

Tuan Pengerusi: So amalan biasa iaitu tidak dibawa keluar?

Encik Harun Che Su: Oleh sebab kita sudah kenal pasti bahawa mereka itu adalah petugas. Sepatutnya kita pos. Kalau mengikut amalan biasa kita pos tetapi...

Tuan Pengerusi: Ataupun dia mengundi di satu tempat yang ditetapkan pada masa tu juga.

Encik Harun Che Su: Ya.

Tuan Pengerusi: Di tempat saya kalau pada masa pilihan raya yang lalu, semua petugas itu hanya di satu tempat yang ditetapkan oleh SPR dan setelah buang undi di sana, selesai, macam mana? Jarang ini yang bawa pulang masuk poket. Mimpi dahulu siapa mahu undi, esok bawa balik.

Seorang Ahli: Boleh fotostat lagi.

Tuan Pengerusi: Boleh fotostatkah? Akan tetapi itu tidak laku kalau hendak dikirakan. Okey, nanti kita akan bincang dalam mesyuarat Jawatankuasa yang akan datang.

Encik Suhaizan bin Kaiat: Saya nampak sebenarnya lebih baik sebenarnya undi pos ini reformasi yang dicadangkan itu adalah kita tidak dapat nafikan bahawa memang ada anggota tentera yang betul-betul kritikal bekerja di sempadan dan sebagainya dan mereka memang memerlukan undi pos. Itu kita *accept*, kita terima. Akan tetapi yang lain-lain itu yang duduk di dalam kem ataupun tidak dalam suasana kritikal, saya kira dia boleh buat pengundian awal. Bermaknanya dia mengundi menggunakan kertas undi awam tetapi diawalkan dan bukannya pengundi pos.

Tuan Pengerusi: Ya, memang begitulah cadangan SPR seperti mana dibentangkan pada kami, di mana proses pengundian yang biasa, telus di depan semua. Dia datang mengundi dan bukan lagi yang di bilik kah atau pun di hadapan seorang pegawai kah, tiada lagi. Dia mengundi awal seperti sistem kita mengundi. So itu cadangan mereka dan kita sedia untuk memperakui termasuk petugas-petugas.

■1510

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: Saya tahu bahawa petugas-petugas sekarang ini mengikut apa yang saya ingatlah lebih kurang 140,000 orang petugas-petugas sementralah *you know* yang menjadi KTM, pegawai-pegawai pengundian apa semua jadi ramai. Jadi kita cadangkan supaya mereka ini mengundi awal. Tidak boleh bawa balik.

Mengundi awal bermakna bukan pengundi pos, mengundi macam biasa *the name should be* teriakkan nama apa semua, siri nombor apa semua *poling agency* lain.

Tuan Pengerusi: Okey soalan terakhir daripada Ahli-ahli Yang Berhormat. jikalau tidak ada terima kasihlah kerana kumpulan daripada Pemuda PAS pada penyampaian yang perlu kita ambil kira dalam urusan kami nanti. Sekali lagi terima kasih. Okey, ada beberapa lagi kumpulan. Kita panggil kumpulan daripada Majlis Peguam Malaysia (*Bar Council*) diketuai oleh presidennya *Council* Lim Chee Wee dan dua lagi Saudara Christopher Leong dan *Council* Tony Woon.

[Saksi-saksi dari Majlis Peguam Malaysia mengambil tempat di depan Jawatankuasa]

Tuan Pengerusi: Seorang sahaja saya benarkan untuk penyampaian tetapi daripada masa nanti jawab-jawab boleh libatkan di mana yang perlu. *So as you know Mr. Lim you are very polish with the procedures. This is Parliament in session; we invited you to make a presentation then 10 minit kalau perlu panjang nanti I will give additional.* Language untuk Parlimen Bahasa Malaysia, *you can speak in English. I know you fasih in any language. Thank you.*

3.12 ptg.

Encik Lim Chee Wee [Presiden, Majlis Peguam Malaysia]: *Okay Tuan Pengerusi and the distinguished Members of the Committee. My name is Lim Chee Wee, President of the Malaysian Bar. On my right is Christopher Leong, Vice President, on my left is a Tony Woon. Tuan Pengerusi, we will provide is short noted after today's proceeding and taking a queue from the early proceedings, we will not repeat some of their point made from the other groups.*

Tuan Pengerusi: *Alright, thank you.*

Encik Lim Chee Wee: *Yes, say to say this, key point first of all we support the reflections of the proposal for electoral reform submitted by BERSIH 2.0. The Bar fully supported those proposals. The two points were wish to address here this afternoon deal firstly the reduction the age qualification of voters and secondly media freedom in Malaysia.*

If I may very quickly on the issue of the age of qualification of voters, we would propose the amendment to Article 119 to reduce the age to 18 years for three reasons. One, the write to vote is reflections of maturity social awareness and sense of responsibility of the individual. In law when the child reaches the aged of maturity, the child is legally regarded and adult, the child can it is responsible for his law action can sue be sued and undertake lawful for business transactions.

Secondly, out the 193 members state of the United Nations to vast majority have minimum voting aged of less 21 years of aged, Malaysia is a minority and probably a lower minimum voting aged will engaged to jump about nation in the political process. As a Prime Minister already said, the government doesn't know everything, and in this instant with urge the Committee to allowed young of our nations to be engaged in the political process.

The second point Tuan Pengerusi and distinguished Members of the Committee - Deals with the free press of media, as we all know casting of the ballot in an election cannot take places in the vacuum. It takes places in the reality of in the environment where the political party's the candidate are dependent on the media. It is here that we must have a free and equal media coverage and airtime. In the contexts of Malaysia free and equal media coverage end airtime by state own or state linked media and than must be equal access.

The proposal that we have Tuan Pengerusi and distinguished Members of the Committee is in law they should be in minimum airtime allocation for each political party were contesting in the general elections. You know as for the minimum airtime to be meaningful they must be proportional personal formula based of the number of candidates from each political party. That what mean providers of media must be allocation whether not inventory such allocation is taken up by the political party but the obligation is on the media to unsure the based certificates access if any of the political party so wishes. Of course with they must be sanctions the follow through with this proposal.

The second point I wish to make to distinguished members of the committee regarding to reform of all Printing Process in Publication Act. Our Prime Minister has announced that would be repeal of the requirement for annual license. We think more has to be done, more so in this contexts of electoral reforms. They must be a removal of a requirement for license or permit for printing press or publication of newspaper. Of course they should also be repeal of the 'insidious' clause which Malaysia seen so a happy to have in all is pieces of legislation and of course they should also be repeal section 13(b) where theirs no rightly heard upon applications for license and permit and ratification.

Similar provision exist in other pieces all legislation rather such as Malaysian Communication and Multimedia Act, a Malaysian Communication of Multimedia Regulations with provide for license for broadcaster. This licensing procedure should be remove and in stead work be should have is free media with no enquire with restring what so ever. So that if their concern about work of media may report or say then what happen that should be prosecuted for what is a said as a post to imposing enquire restring what from the outside.

What I'm saying Tuan Pengerusi and distinguished Members of the Committee is nothing needs the Malaysian Bar has in say it seen the prime of Raja Aziz Addruse, The media should be self regulatory. Is in this contexts and in this environment where this free an equal access to the media, that reveal have a free and fair elections in Malaysia. So with that I concluded of the point I wish to makes and the more than happy to takes questions.

Tuan Pengerusi: *Terima kasih Mr. Lim. Just before YB Rasah takes it of course in this a free access to media, there I think both size are offence it, isn't it. Their also each political party, some political party I have also on their own spaces and so forth. Therefore access crossing the boarder. So how do you plan to regulate this kind of thing? Of course in my opinion is government media, official media that their talking about mal-apportionment based on candidates, minimum time given. SPR was see that he is not provided under terms of reference from these we you know. We suggest otherwise that they should be provision for this.*

Encik Lim Chee Wee: *Tuan Pengerusi and distinguished members of the committee, we can do this by law, a provision in law to say that what ever media agency there is out there. This is what you set asides in terms of airtime if the political party doesn't take up that offer, then so be it. At least that's equal access to the media which doesn't exist of the moment. If one work - example Tuan Pengerusi, if want to take to be report by transparency international are in term of the advertisement campaign spending for 2008 elections.*

May I make quote on page 143 of the TR Rreport in title – "Reforming political financing in Malaysia." May I quote, "The NST and The Star increase the pages for advertisement by services 7% and serving 1.4% respectively while Utusan Malaysia broad sheet up the ads for one pages on Monday to five full pages on polling eve. The three papers had highest to account that were poll BN in journal. Only The Sun published one pages add for the DAP on pages 28 with the slogan, "Just Changes It."

So the others can see here Tuan Pengerusi and distinguished Members of the Committee, there is no equal access to the media. We are not saying changes to law the media must set the side this pages an infect have this a pages fill up with mews for all the political parties all the edging recommendation by the committee told the government that in by law that the media is force to set aside time whether not the political party which should take it up, that the different issue. And of course, the races are to be the same for anyone who wants to take it out.

■1520

Tuan Pengerusi: Yang Berhormat Rasah.

Tuan Loke Siew Fook: Terima kasih Tuan Pengerusi. *Firstly, as a young MP, of course I fully support the proposal of lowering the age from 21 to 18. Me and my party are fully support that proposal. Secondly, as the representative of Bar Council, I like to hear your comments or your views regarding the indelible ink whether there is need to change or to amend the Constitution. Or if we have plan to amend the Constitution, whether the Bar Council will support this proposal?*

Encik Lim Chee Wee: *Well, firstly I do not think there is a need to amend the Federal Constitution. I think the argument has been so well-versed both by the individual before me and by the Members of the Committee. I think we all on the same page there. To be fair, I got have benefit of learned the opinion of Attorney General but I am quite confident from my views that there is no need to amend the Federal Constitution. All you need to do – it is an amendment to the regulation. That is clear.*

Tuan Loke Siew Fook: *This is just a follow up question. The argument right now is that, if there is a proposal if there is need, AG insist that they must amend the Constitution. Whether the Bar Council can accept it? Because, whether you are open up the dangerous precedent for other things.*

Encik Lim Chee Wee: *Under the Federal Constitution, the AG advises the government. At the end of the day, the government as a client makes the decision.*

Tuan Loke Siew Fook: *No. Let say the government make the decision that right now we want to go ahead with the indelible ink, so let amend the Constitution because there are some views that if there are so much uncertainty, why don't we just amend the Constitution. But my question is that, whether if there is a proposal to amend the constitution, the Bar Council will support it whether it will create a bad precedent for other things?*

Encik Lim Chee Wee: *I think it will create a bad precedent because – where do you draw the line. If you are going to amend the Federal Constitution to include provision for indelible ink, what else you need to include in there? You must also take entire Elections Offences Act and all its regulations and put inside the Federal Constitution. So, I really strongly take the view that there is no need to make the amendment.*

Tuan Pengerusi: *Thank you very much so anybody?*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Thanks to Bar Council for coming. I think you addressed two points that are very eloquently. Generally, there is opinion that there must be a certain place in which they should know double counting in any single vote. I mean, the issue is how to implement the system. I think it from you personally and Bar Council is very confident that they can go ahead and implement the indelible ink.*

Unfortunately, after the election, it needs one or two petitions ending with the Federal Court of Appeal dissolving the validity of the whole election process. What happen to AUKU Act? I mean, there is no way in which you can deny the possibility. So, let us look forward and find the better way, in which it is really legally on a solid ground to implement the system. I mean, we all agreeable to find the best formula to do it actually.

Encik Lim Chee Wee: *This is to responds to Yang Berhormat Alor Gajah. As a lawyer, I totally agree there is no guarantee that my legal view is correct. But I think I like to have a big more confident in our Election Judges and Federal Court Judges that the view that I take that there is no need to amend the Constitution.*

Tuan Pengerusi: *Just for clarification there. The argument on the opposing side of yours, Mr. Lim because we make it that there is no choice. You must mark as you cast your vote as you pick the voting slip, you mark. Therefore, if you do not want to be mark, then you are disqualified for make us seizing your right. So, there is some concern there because like you have said, put the regulations just like we require that your IC be shown just like you must vote within the time and so forth. Will you really be confident that can hold the matter that marking you as a proof that you have already voted? If you do not want to be mark, you cannot pick your vote, your voting slip, it is sufficient enough to ensure that people will ask you to do like that.*

Encik Lim Chee Wee: *Tuan Pengerusi, as any lawyer will tell you, I am 99.9% confident... [Ketawa]*

Tuan Pengerusi: *Okay. Ya, Yang Berhormat Kuala Krai.*

Dr. Mohd. Hatta Md. Ramli: *Tuan Pengerusi, terima kasih. Thanks for the Bar Council for coming up with a suggestion of freer media in equal access. We had an experience before in the previous election that the Ministry of Information gave a certain period of time for political parties to express their manifestos I presume, with the amount of time given proportional to the number of Seats that they are standing in the election. The program recorded of course will be at 3 am. in the morning. Does that amount an equal access to media?*

Encik Lim Chee Wee: *At 3 pm. where most people who will be in their office... [Disampuk] At 3 am.? Oh! Where only got...*

Dr. Mohd. Hatta Md. Ramli: *At 3 am. because everybody is at home.*

Encik Lim Chee Wee: *Oh! People are still stacking over after happy hours. No surely...*

Tuan Pengerusi: *They watching football, you know... [Ketawa]*

Encik Lim Chee Wee: ...[Ketawa] *Watching Man U or something. Certainly Tuan Pengerusi and distinguished Members of the Committee that will not constitute a free and fair access to the media. And that is why I think the responsibility that lays on the shoulder you gentleman are great. I think the rakyat, the Malaysian Bar, we look to you to do the right thing and come out with the recommendations to change the system. And I am very happy that Yang Berhormat Kuala Krai raised this issue. The 'devils is in the details'. I can sit here expound and expound and preach on general principle of what should be done. As you ready point put, the 'devils is in the details' and we hope that the committee will come out by unanimous consensus, very good recommendations that would take us into through democracy where public will have full confident in our electoral process.*

Tuan Pengerusi: *Yang Berhormat Wangsa Maju, last.*

Tuan Wee Choo Keong: *Thank you. Terima kasih Tuan Pengerusi. I just want to, or rather I am quite impressed with my President... [Disampuk] Ya, My Bar Council Presidentlah, part of my legal fraternity, you know. At the opening remarked as the Bar supports their Bersih proposal and all that, but BERSIH proposal on that I saw a lot of real hints of corrupt practices, corruption and all that. We aren't oppose that but I want to be explained on how you reconcile for example in 2007, the Bar President under Datuk S. Ambiga organized the Bar Council dinner under the name of Majlis Peguam Malaysia in J.W. Marriot, purportedly to have invited all Bar Council Members including all lawyers. But from what I know, from what I have heard, of course I was not invited, I was still MP on that time, I was not invited but I heard a lot of lawyers, some lawyers or selected lawyers who will invited, but in fact, only majority opposition Members of Parliament invited and leaders of the opposition were invited. That was great. It was free dinner by the Malaysian Bar Council.*

But, it was discovered later on through Parliament, I table the question that the Badawi government paid for the dinner for about almost RM91,000. So, would this be also part of corrupt practices or do you say that because at that... [Disampuk] This is serious because at that time, all these thing weren't happened before, these thing happen now. All these so-called malpractices, unfairness.

■1530

And all these what we called, imbalance airtime or not given airtime or all the practices at during the time in 2009 or 2008. Nothing happen at that time only happen after Tun Abdullah Ahmad Badawi accepts down. Can you please qualify it? Is it this is part of corrupt practices or no you are very active also.

Tuan Pengerusi: *Please relate to penambahbaikan Yang Berhormat.*

Encik Lim Chee Wee: *I'm guide it Tuan Pengerusi because...*

Tuan Wee Choo Keong: *I want see whether it double standard or not.*

Encik Lim Chee Wee: *Okay I'm telling us Tuan Pengerusi and Members of Committee. Firstly our secretary the Malaysian Bar during the time. Now let me say this The Malaysian Bar over many-many years having receiving funds from the federal government and at time state government. Last year, when we hosted The Malaysian Law Conference and the year before Law Asian Conference we receive substances some of money from the Prime Minister Department. That had never stopped The Malaysian Bar from speaking out against the government. I think goods to the government that their matured to know that when they give funds to The Malaysian Bar they know they not buying us. We will continue to speak fearlessly and we are respect of the function that Yang Berhormat for Wangsa Maju mention. You may not have - I remember this Yang Berhormat secretary you see the circular to all members to the Bar inviting all members of the Bar on the first come first serve basis to attend the dinner and apart from the Prime Minister we also had a few MPs from Barisan Nasional. So that dinner Yang Berhormat Wangsa Maju was truly by partisan dinner so to speak... [Tepuk]*

Encik Wee Choo Keong: *Just let you know that time...*

Tuan Pengerusi: *Sorry this is not in a gallery this is Parliament in session... [Ketawa]*

Tuan Wee Choo Keong: *At that particular...*

Tuan Pengerusi: *To the observers, we are govern by the standing order to give the most free and quietness so I can understand but if you can clap in your heart if you want to.*

Tuan Wee Choo Keong: *... But just to clap the whole thing is this. At the time when you organizing meeting whether that dinner nothing was said that this dinner by the way have been paid by the government, right? You also kept silent until enquiry came about then only was I don't whether reluctantly or we had no choice but to admit that. It came that fund came from the government but right you should be transparent as what I mean Bar Council always was transparency. You should be transparent. By the way this dinner has been sponsored by the federal government. Why kept quiet about it? Until be impressed the table here and got the answers RM91,000 then only towards...*

Tuan Pengerusi: *Okay this is become side line after...*

Tuan Wee Choo Keong: *Just to recaps the whole thing I say.*

Encik Lim Chee Wee: *I think Malaysian Bar we thank Tuan Pengerusi and distinguished Members of Committee. We will should all the best we are confidence that your report would be outstanding and we look forward to reading your report. Thank you.*

Tuan Pengerusi: *Thank you very much Mr. Lim and the members of The Malaysian Bar Council. Thank you very much.*

Encik Lim Chee Wee: *Thank you.*

Tuan Pengerusi: Okey ada lagi beberapa yang *on queue because* kita mengambil masa yang panjang 2 jam untuk kumpulan Datuk S. Ambiga pagi tadi. *I was very-very generous; although she spoke to the press she was disappointed, dua jam sahaja but the others would be sending message to me - too long waiting.*

[Saksi-saksi dari Democratic Action Party Socialist Youth (DAPSY) mengambil tempat di depan Jawatankuasa]

3.45 ptg.

Tuan Pengerusi: *Okay the next group DAPSY (Democratic Action Party Socialist Youth). There's a quite a list of you but only one spokesmen three occupied the centre, one can be spookiest, spokesmen dan waktu masa interaksi you may. Ya Yang Berhormat Rasah disclaiming here for once. Okey sila perkenalkan diri. Language in Parliament is Bahasa Malaysia but, dengan izin, you can speak in bahasa Inggeris.*

Tuan Loke Siew Fook: Saya janji saya tidak akan tanya soalan.

Tuan Pengerusi: Sila. *Let by* ADUN Teratai ini. Yang Berhormat Janice Lee Ying Ha. Sila mulakan 10 minit kalau perlu tambah sedikit.

Puan Janice Lee Ying Ha [Timbalan Ketua DAPSY Malaysia]: Ya terima kasih. Salam sejahtera dan selamat tengah hari. Nama saya Janice Lee Ying Ha ADUN Teratai juga merupakan Timbalan Ketua DAPSY Kebangsaan Malaysia. Saya terus masuklah sebab tanpa membazirkan masa.

Tuan Pengerusi: Ada kemukakan memorandum kan..., *this one is it?*

Puan Janice Lee Ying Ha: Ya ya ada memorandum.

Tuan Pengerusi: Ya okey *we accept it* dan diedarkan.

Dr. Mohd. Hatta bin Md. Ramli: *The other two person with you?*

Puan Janice Lee Ying Ha: Ya *I introduce*. Di sebelah kiri saya ini Encik Zairil Khir Johari merupakan AJK DAPSY Kebangsaan dan sebelah kanan saya, Encik Rajiv a/l Rishyakaran mewakili DAPSY Selangorlah. Beliau *Secretary Organization for* DAPSY Selangor. Boleh saya mula?

Tuan Pengerusi: Sila.

Puan Janice Lee Ying Ha: Okey. Kita DAPSY mengambil kesempatan ini untuk membangkitkan pandangan kita ada sebenarnya 9.9. Pertama adalah pendaftaran pengundi secara automatik.

Hak mengundi merupakan salah satu hak asasi yang tidak sepatutnya dinafikan kepada rakyat. Sungguhpun begitu setakat bulan Jun 2011 masih terdapat 3.7 juta rakyat Malaysia yang layak tetapi masih belum didaftar sebagai pengundi. Proses pendaftaran walaupun mudah tetapi menimbulkan kerumitan bagi sesetengah golongan rakyat. Masalah yang kita hadapi adalah ketidakaktifan Penolong Pendaftar di banyak tempat. Juga tidak ada kerjasama dari Pos Malaysia yang mana mereka dibayar oleh kerajaan untuk menjalankan kerja-kerja pendaftaran mengundi.

Kita selalu mengalami masalah ialah bila rakyat pergi sana dia kata tidak ada borang, tidak boleh *connect internet*, sini tidak boleh mendaftar. Sebab di belakang pejabat Adun Teratai sini ada *post office* kita selalu mengalami masalah ini. Akhir sekali penduduk terpaksa pergi mendapat bantuan dari pejabat saya. Jadi adalah tidak sukar menyelaraskan daftar pengundi dengan pangkalan data Jabatan Pendaftaran Negara (JPN). Kalau JPN boleh selaraskan sistem untuk kematian dan sebagainya saya rasa ini bukan ada masalah untuk selaraskan sistem dan sistem ini akan mendaftarkan pengundi secara automatik. Ini juga boleh menjimatkan bajet kerajaan untuk bayar kepada Pos Malaysia. Saya kalau tidak silap RM2 untuk seorang yang daftar tetapi agen pendaftaran adalah RM1 untuk satu borang yang diisi.

Tuan Pengerusi: *Can we skip this matter because we didn't have many time tetapi I want a view. Some* mengatakan bahawa *provision 119 in the* Perlembagaan itu perlu diubah untuk melaksanakan pendaftaran automatik. Apa pandangan pihak DAPSY?

Puan Janice Lee Ying Ha: Ya kita memang setuju untuk mendaftar secara automatik. Kita boleh selaraskan dengan sistem JPN. Kalau dia ada kad mengundi, kad mengundi ini ada cip, cip itu boleh menunjukkan dia layak untuk mengundi. Sebagai apa yang diumumkan dahulu kad pengenalan juga boleh digunakan sebagai *driving license*.

Tuan Pengerusi: Ya tetapi perlu ubah Perlembagaan. Pada saat ini seksyen dalam Perlembagaan itu mengatakan, *almost it is like voluntary..., qualified* dan mendaftar. *What is your opinion*, perlu ubah Perlembagaan atau tidak?

Encik Zairil Khir Johari [AJK DAPSY Kebangsaan Malaysia]: Terima kasih Tuan Pengerusi. Bagi pihak DAPSY Nasional Kebangsaan, pendirian kami adalah kalau pindaan Perlembagaan diperlukan kami berharap bahawa Ahli-Ahli Yang Berhormat akan mempertimbangkan supaya Perlembagaan dipindahkan untuk melakukan apa yang patut dalam isu ini.

Tuan Pengerusi: Okey *continue* Yang Berhormat.

Tuan Loke Siew Fook: Saya perkenalkan diri. Saya Khir Johari anak bekas Menteri Pelajaran... [Ketawa][YB Rasah memperkenalkan Saksi - Encik Zairil Khir Johari]

Cuma saya hendak katakan seperti yang dikatakan oleh Zairil tadi. Kalau benda ini perlukan pindaan Perlembagaan kita boleh kaji yang pentingnya ialah asas itu ialah pendaftaran automatik. Akan tetapi bagaimana dilaksanakan saya rasa kalau perlukan pindaan Perlembagaan saya rasa tidak ada masalah untuk kita menyokong pindaan tersebut.

Tuan Pengerusi: Okey teruskan.

■1540

Dato' Seri Mohd. Radzi Sheikh Ahmad: Kita tengok cadangan yang terakhir sekali berkenaan dengan kelayakan umur 18 tahun. Jadi *you are suggesting automatic at the same time* 18 tahun? Bermakna kita kena pindalah Perlembagaan itu, *no way* lah.

Puan Janice Lee Ying Ha: Mesti, dan itu bukanlah satu masalah.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Jadi pada kami, kalau hendak pinda Perlembagaan, *we have to consider* lah.

Puan Janice Lee Ying Ha: Ya, betul.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Kita boleh cadangkan kepada kerajaan. *But you have to* pinda Perlembagaan kalau *you* hendak turunkan umur daripada 21 tahun ke 18 tahun.

Puan Janice Lee Ying Ha: Ya mesti, ini mesti.

Tuan Pengerusi: Okey, teruskan.

Puan Janice Lee Ying Ha: *Point* yang kedua adalah penggunaan dakwat kekal, *indelible ink*. Saya rasa tadi sudah ramai yang membangkitkan. Ini adalah kerana...

Tuan Pengerusi: Ubah Perlembagaan ataupun tidak?

Puan Janice Lee Ying Ha: Itu kita cadang...

Encik Zairil Khir Johari: Kita serahkan kepada Jawatankuasa.

Tuan Pengerusi: *[Ketawa]* Terima kasih banyaklah.

Encik Zairil Khir Johari: Mekanisme itu terserah kepada jawatankuasa, kita hanya mencadangkan.

Tuan Pengerusi: Terima kasih. *You are very kind.*

Puan Janice Lee Ying Ha: Kalau Tuan Pengerusi izinkan kita buat, kita boleh menjadi Kerajaan Pusatlah, tidak ada masalah, kita boleh buat... *[Ketawa]*

Tuan Pengerusi: Itu tertakluk kepada rakyat.

Puan Janice Lee Ying Ha: Ya, betul. Jadi kita di sini...

Tuan Pengerusi: *Okay, because some has been repeated elsewhere, so highlight the key point.*

Puan Janice Lee Ying Ha: Ya, okey. Kaedah-kaedah yang diperkenalkan seperti biometrik, saya rasa ini tidak praktis, *not practical at all* kerana kalau guna biometrik, contohnya saya Janice Lee boleh undi di kawasan Teratai, 'tit' itu nama Janice Lee, pergi ke Seputeh, 'tit' itu Janice Lee juga, pergi Rasah pun saya boleh 'tit' ini Janice Lee. Jadi saya masih boleh undi di pelbagai tempat. Jadi tidak ada gunanya ada sistem biometrik. Izinkan saya...

Tuan Pengerusi: Untuk pihak *observer*, media, pada masa bersidang tidak dibenarkan mengambil gambar di dalam. Mohon maaf ya. Okey, teruskan.

Puan Janice Lee Ying Ha: Okey, pengalaman saya semasa saya menjadi *international observer* di *Cambodia*, mereka sudah mula gunakan *indelible ink* pada tahun 2000. *Cambodia*, satu negara yang baru bangun pun sudah guna *indelible ink*, jadi tidak ada masalah untuk Malaysia...

Dato' Seri Mohd. Radzi Sheikh Ahmad: Dia tidak ada kad pengenalan, bukan?

Puan Janice Lee Ying Ha: Apa?

Dato' Seri Mohd. Radzi Sheikh Ahmad: Dia tidak ada kad pengenalan, bukan?

Puan Janice Lee Ying Ha: Ada, ada kad pengenalan.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Ada macam kita, ada cip, tidak ada, bukan?

Puan Janice Lee Ying Ha: Belum ada cip, tapi dia ada kadlah.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Sebab itu dia gunakan *indelible ink*.

Puan Janice Lee Ying Ha: Mungkin sekarang sudah ada. Akan tetapi contoh ini menunjukkan bahawa mereka lagi maju dari segi praktis demokratik di dalam pilihan raya. Boleh saya teruskan?

Tuan Pengerusi: Okey, teruskan.

Puan Janice Lee Ying Ha: Ketiga ialah nisbah pengundi kepada wakil yang lebih saksama dan isu persempadanan semula. Ini adalah contohnya seperti Putrajaya, pengundinya lebih kurang 10 ribu orang, tetapi kalau Parlimen Kapar, pengundinya lebih kurang 125 ribu orang, jauh bezanya iaitu 13 kali ganda, tetapi sama seorang Ahli Parlimen. Kalau saya hendak bezakan DUN Teratai, 34 ribu pengundi dengan Dato' Seri Nazri yang mana dia kawasan Parlimen, 18 ribu pengundi sahaja. Jadi DUN Teratai boleh jadi Ahli Parlimen Teratai sebab nisbah pengundi adalah tidak saksama.

Tuan Pengerusi: So, apa cadangan?

Puan Janice Lee Ying Ha: Cadangan kita adalah, kita mesti memulihkan Perlembagaan Persekutuan 1957 yang memberi jaminan di mana nilai ketidaksamarataan antara kawasan-kawasan pilihan raya tidak sepatutnya melebihi 15 peratus.

Akan tetapi Perlembagaan ini sudah dipinda. Ini juga satu konsep dalam prinsip mengagihkan kawasan *gerrymandering*, itu konsepnya. Sepatutnya dalam lingkungan 15% *plus and minus*, dengan izin.

Tuan Loke Siew Fook: Mungkin dalam poin ini saya tambah sikit ya sebagai pencelahan. Saya rasa 15% mungkin dalam negeri yang sama, sebab kalau dibandingkan dalam negeri, mungkin ia kata Selangor ini ada lima juta penduduk, dekat Perlis mungkin kurang daripada 500 ribu. Jadi ia tidak boleh dibandingkan antara negeri, mungkin di dalam negeri, 15% itu di dalam negeri yang sama. Mungkin itu salah satu cara kita untuk buat ini sebagai satu konsensus. Kalau katakan tidak boleh lebih daripada 15% di antara Selangor dengan Sarawak, tidak boleh dibandingkan sebab kawasan yang begitu luas dan jumlah penduduk yang kecil. Mungkin dalam negeri sama, itu boleh dimasukkan.

Tuan Pengerusi: Okey, tiga minit, sebelum Ahli Yang Berhormat menyoyal barangkali.

Puan Janice Lee Ying Ha: Okey, itu hanyalah mengamalkan sistem demokrasi satu warga satu undilah. Jadi kita mestilah lagi saksama kepada rakyat. Kita terus masuk poin yang keempat, iaitu mengenai kempen di dalam kem polis dan tentera. Ini adalah masalah kami terutamanya pembangkang sekarang ataupun yang bukan di dalam Barisan Nasional, kerana tidak dibenarkan masuk untuk kempen atau mengedarkan maklumat semasa kempen pilihan raya. Jadi ini adalah sesuatu yang tidak adil sebab tentera ataupun polis merupakan pengundi juga. Mereka sepatutnyalah mendapatkan informasi yang secukupnya sebelum mereka membuang undi.

Terus dengan poin kelima, pengundian awal atau pos yang telus. Salah satu keraguan besar timbul pada setiap pilihan raya adalah sistem pengundian pos atau pengundian awal yang dianggap tidak telus dan bersifat curiga. Di sini pihak DAPSY mencadangkan supaya pengundian bagi anggota keselamatan seperti tentera dan polis dilakukan secara lebih awal, dan lebih penting sekali di luar kawasan kem tentera mahupun kem polis. Ini adalah untuk memastikan agen-agen dari setiap parti boleh memantau situasi semasa mereka membuang undi.

Keenam adalah akses media yang adil bagi semua parti. Media arus perdana merupakan saluran yang terpenting bagi menyampaikan maklumat kepada pengundi. Namun demikian, sehingga hari ini, parti-parti yang bukan daripada Barisan Nasional tidak diberi peluang yang sama untuk menggunakan media arus perdana. Walaupun kita hendak bayar tetapi dia pun tidak terima, itu masalah. Sampaikan pemberita setiap kali dalam pilihan raya akan sebut slogan Barisan Nasional, tiap-tiap kali. Pemberita tidak lagi neutral pada masa itu, dia sebut slogan Barisan Nasional sahaja.

Kalau hendak sebut semua pun boleh sebut, tetapi dia sebut Barisan Nasional sahaja. Jadi itu tidak adil, termasuk surat khabar arus perdana, radio, semua adalah dikuasai oleh pihak Barisan Nasional. Jadi di sini kita minta agar peluang yang adil diberikan kepada semua parti politik untuk menyiarkan pesanan dan maklumat mereka kepada semua rakyat Malaysia.

Point ketujuh, tempoh kempen 21 hari. Secara lazimnya, tempoh kempen pilihan raya akan berlangsung selama lapan hingga 12 hari. Bagi sebuah negara yang mempunyai penduduk seramai 28 juta dan juga kawasan-kawasan yang terpencil dan jauh di pedalaman seperti di Sabah atau Sarawak, adalah tidak munasabah untuk menggunakan tempoh kempen yang terlalu pendek.

Tuan Pengerusi: Banyak kami yang jauh-jauh ini, kalau terlampau panjang, tidak cukup duit bayar minyak untuk masuk. *So, cost is also a factor* lah, dengan IT sekarang, dengan jalan raya, enjin yang lebih kuat, tapi yang penting ia munasabah. *I think too long, politiking also, thats one view* lah.

Puan Janice Lee Ying Ha: Akan tetapi saya rasa 21 hari adalah munasabah...

Tuan Pengerusi: Munasabahkah munasarawak?... *[Ketawa]*

Puan Janice Lee Ying Ha: *[Ketawa]* Munasabah. Memandangkan calon-calon pun berkemungkinan akan sakit juga, kalau dia sakit satu minggu, habislah dia tidak boleh kempen. Jadi 21 hari saya rasa munasabah, walaupun dia sakit satu minggu, ada dua minggu lagi...

Tuan Pengerusi: *Okay, round-up please.*

Puan Janice Lee Ying Ha: Pengundi di luar negeri - poin kelapan. Setiap warga Malaysia mempunyai hak untuk memilih wakil-wakil mereka termasuk juga wakil yang sedang bekerja atau belajar di luar negeri. Jadi sistem yang sedia ada sekarang tidak memberi peluang kepada beratus-ratus ribu rakyat Malaysia yang berada di luar negeri untuk menunaikan hak mereka. Oleh itu, kita mencadangkan supaya mereka diberikan kelayakan untuk mendaftar sebagai pengundi tidak hadir dan seterusnya membuang undi mereka melalui pengundian pos atau kalau ada cadangan lain. Ini akan memastikan *disenfranchisement* ataupun pencabulan hak pengundi tidak berlaku kepada ratusan ribu rakyat Malaysia yang tinggal dan bekerja di negara-negara lain. Saya juga merupakan seorang mangsa pada masa itu...

Tuan Pengerusi: Dia tidak payah mengundi, balik sini mengundi pun jadi YB juga.

Puan Janice Lee Ying Ha: Semasa itu saya pelajar.

Tuan Pengerusi: Saya rasa itu pun sudah dibangkitkan.

Tan Sri Datuk Seri Dr. Fong Chan Onn: Pelajar boleh mengundi. Hanya *you* tidak tahu tentang kelayakan itu. Pelajar boleh mengundi.

Puan Janice Lee Ying Ha: Ya, tapi bila sampai ke Malaysia, undi DAP pergi ke Barisan Nasional, saya tidak mahulah ini. Itu adalah mengenai *confident*, secara umumlah...

Tuan P. Kamalanathan a/l P. Panchanathan: Itu satu hasutan. Tidak baik cakap macam itu ya. *You* Ahli Yang Berhormat, jangan cakap macam itu.

Dr. Mohd. Hatta Md. Ramli: *Please don't warn the participant. I think it is not fair.* Jangan ugut.

■1550

Tuan P. Kamalanathan a/l P.Panchanathan: Tak boleh cakap macam itu, tak baik.

Tuan Pengerusi: Hanya yang katakan tadi itu *hang on, hang on*.

Dr. Mohd. Hatta bin Md. Ramli: *I think that's not fair* hendak ugut-ugut macam itu.

Tuan Pengerusi: Tapi yang katakan tadi, undi saya tetapi pergi Barisan Nasional itu pun saya rasa salah sangkalah okey, YB.

Puan Janice Lee: Itu kemungkinan, saya kata kemungkinan. Saya tidak kata mesti 100% tapi itu secara umum *confidence* kita.

Dr. Mohd. Hatta bin Md. Ramli: *Even - I means you shouldn't be warning people.*

Tuan P. Kamalanathan a/l P.Panchanathan: [*Bercakap tanpa menggunakan pembesar suara*]

Tuan Pengerusi: Ini peringkat Jawatankuasa marilah. Bukankah bersaudarakah kamu itu?... [*Ketawa*]. *Sorry*. Okey Yang Berhormat Lee, *I think* perkara-perkara lain itu telah dibangkitkan. *Final word* daripada...

Puan Janice Lee: Jadi tak payah sebut *point* nombor sembilan, sepuluh?

Tuan Pengerusi: Sembilan

Puan Janice Lee: Ya, turunkan umur mengundi ke 18 tahun.

Tuan Pengerusi: Ya, sudah bincang tadi.

Puan Janice Lee: Ini senangnya, kalau boleh buat tandatangan surat nikah mesti boleh mengundilah. Itu sahaja... [*Ketawa*] Bolehkah Tuan Pengerusi izinkan mungkin dua-dua ada hendak ucap.

Tuan Pengerusi: Saya rasa cukup. Kalau ada persoalan di sini barulah boleh. Ahli-ahli Yang Berhormat, ada apa-apa?

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: Ada *point* yang baru tak, ada *point* yang baru? Kalau ada *point* yang baru okeylah.

Tuan Pengerusi: Kalau ada *point* yang baru boleh saya beri.

Encik Rajiv a/l Rishyakaran [Setiausaha DAPSY Selangor]: Yang Berhormat, izinkan saya cakap dalam bahasa Inggeris.

Tuan Pengerusi: *Ya but since you sit with them, I think I give you the platform.*

Encik Rajiv a/l Rishyakaran: *I just want to add one point because most of everything else has been covered. It's a campaign financing. Our current mechanism only limits spending during the election period, RM100,000 for ADUN and RM200,000 for member of parliament candidate. I think this is inadequate in controlling the purposes of the flows of money during election. I would like to put forward who are the first weakness is that people who are not the candidates supporters third parties organization or individual can also spend money during the election to influence the outcome of the election.*

For example, the candidates may expands on ceramah logistics but a lot of flags they go up all over the town maybe put up by third party and does is not recorded in the campaign expenditure. So for proper transparency in the campaign expenditure, we should look into regulating how every organization spends towards political purposed. This is done overseas especially in America. You can see this being practice. Another suggestion is that we should have proper accounts for candidates to collect the donations and to disburse payment because instead of putting them under their individual saving or current account. This especially applies to independent candidates who do not have political party branch accounts to collect donations. So how does income tax department differentiate between money coming in for his other business or his others earnings and campaign donation that come in to support his campaign? So I think this is an issues that if you want to encourage participation in election and democracy that we should look into.

The other issue is that moving towards more transparency in spending. I think TI has talk about it extensively but may I suggest a middle ground approach in the mean time, is that candidates can be required to declare the respective donations, the amount of donations, the date the donations is receive but in the interim period, maybe there'll allowed to record the donation as anonymous because the reality in Malaysia today is that a lot of political donors are both side of the fans not willing to come forward and declare themselves publicly. There lot of fears of retribution, fears of discrimination if they were to do so and also the reality, the political parties need funding and need to receive this donation from members of the public. So a middle ground approach, we talking about the step by step towards full transparency, hopefully we can achieve it in this lifetime of ours is that maybe for the first step we require them to submit full accounts income and expenditure but income receive, donation receive can be classified as anonymous as the first step. Thank you Yang Berhormat.

Tuan Pengerusi: Ya, terima kasih atas input itu. Ada idea-idea yang perlu kita dan boleh kita telitikan. Okey, kalau tak ada sudah Yang Berhormat. terima kasih Yang Berhormat Lee dan rakan-rakan daripada DAPSY. Okey, *thank you*.

Puan Janice Lee: Terima kasih.

Tuan Pengerusi: Untuk seterusnya, saya serahkan untuk mempengerusikan kepada Yang Berhormat Dato' Seri Mohd. Radzi, ada apa-apa lagi. *The doctors are next. Doctors are here* dan untuk maklumat Ahli Jawatankuasa, *still* masih *long list* tapi saya ingin beri keutamaan kepada kumpulan. Selepas doktor-doktor daripada Hospital Tung Shin, memang ada yang telah menunggu tapi *ABIM is here I think* dan selepas itu ada satu kumpulan *Growing Emerging Leaders Centre*, dia ada *registration* dan barulah yang peribadi-peribadi. Ada lima peribadi. Saya rasa ini pendek-pendek kalau hanya sekadar mengutarakan mana yang belum lagi kena sentuh. Okey, so saya mulakan dulu dengan doktor.

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

[*Saksi-saksi dari Hospital Tung Shin mengambil tempat di depan Jawatankuasa*]

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: Ya, Doktor Ng. Swee Choon *right?* Selamat tengah hari dan selamat datang, sama-sama dengan rakan-rakan. *Can you please introduce yourself and your colleagues and then proceed to tell us what you can contribute. Please go ahead.* Terima kasih.

3.56 ptg.

Dr. Ng Swee Choon [Wakil dari Hospital Tung Shin]: *Mr. Chairman, Select Committee on Electoral Reform and the Committee Members and we are very grateful to be given the opportunity to come and be among you all this evening. On my right Doctor Ng. Kwee Boon, Senior Consulting Obstetrician and Gynecologist Tung Shin Hospital and on my left, Doctor Steve Wong, Consultant Plastic Surgeon in private practice and I Doctor Ng Swee Choon, Consulting Cardiologist. As you can see that we are in the way out of our turf, we don't quite speak like many of you and perhaps not as adequate as many of you but we do reflect a very important problem that we see in the community.*

As we deal with patients after patients, they reflect to us their view of how they perceive what is happening in this Hospital building of ours and in this country of power. We are very concern that for last 54 years, the systems of election has slowly and gradually deteriorated and we are very concern that there should be some of correction of this process.

We are not very good with details as who fault the phantom vote and how many miscounted and so and so fall but we are very concern that the whole systems are seem to need some correction in directions that we must come back towards of more free and fairer election. The whole process may look into in somewhere the systems of trying to registered voters, the systems of trying to campaign, the period of campaign, the position of the police in giving permits for campaign. The system if the Elections Commission themselves conducting the election may have to be look at.

My colleague will give you more details but we want so say at this points are common talking points among us and our patients and I'm sure as you all known in the coffee shop that the whole system of election is so weak in may ways and when people say that if you work for me, tomorrow there will be a cheque for you. If you don't work for me, forget about the cheque. I means, thing like this bug us a lot and we want to come and tell you today that this thing irk us that the whole systems seem to be get worse as I must win the election at all cause. Surely we want the best people to win; we want the best people to rule the country. We want the best people to guide us. We don't want them to get in there by some back door crowd way you know and that worries us. As a medical community, that's worries us a lot.

We want people to take recognition that as we go out and tell our policies how we can lead the country forwards. Everybody must be given the opportunity to say so. We cant be say that only one party tell us what he want to do and the other party who may have good policies that we can adopt for the good of our country must also be given equal voice to be heard whether in the mass media to television, radio or to the newspapers.

■1600

Otherwise, we only hear one side of the story and that may not the best side for all of us. And the doctor we want to share with you what we look, we are coming to tell you, please be a fairer that everybody gets equals opportunity to the mass media, everybody gets opportunity to go on campaign, everybody gets opportunity to be heard, then the rakyat can elect what they deem to be people whom they want to lead the country.

Otherwise, we would suspect that the people in power one ear to hears only one side of the story and only follow his way, and that way may not be a good way for us to go forward. I hope that we were in the way of think that, besides the fact and figure that the people before me has thrown out to you which we do not have to be honest, just now our strong point. We say, look at the whole things and let's be fair, lets the whole election thing be freer. I also ask permission from the Committee to allow my colleague to give you what he sees as from his perspective.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *I say that normally when people go and see the doctor is about his health but today you have come forward to talk about the health of our election rules.*

Tuan Mohamed Azmin Ali: *They are sick because of the system, so they got to see the doctors.*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *You're welcome.*

Dr. Ng Swee Choon: *Ya, beside chest pain and hypertension, we also talk to them to see what problem may trigger their problem, you know... [Ketawa] And this thing comes out, you know.*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *It is refreshing. Ya, go ahead.*

Dr. Ng Kwee Boon: *Terima kasih Tuan Pengerusi dan terima kasih kepada Ahli Jawatankuasa PSC. First thing I want to say is that doctors are a apolitical, our responsibility is to take care of the public and to help develop this country. Everybody knows if you are not sick, if you are wealth and you are healthy, you can be more productive and you can membangunkan negara dengan berjaya.*

So, although we are primary involve with healthcare, as my colleague Dr. Ng Swee said, healthcare is more than just hypertension and diabetes and heart disease. When they are stress I think that will affect their daily life, they can also be very sick.

So, we feel that is important for us to speak up at this forum because we think that the public who has spoken to us and we have shown their concern through their feeling health maybe because of the stress of election coming up and ada orang hendak tipu, tidak tipu is affecting their health livelihood as well. And I think that most of us like my colleague has said, hope for an election where the government is the rightful representative of the people. As I am said, I am a apolitical, I don't joint any party, I listen to everybody and in fact, I believe everybody. But obviously, the important things is that when the time comes to vote, the public must also have the opportunity to vote freely without any duress or certainly without any inducement as well. So that, the election result reflects what the rakyat wants for themselves in future.

So we happen to be sitting here for a while listening to all the usulan from all our previous speakers and obviously, they have all the information which we do not have. Sebenarnya kita pun orang sibuklah. Kita pun tengok patient, ada perkara lain, keluarga pun penting. So we didn't go and look at the figure, but obviously too, our patient tell us a lot of things and many of them have got first hand information about how things don't work out so well.

My proposal or our proposal form the concern doctors is that, without repeating what everybody else has said, we hope that the election will be perform in a just and free manner, so that we can get the rightful government. Just for the benefit of other people who have attended as well, I just want to summarize what the doctors are proposing.

Firstly, we hope that there will be, in fact I hope that there will be a system where whether we need to amend the Constitution – otherwise, we are not lawyers, so we don't know – that they should be mandatory registration of voters. We felt that the age of 21 was reasonable. It looks as it, there are many people who are 18 and above can sign many certificate boleh undi jugalah. But the point is that there should be mandatory registration instead of spending all the effort and money to get people registered.

I also feel that it is important to maybe introducing a system slowly to make voting mandatory. This is so that people – you can go there and batalkan votelah, you can do whatever you want. But to make sure people understand that their process is to make people responsible fo their future. Don't just duduk sana, tidak buat apa-apa dan selepas itu complaint. That is a waste of time. I know it is applicable in some country like an Australia. I don't know what kind of penalty available but it must be need clear to the public that their responsibility is to vote.

Aside from that, we think that there is need for more transparent way of voting and the indelible ink sound to us, doctors, as a good way. Susah hendak tipulah. But if there is need to change the Constitution which may affect Perlembagaan in other matters which we are not privy to, maybe we have to look at it more closely. Certainly the indelible ink is a methode which we feel is more foolproof in preventing phantom vote. As far as the electoral roll is concern, everybody is talk about the phantom votes and IC yang melahirkan lagi pengundi baru, obviously that is something that we need to clear up because there cannot be any phantom vote in Malaysia.

I think that is also important that postal vote be allowed. I mean as warganegara, in fact Malaysia has got many citizen working or studying overseas providing good quality services for others people, a lost to our country, who obviously should have a say in who runs the country in the future, and I think a postal vote which is practiced by many others countries should be allowed. The mechanism should not be that difficult. The legal aspect certainly is something that can be easy in and out.

The last thing that we feel is important is that, a more even or fair campaigning system as well as a longer duration of a campaign. In our proposal, we said that there should be a campaign at least for 14 days. We understand the reasons why it cannot be too long, people so get fed up of hearing all sort of story and it cost a lot of money to campaign.

So, maybe the proposal to increase the campaign period to at least 14 days should be enforced. And of course, everybody should have a free right too, opportunity to campaign whether through the media, the main media or through the public where the police can also be fair in giving permits. Aside from that, everything else I have said and I think we will also be very much in sokong. Terima kasih.

Dr. Ng Swee Choon: *If I may? I think what my colleague forgot to mention is we hope that this Committee would work very hard when they travel all over the country before the general election. Otherwise, the whole access will be futile. The discussing is fresh in our minds, please, work very hard and see they come about before GE-13. Terima kasih.*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *You are a medicine practitioner also right regularly determines all sort of things to make sure that we are okay, right?*

Dr. Ng Swee Choon: *Yes sir.*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *Thank you very much. Very refreshing to hear from the doctors about elections... [Saksi-saksi dari Hospital Tung Sin bangun] Hold on, hold on, give us a chance to sort of interact with you.*

Dr. Mohd. Hatta Md. Ramli: *Thank you very much Mr. Chairman and gentleman. I am sure I can imagine in how as doctors, you all feel you know, or in listening to your patient and so on because you are not a politician. As a doctor myself and a politician, it can be worse you know... [Ketawa] So I should connect more with Dr. Ng who is a cardiologist, maybe not with the ONG you know.*

I think we were quite happy that a lot of support has come for some changes in the running of our election especially on the part of the Polis Diraja Malaysia, the police force, controlling a lot of our activities during the election, for example, giving permits to ceramah and gathering. So, ideas from neutral people like you for lifting this act by the police, I think is very useful. I wish to thank you.

Dr. Ng Swee Choon: *Yes, thank you Yang Berhormat. We hope that all the agencies of government will remain neutral when election comes. We want the best people to win, we want the best people to run this country. After 54 years, maybe it is a time to say, "Look, just choose a best people" and ask the police force, "Please, be as fair as you can".*

■1610

Ng Kwee Boon: *Can I say one last thing? After that... I just want.*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *Okay, okay, you can.*

Ng Kwee Boon: *I hope the things that the Committee mention is that we are all rakyat Malaysia.*

Whether we vote for the opposition or pembangkang, we are all the Malaysian who wants the same thing. We are not musuh, you know. And there is why some time when we read in the press, how upset people can get, how angry and how may be in fact defining people can get. I think there is not in the spirit of what Malaysia should be. Kita pergi undi. Siapa hendak kempen, kempen. Selepas undi, we solve the problem and we work forward for the country. And that is why I think that the way the campaign is also perform, the way the Parliament also said and discuss issues should be more mature. Don't bring up personal things, don't talk about all of issues which are not relevant to the development of this countries. Terima kasih.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Ya, Yang Berhormat Alor gajah.

Datuk Seri Dr. Fong Chan Onn: *Thank you. Dr. Wong and Dr. Ng, really actually we are very happy that the senior people with medical professional like you all are being to take some time of share with us your concern, your aspiration and we are really appreciate it. I mean the politically environment is very rough. Unfortunately the presence structure of Parliament very few medical doctors are represented. We like urge you to at least play a part by suggesting many members of the medical profession joint or find some time to offer themselves in the political world so more these good ideas can come from the medical profession.*

Dr. Ng Swee Choon: *Say some time we have a clash of ideology. Here we are training by a nature. First do no harm you know... [Ketawa] And sometimes when we see what happen around us, a people want to do harm you know and then we say very difficult for us to come together. We are thought first do no harm you know. You may be not agree in one thing but do no harm lah. And around us we see everyday in the press sometimes there's not transpiring thruth in a field of politic.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Okay, I think one 'doctor Hatta' is enough... [Ketawa] Anyway, thank you very-very much. Thank you very much doctors. Alright enough. Can we carry on? Kita teruskan dengan kumpulan yang lain iaitu Growing Emerging Leaders Centre. Ada dua orang.*

[Saksi dari Growing Emerging Leaders Centre mengambil tempat di depan Jawatankuasa]

4.13 ptg.

Puan Jasmine Ng Kit Ching [Chairperson]: *Just me Tuan Pengerusi.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Okay, only you.*

Puan Jasmine Ng Kit: *Jasmine is it?*

Puan Jasmine Ng Kit Ching: *Yes Jasmine.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Okay, okay Jasmine.*

Puan Jasmine Ng Kit Ching: *Hi every one, my name is Jasmine*

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

Puan Jasmine Ng Kit Ching: *Thank you so much. Sila izinkan saya berbahasa dalam bahasa Inggeris.*

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

Puan Jasmine Ng Kit Ching: *Thank you so much for this opportunity. Please allow me to comment the Committee for..., I know a job will be well done and a report there would be excellently produce. The NGO which I represent Growing Emerging Leaders is actually one of the very first NGO that SPR had nominated as an Assistant Registrar and we are very-very thankful to SPR for they trust us.*

So this appointment came in effect in February this year, now we had been working with SPR very well and their team members had extended great help to us. However, in recent time there has been some challenges that we had face in relation to a new announcement that was made a quite suddenly in relation to a new requirement where a photocopies of IC is needed to register new voters. I read with interest that the reason why this is implemented is because to prevent or to mitigate non citizen date and under age voter registration. I am not too sure, how having a photo copy of the IC together with the application form would be able to mitigate this issues because those who willing as far as we are concern SPR has a record ALIS with the Jabatan Pendaftaran Negara and that would eliminate all of such things necessary. When a new IC is required it actually producers hardship for us.

Since our appointment I have been travelling, so that is my first point. The sudden announcement did not allow us to coup. There was no transition allowed and we had been collecting forms from new voters from around all over the place and now to go back and ask them for photo copy of their IC this virtually impossible. To prevent them from being registered as new voters, just because of as administrative requirement they had been recently announce, is also a little bit unfair. Not every body understand how to use e-mail, to submit a copy of the IC and most average household do not have an access to fax. They would not be able to provide a copy to me and it is not possible for me to travel again to where they are located to obtain a copy of their IC. I would like to put fourth to this Committee, that this requirement not be made unnecessary. I really don't understand why we need this requirement.

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Let just hear from what the SPR has to say on this one.*

Puan Jasmine Ng Kit Ching: *Okay.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Whether they are explain to us or let...*

Encik Harun Che Su: Untuk makluman Ahli Jawatankuasa, kita menghadapi masalah yang banyak ketika memproses borang-borang permohonan pendaftaran pemilih. Secara purata, lebih kurang 40% setiap kali kita terima setiap suku tahun itu kita tolak, disebabkan ada berlakunya pengundian berulang. Ada yang mendaftar yang sudah mati, ada yang mendaftar di bawah umur dan sebagainya. Jadi ada juga yang hendak katakan bahawa dia tidak memohon untuk mendaftar tetapi kenapa nama cuba didaftarkan? Jadi, untuk mengelak masalah ini daripada berlakulah, maka Suruhanjaya Pilihan Raya mengambil keputusan mulai suku tahun keempat iaitu Oktober lalu, kita minta supaya disertakan salinan kad pengenalan. Itu tujuan utama kami laksanakannya.

Datuk Seri Dr. Fong Chan Onn: Tujuan untuk IC itu ialah untuk menyemak daripada *database* sama ada dia telah didaftar atau...

Encik Harun Che Su: Untuk mengelakkan berlakunya masalah yang berulang-ulang kali. Kita telah *remind* kepada penolong pendaftar supaya teliti ketika menguruskan pendaftaran. Akan tetapi masih berlaku. Apa yang kita pesan masih berlaku. Mendaftar orang yang telah mendaftar, mendaftar orang meninggal, mendaftar orang yang tidak cukup umur. Bukan warganegara sudah tentulah. Jadi perkara-perkara inilah yang kita hendak elakkan supaya pendaftaran lebih lancar. Inilah masalah yang berlaku apabila dikatakan kenapa mengambil masa yang panjang untuk memproses? Sebab inilah masalahnya.

Tuan Loke Siew Fook: Tuan Pengerusi, saya hendak bagi sedikit pandangan ini sebab saya rasa ini adalah masalah praktikal kepada pendaftar-pendaftar pemilih. Baik daripada NGO ataupun parti politik. Sebab pendaftar-pendaftar pemilih ini, kita bergerak secara mobil. Ke pasar malam, ke pasar raya dan sebagainya. Apabila kita hendak dapatkan orang ramai, pendaftar pada ketika itu dekat pasar malam atau dekat pasar raya, tidak praktikal untuk mendapatkan fotostat IC. Sebab yang pertamanya, pendaftar-pendaftar ini takkan dia hendak ambil fotostat mesin bersama. Jadi tidak praktikal dari segi keperluannya.

Kedua kalau hendak menyelesaikan masalah yang dikatakan agak 40% borang-borang yang dikemukakan oleh pendaftar pemilih ini, tiada masalah. Kita boleh *identified*. Sebab ini saya rasa dia punya pendaftar pemilih itu adalah yang pertamanya parti politik dan mungkin ada sesetengahnya daripada NGO dan sebagainya. Mungkin kita boleh *identified*.

Mungkin SPR boleh bagi kita data di mana ada masalah. Ataupun pendaftar pemilih dari parti mana yang banyak masalah yang selalu bagi maklumat dan sebagainya. Ataupun nama-nama pendaftar pemilih itu yang selalu kalau dia lakukan kesilapan itu ataupun itu ataupun sengaja ada sengaja ada kesilapan itu mungkin dia boleh disenaraihitamkan. Akan tetapi adalah tidak praktikal untuk kita mengenakan syarat ini kepada semua *cross the board* dan ini menyusahkan pendaftar-pendaftar pemilih.

Dr. Mohd. Hatta Md. Ramli: Tuan Pengerusi, bagi / komen sedikit.

Puan Jasmine Ng Kit Ching: *Sorry...*

Dr. Mohd. Hatta Md. Ramli: Sekejap. Saya rasa kalaupun kita sertakan kad pengenalan, ia akan di *key in* oleh SPR untuk *check whether right* or not, betul atau tidak *the number, isn't it?* Ya, *the number is necessary*. Bukannya gambar atau IC. Jadi kalau dalam borang itu sudah ada *number IC, cross check* dengan ALIS, outlah 40% itu, kalau begini pun, *is still remain 40%* juga. Kalau betul tetap tidak betul juga. Ada IC atau tidak ada IC tetapi nombor itu yang kita buat *reference*.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Okey, kita akan kaji ini.

■1620

Puan Jasmine Ng Kit Ching: Tuan Pengerusi, kalau diizinkan. *I just like to share a little bit. We, as NGO, because we are the first NGO that were has nominated, we look upon the trust that the SPR place on us very heavily, so we actually invested in the system where we use the card reader to take the detail out of the identity card. Because, when we register new voter, we must sight the identity card. That is the requirement. So when we sight the identity card, we already put it into the card register with the laptop and that is able to collect all the data. Now, with the request of photocopy of identity card, it means that we have to carry a photocopy machine. That's not practical. That is number one.*

Two, when we do things like that, it's not practical. Yes, of course as a registrar, this is a huge inconvenience. But, never mind that. I am here to do the duty and I should do my duty fairly. But at the end of the day, the people who's gonna get the penalize because..., let say if I cannot carry a photocopy machine, they have to come to me with a copy of their identity card. If they don't, I unable to register them as a voter and they are now disenfranchise and will continue to be disenfranchise. And there is three over million that is going to four million and this is gonna continue to escalate. It does not help.

Dato' Seri Mohd. Radzi Sheikh Ahmad: *We appreciates it. We appreciate it.*

Puan Jasmine Ng Kit Ching: *Thank you.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *We takes note of that.*

Puan Jasmine Ng Kit Ching: *Okay, going on to the next point. Because of this new regulation which was announced to take effect on 1st of October, however, I receive notification only on the 22 October. And as a result of that, I have a bunch of form which I had try to appeal for it to be accepted without identity card because like I said, it is not possible for me to travel back to those places for me to get the copy of identity card from this people. And they don't come from well connected communities where they can send me an e-mail or trying to get a fax. I have appealed and SPR has tried to accommodate but they are unable to – I mean the KL SPR. So I come to the highest authority to appeal the 149 forms. That's item number two.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Can we accept that? Yes, you can send it to us...*

Puan Jasmine Ng Kit Ching: *It is part of the stack of... It is in the appendix.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *They are voters respecting – who they are vote, we don't care.*

Puan Jasmine Ng Kit Ching: *Yes.*

Tuan Loke Siew Fook: *But kita minta yang SPR pertimbangkan semua rayuan-rayuan ini sebab kalau pendaftar pemilih sudah submit, you hendak minta dia ambil fotostat identity card daripada orang-orang ini, tidak mungkin akan jumpa, sebab mereka ini mungkin dapat di pasar malam dan sebagainya, tempat awam. Tidak mungkin mereka boleh trace balik.*

Puan Jasmine Ng Kit Ching: *Okay. Third item is to increase the fee for all assistant registrar when they register new voters. Right now we have being paid RM1 for every successful voter registered. Not every form full up. Every successful voter registered. I would like to propose this fee to be increase to RM5. So, I leave that at the discretion of the Committee. I do not think it is an excessive amount to propose given the increase of cost in transportation when we have to rent a space to...*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *We will considers that. We will consider that.*

Puan Jasmine Ng Kit Ching: *Thank you, Sir.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Move on, move on.*

Puan Jasmine Ng Kit Ching: *And then the next one, to allow Growing Emerging Leaders Center to appoint and assistant registrar in at least one assistant registrar in every state of the country. Why would we want to ask for such a thing because Growing Emerging Leaders is truly non partisan. We have never attempted to sway or influence any of the new voters we register.*

And as a result of that, we are actually very popular with organization, student bodies, religious bodies who want to encourage their members to do their citizen duty but do not want to be seen to be align to any side of the party. And as a result of that, we actually get a lot of outstation request even up to Sabah and Sarawak. For me, to travel alone and a fellow colleague from Johor just to manage this is not practical. So we are request...

Tuan Loke Siew Fook: *Just a question, how many assistant registrar are there, with your organization?*

Puan Jasmine Ng Kit Ching: *Right now there are just two of us.*

Tuan Loke Siew Fook: Hanya dua?

Puan Jasmine Ng Kit Ching: *Me, in Kuala Lumpur and another gentlemens in Johor.*

Tuan Loke Siew Fook: Tuan Pengerusi, mungkin poin ini saya hendak minta maklumat daripada SPR. Pada ketika ini ada berapa NGO yang dilantik menjadi pendaftar pemilih? Saya rasa ini boleh diperkembangkan seperti yang dikatakan. Ini kerana sekarang ini kebanyakan pendaftar pemilih dia tertumpu kepada parti politik. Akan tetapi memang saya faham, poin yang *valid*. Ada mungkin persatuan-persatuan agama, dia tidak begitu selesa hendak panggil wakil daripada parti politik untuk masuk gereja, masuk kuil dan sebagainya. Mungkin NGO adalah antara satu cara kalau boleh diperluaskan.

Encik Harun Che Su: *[Bercakap tanpa menggunakan pembesar suara]* Semua pihaklah termasuk NGO.

Tuan Loke Siew Fook: Sekarang ada berapa, sekarang ada berapa NGO?

Encik Harun Che Su: Saya tidak ada maklumat sekarang. Saya minta tempoh. Mungkin akan datang saya maklumkan.

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Alright, we will take note of that. We will take note of your request.*

Puan Jasmine Ng Kit Ching: *Thank you Sir. Thank you so much. And my last point is, actually in preparation the top four points where gonna be favorably accepted, then I suggest that automatic voter registration be considered. Then, the top four points did not need to be considered at all because then all of our problems are resolved. So, basically, that is it. I would just like to register my gratitude again to SPR and SPR Kuala Lumpur for their wonderful help and all the assistance they given us so far in our assistant registrar status.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Jasmine, thank you. Thank you.*

Puan Jasmine Ng Kit Ching: *Okay.*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Thank you, thank you.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Any question?*

Tan Sri Datuk Seri Dr. Fong Chan Onn: *Thank you Jasmine for coming and spend your time. Actually, personally, I am quite muted that there are such young Malaysian like you who are willing to sacrifices, maybe some good part of your career to help in the course of a good democracy. Thank you.*

Puan Jasmine Ng Kit Ching: *Thank you Sir.*

Tuan Loke Siew Fook: *Just one question, I just want to ask maybe what are approaches that you took to register those voters late, I mean, what cases and which approach that you think that is most popular or most effective to get a new voter?*

Puan Jasmine Ng Kit Ching: *Generally, what we will do is we will advertise in facebook, we will spread out on twitter and we also have a website under voiceyourchoice.org. Completely non partisan, we invite both side of divide to come and help but no logo are allowed. We has a very straight stand on that. And as a result of all this effort over the year, because we started this early 2010, it has become more comfortable for the public to come and get them registered and we have made ourselves available. So by word of mouth, even our name is being use in university for students who want to get us to help register fellow student.*

Tuan Loke Siew Fook: *Do you faced any difficulty of going into public university?*

Puan Jasmine Ng Kit Ching: *Yes, of course, because, public universities have a fear of politic. It is not partisan anymore, it is now politic which is quite sad.*

Tuan Loke Siew Fook: Tuan Pengerusi, saya rasa poin ini juga perlu kita ambil sebab IPTA adalah antara tempat yang paling senang untuk kita dapatkan pengundi baru. Akan tetapi saya rasa IPT memang banyak kekangan dari segi ini untuk masuk mendaftarkan pemilih. Mungkin dalam poin ini kita perlu mengambil perhatian bagaimana memudahcarakan pendaftaran pengundi di IPT.

Dato' Seri Mohd. Radzi Sheikh Ahmad: *I think the IPTA itself have got the – cuba cerita sedikit pasal IPTA. Adakah kita mempunyai wakil-wakil di IPTA? Berapa yang...*

Encik Harun Che Su: Tuan Pengerusi, kita memang melantik di semua universiti. Di semua pusat pengajian tinggi ada penolong pendaftar pemilih masing-masing.

Tuan Loke Siew Fook: Dilantik oleh siapa?

Encik Harun Che Su: Dilantik oleh pihak SPR.

Tuan Loke Siew Fook: Pihak SPR ini ialah pegawai HEPkah apa, atau *student body*?

Encik Harun Che Su: Pelbagai peringkat. Kebanyakannya di pihak pengurusan universiti.

Tuan Loke Siew Fook: Ini sebab – *I mean, sorry to say* lah. Masalahnya ialah kadang-kadang pelajar-pelajar ini dia tidak begitu senang kalau hendak berurusan dengan pegawai-pegawai hal ehwal pelajar, sebab kalau persatuan mahasiswa ini, selalunya hubungan dengan HEP ini, pengalaman sayalah, kurang baiklah. Kalau boleh dilaksanakan oleh NGO, boleh masuk ataupun dengan bantuan kerjasama wakil persatuan pelajar, itu saya rasa boleh lebih memudahcarakan dengan pelajar.

Dato' Seri Mohd. Radzi Sheikh Ahmad: *We will look into it. Thank you very much Jasmine.*

Puan Jasmine Ng Kit Ching: *Thank you so much. Thank you.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: Okey, kita sudah habis kumpulan-kumpulan. Sekarang ini hanya kita pergi kepada individu. Sekarang ini Encik Melvin Mah.

[Saksi individu – Encik Melvin Mah mengambil tempat di depan Jawatankuasa]

4.29 ptg

Encik Melvin Mah: *Good evening Yang Berhormat and Committee Members.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: Sila, sila.

Encik Melvin Mah: *Thank you very much. I try to get straight to the point. Just to give allowance to other people, I just want to go to the point.*

The goal of my suggestions is to give a level playing field for both sides, both sides of the political party or whatsoever. And I came to notice that most of loopholes that we are experiencing right now is like, you know, we are seeing bug in the software system.

■1630

I am an IT train professional, so I see this is similarity and parallel to debugging the system and upgrading all the way. Now actually most of my points I would like to speak out here some are mentioned earlier in the beginning by most groups and whatsoever and this whatever the first three session I would like to talk about actually interrelated. I would skip which ever mentioned by most of the other parties - this has been written. I'll go to the points that have been in my point of view which may be a little difference from others may be unconventional on whats ever. So I would go for the first section that's caretaker government. Now for caretaker government I would suggest that this term to be included which is that upon the moment either Chief Minister or Prime Minister declare that dissolve of state assembly on that immediate second position that portfolio that hold by high ranking officers and Cabinets would automatically be off or dissolve.

On the spot one second immediately and if as we people, or media whatever, we can immediately spot that whether this person or persons involve may introduce new policy during the dissolve period of the Parliament. I may suggest that who ever is caught he can trace by media print or electronic media whom ever seen to be doing other this and this thing that is to be deem as an election offence. This person is been contesting in may be an assembly or State Assembly or Parliamentary Seat, that person can be held or can be - I would suggest it can be may be disqualified or charge but the actions I would like to leave up to the discussion of committee. Now for appointment of caretaken government, as what transparency international said yesterday, let it be the chief secretary be the interim head, yes I agree.

Let its rule is primary more on facilitating and coordination. Appointment of care taken government may I suggest it is to be selected from pool of ordinary people, A political. No political afflation, none government affiliated or any distinct. I would suggest have them selected by the Sultan, the rulers with the help from somebody like Bar Council for example. No members on the royalty or needed from any religion bodies will be allow to be in that. I also has some sort of reservation against having Attorney General Chambers involve in this thing because we have seen recently our ex-policemen Datuk Mat Zain has been in the start with Tan Sri Ghani. So as to avoid the perception of buyer ness I would suggest AG Chambers to be excluded from the selection this thing.

Obviously the Sultan and Agong would have the final say on the care taker government and the time required from the start of the dissolve of Parliament or state assembly, this process of selection the caretaker government must be done in seventh days. These people upon selected would be assuming the post equivalent to government, equivalent the post to the civil servant who has and we will paid on pro rata capacity. That's for section A - caretaker government.

Section B on the campaign period - I will propose that ideal campaign period which is starting from the desolation of the assembly to the Parliament until to the final ratification to be ideal period should be 45 days. Now allow me to explain the breakdown the first seventh days should be on the selection of the care taker government. On the same time the Election Commission will plan out and announce maybe plan the dates of nomination campaigning and then the holding dates and verification and so on. As what every one is saying the minimum period of campaigning can be between 21 to 30 days. Okay, and once after the poling has been finished and the results announced, the ratification period should be ideally within seven to fifteenth days.

Why I'm saying seven to fifteenth days is because I'm allowing just to keeps buffer time even there is dispute coming from election result you know, there's an allegation of malpractices and so on. And there have been cases that I saw recently that is during the Hulu Selangor by-election, and Bagan Pinang by-election, there have been cases from mostly there is one case in Hulu Selangor where Orang Asli community said that they were stopped by some people from going out to vote or something like that. I receive first hands accounts. That's for the idea of having 15 days to ratify and solve all disputes. On the final ratification process, there must be an agreement from both sites, caretaker government in EC. If you see in logical terms, the rule condition is like "yes" and "yes" from both sites, not "yes" and "no" because that would not work. I would personally think it would be much better in that way.

When if there is a - okay this will be on disputes doing campaigning, next point will be on campaigning. May I suggest that in event if there is any complain fault on allege malpractices during a campaigning period, the investigation to this matter should not be bound to the police itself but to other people and the action time must be undertaken one hour after the complaint has been made. So this is for session, the third part.

The fourth part is actually for fair media coverage. I would suggest that given for my understanding that there is usually a check by the Home Ministry in the media print each day after the desired material is to be printed will be sent to them for view. May I suggest that, for this period of 45 days that the clauses and condition that will apply under PPPA should be freez. That means to say relevant authority like home Ministry MCMC or even the information Ministry shall have no say on the desired content that has to be published in there. Therefore in this case they shouldn't be any whining from both sides to say how come I got no place in this content, and since in the earlier part I mention about the appointment of caretaker government. There also some caretaker people in there. They also can be placed in TV stations, or even newspaper companies. We can be place there to monitor to ensure that each they are given both parties, all political parties are given fair amount of time and space. There is...

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: Ya...

Encik Melvin Mah: *I will just reach to the conclusion.*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *Any, any question, thank you very much Melvin. We have got you written submission here.*

Encik Melvin Mah: *Thank you, thank you for the time.*

■ 1640

Tuan Loke Siew Fook: Tuan Pengerusi, *just a short question. If I'm not mistaken, tadi saya dengar Melvin ialah dari bidang IT.*

Encik Melvin Mah: *That's right.*

Tuan Loke Siew Fook: *From the IT background? You are not representing any organization?*

Encik Melvin Mah: *Absolutely not.*

Tuan Loke Siew Fook: *Ya, just came here as an individual. Saya lihat this is very rare, orang muda macam ini datang buat cadangan-cadangan yang amat baik. Just I would like to ask you, I mean as someone who is with IT background. What is your suggestion to improve the electoral vote maybe if you can suggest any IT program or how to detect more efficiently in terms of double voting, in terms of the electoral vote, phantom voters and so on. Hopefully there is suggestion on that part?*

Encik Melvin Mah: *Unfortunately I do not has any suggestion at this point of time but what I did say from the beginning is that this whole thing is like debugging the process.*

Tuan Loke Siew Fook: *Can you explains a little bit more, what do you mean by debugging?*

Encik Melvin Mah: *Debugging is actually like you know what we are actually finding out whatever loopholes. It can be a logical error, logical error it can be something like a crash, if we try to, attempt to do some, use something that is going beyond the convention of the frame or program and this are the two things we have to find out. From there, it is either A; you find a way to plug the hole or B; you find another way to replace the existing thing. I believe that you have whatever that the rest of the group have been suggesting about so which I believe it is quite educate to address whatever loopholes we have already. That will be, from my opinion would suffice already.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Thank you very much, if you have anything else more, you can always e-mail to us your suggestion. Thank you very much. We have got individuals here but we are running out of time. Can you please confine to some relevant points. I'm sure you are here to...*

Tuan Loke Siew Fook: Tuan Pengerusi, mungkin kita *ask them together*. Semua individu yang empat, lima orang, mungkin setiap orang beberapa minit *then we can have interaction bersama instead of one by one.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: Okey, *that's a good idea*. Kita boleh panggil semua, *alright*. *Can you take the chair beside it; just have a seat there, beside there. How many of you Putera MIC, three, two?*

[Saksi-saksi individu mengambil tempat di depan Jawatankuasa]

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Okey, let's hear this individual first, four individuals. Introduce yourself, you are not in a group, you are individual, we understand. So introduce yourself, seorang demi seorang, memperkenalkan. Sebelah sini. Yes, start with you first, please introduce yourself.*

Dr. Shawn Tan: *My name is Dr. Shawn Tan.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Shawn, it likes my grandson's name.*

Encik Poh Swee Hiang: *I'm Poh Swee Hiang.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Of course he is not a doctor.*

Encik Robert William: *I'm Robert William.*

Encik Kee Tuan Chye: *I'm Kee Tuan Chye.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Thank you very much, thank you for coming. You are welcome to put your views and suggestion for consideration. We are here to listen to you and at times of course we may ask some questions. Please go ahead, who wants to go ahead first, please go ahead.*

4.45 ptg.

Encik Poh Swee Hiang: *I'm Poh. Saya ada dua cadangan.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Alright, straight to the point, right?*

Encik Poh Swee Hiang: *The first one has to do with alternative electoral system. I think Yang Berhormat Kapit is given this chance, I'm thinking that we should think more than what BERSIH have listed out instead of first-past-the-post voting for us, and we should look at proportional representation. If it's not 100% proportional representation, maybe we can have a system where you have to semi proportional representation because we don't want a case where by certain party got 40% over of votes but their Members of Parliament is only less than one third. So this should be a system whereby the voters whereby you know, who they select are not in the Parliament but the system to take care of that. So there's a proportional representation. That is my first suggestion.*

The second suggestion is to do with the fire term. Since we want the fire term, we probably should fix the election to be held only on the fiftieth or probably on certain date or certain month. So that we want to see a Prime Minister works very hard for the people but not to buy votes two years before the Election Day. Thank you very much.

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Thank you Mr. Poh, two very good points. We'll go through first before we participate. Yes, who is going to go next, yes go ahead, and introduce yourself please.*

4.47 ptg.

Encik Robert William: Terima kasih Tuan Pengerusi. *I remember* Tuan Pengerusi *as a very good athlete during his school days.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: Tidak usahlah cerita-cerita lama ini...
[Ketawa]

Encik Robert William: Saya cuma ada lima *point* Tuan Pengerusi *and I will go through them very fast.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: Nama, nama *please.*

Encik Robert William: *My name is Robert William.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *So you were against me or what?*

Encik Robert William: Tuan Pengerusi, ada beberapa cadangan yang saya hendak kemukakan supaya pilihan raya kita berjalan secara adil dalam negara kita ini, negara yang kita cintai ini. Pertama, adalah terlalu mahal untuk menjalankan sesuatu pilihan raya dan seseorang yang dipilih menjadi wakil rakyat hanya dapat memegang jawatan tersebut untuk selama lima tahun. *So for this* saya cadangkan pilihan raya diadakan tiap-tiap sepuluh tahun dan seseorang wakil rakyat atau ADUN yang dipilih, *don't* di *strict their terms to two or three terms*, mereka dibenarkan bertanding seberapa banyak kali yang boleh Tuan Pengerusi.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Sekarang pun tidak ada *restriction*, sekarang tidak ada, boleh bertanding seberapa banyak yang boleh. Kalau tidak Dato' Sri Najib pun tidak boleh bertanding dah, Karpal Singh pun tidak boleh bertanding dah, Lim Kit Siang pun tidak bertanding dah, Nik Aziz pun tidak boleh bertanding dah, semua. Yang Berhormat Kangar pun tidak boleh bertanding dah. [Ketawa]

Encik Robert William: *The second point is* Tuan Pengerusi, seseorang yang ingin bertanding wajib mengisytiharkan segala harta yang beliau punyai serta wang simpanan yang ada dalam bank tempatan ataupun dalam bank luar negara, Swiss Bank. Mereka perlu juga mengisytiharkan saham, bon, waran yang mereka punyai. Suami isteri serta anak-anak, ibu bapa serta saudara mara, calon yang ingin bertanding juga perlu mengisytiharkan segala benda-benda tersebut.

Dato' Seri Mohd. Radzi Sheikh Ahmad: Baik, saya setuju itu.

Encik Robert William: Satu jawatankuasa yang dianggotai oleh ahli-ahli Barisan Nasional dan pembangkang harus menyiasat bagaimana mereka semua ini memperoleh benda-benda tersebut, Tuan Pengerusi. Di samping itu, Jawatankuasa ini perlu juga menyiasat harta, wang simpanan dan sebagainya yang dicurigai dimiliki oleh mereka tetapi tidak diisytihar.

■1650

Mungkin Tuan Pengerusi mengatakan ini susah dijalankan *but I think that is not the problem, we just have to hire private detective to do this job*. Apabila calon ini dapat *clearance* daripada jawatankuasa tersebut, barulah ia boleh dibenarkan bertanding dalam pilihan raya. *To put it simply* Tuan Pengerusi, *we do not want cheats and liars* mewakili kita dalam pilihan raya ataupun menjadi wakil rakyat ataupun menjadi Adun kita. *We want people who honors, transparent and accountable*. Seterusnya, anggota keselamatan negara seperti polis, tentera dan sebagainya berkorban nyawa mereka untuk menjaga keselamatan negara. Mereka harus diberi peluang untuk mengundi untuk siapa-siapa sahaja tanpa paksaan atau ugutan daripada pihak atasan. Kita perlu juga menentukan ke manakah undi pos yang mereka undi itu akan pergi dan bukannya dihantar ke satu-satu tempat pada saat-saat terakhir.

What I means here is that postal vote, we have to predetermine where they should be sent to and not sent to one particular place at eleven hour misalnya anggota-anggota keselamatan kita yang berada di Port Dickson, mereka mengundi, *of course all their vote are postal vote*. Patutnya pergi kepada Port Dickson *Parliamentary Constituency* bukan hantar ke Rembau. Seorang calon yang sedang berkempen dalam pilihan raya tidak boleh menyalahgunakan kemudahan-kemudahan kerajaan. Beliau tidak berhak menggunakan kenderaan kerajaan. Sekiranya berjalan dengan kapal terbang, kos penerbangan hendaklah ditanggung oleh beliau sendiri dan bukan dibayar oleh kerajaan. Begitu juga kos penginapan hotel, elaun perjalanan, elaun makan minum hendaklah ditanggung oleh beliau sendiri.

Akhirnya Tuan Pengerusi, calon-calon juga dilarang sama sekali berkempen melalui TV dan radio kerajaan. TV3, TV8 dan TV9 lantaklah, *depend on them because they are privately own but government own TV and radio please do not misused them*. Sekiranya TV dan radio kerajaan ingin memberi liputan atau menyiarkan calon-calon yang sedang berkempen, biarlah adil dan memberi masa yang sama kepada semua calon baik daripada kerajaan ataupun pembangkang. Terima kasih Tuan Pengerusi.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: Terima kasih Robert ya, terima kasih banyak-banyak. *You have given a lot of point and one more person. Dr. Shawn is it? Ya, please.*

Dr. Shawn Tan: Terima kasih. Nama saya ialah Dr. Shawn Tan. Saya ingin membentangkan kisah tentang bagaimana hak saya sebagai seorang pengundi telah dicabuli kerana tidak diberi peluang untuk mengundi. Yang pertama, kisah ini kisah benarlah. Kisah sayalah bukannya cerita dongeng dan juga ini cerita lama sebab saya dah lama simpan dan sekarang ini ada peluang untuk dibawa ke sini jadi saya nak sampaikan.

Yang ada *attachment* e-mel itu, *ten pages of attachment. First I like to say thank you* sebab dah diberi peluang untuk membawa cerita ini ke sini sebab dah lama saya simpan tetapi tidak tahu hendak bawa ke mana. Pengalaman ini ialah ketika saya cuba untuk mendaftar sebagai seorang pengundi tidak hadir di *Malaysian High Commission* di UK.

Ketika itu saya sedang menuntut sebagai seorang pelajar di *University of Cambridge* bawah tajaan Kerajaan Malaysia khususnya MOSTI. Tanpa bercerita panjang, ketika saya ingin mendaftar pada tahun 2007, saya telah diberitahu bahawa pelajar universiti tidak dibenarkan mengundi sebagai *postal vote*. Saya telah melampirkan secara penuh komunikasi secara e-mel saya dengan pegawai konsulat di *Malaysia High Commission* di UK tetapi berdasarkan *Election Regulation 2002, Registration of Electors section 2E "Engage and full time study at any university, training college or any higher educational institution outside the boundaries of Peninsular Malaysia or Sabah or Sarawak, in other words, student are entitled to be registered as a absent voters"*. Mulanya saya diberitahu oleh pegawai konsulat bahawa pelajar tidak dibenarkan untuk mengundi di bawah Peraturan Pilihan raya tetapi saya telah menerangkan kepada pegawai berkenaan bahawa berdasarkan peraturan yang saya sebut tadi, saya memang dibenarkan untuk mendaftar sebagai pengundi tidak hadir.

Akhirnya saya telah diberi tahu oleh pegawai konsulat untuk mendapatkan pengesahan daripada SPR kerana pegawai konsulat tidak mempunyai kuasa untuk mengesahkan saya sebagai seorang pengundi tidak hadir *which is true, fair enough*. Setakat yang mereka tahu hanya pegawai kerajaan sahaja yang diberi peluang untuk mengundi *and if you ask me, if you check back until very recently that has been the stand from SPR that pegawai kerajaan sahaja yang dibenarkan mengundi*. Pegawai konsulat juga telah meminta saya memberi e-mel kepada SPR tetapi e-mel saya kepada SPR sampai sekarang tidak berjawab. Okey, *this is from 2007 to today*. So saya berharap bahawa sekiranya pelajar-pelajar di luar negeri telah diberikan hak untuk mengundi, prosesnya perlulah diselaraskan segera agar semua pelajar tidak mengira sama ada mereka adalah pelajar tajaan kerajaan ataupun tidak, mereka seharusnya diberikan peluang untuk mengundi. Sekian, terima kasih.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *Thank you, terima kasih Dr. Shawn. I'm sorry to hear what you have just told us just now about your experience*. Memang itu kepada kamilah, kami mendapati bahawa itu satu kelemahan yang cukup ternyata sekalilah bahawa walaupun ada peraturan, ada. Memang ada dah lama dah mengatakan bahawa seorang penuntut sepenuh masa bersama dengan isteri ataupun suami berhak mendaftar diri dan mengundi di luar negara melalui *postal vote*. Jadi saya berharaplah pihak SPR mengambil maklum dan kita akan sampaikan ini.

Tuan Mohamed Azmin Ali: Datuk Seri.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: Ya, nanti.

Tuan Mohamed Azmin Ali: Sedikit sahaja.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: Ya, okey.

Tuan Mohamed Azmin Ali: Oleh kerana Dr. Shawn telah kemukakan satu dokumen dan bukti-bukti yang agak lengkap tentang komunikasi beliau dengan pihak SPR dan juga konsulat Malaysia di United Kingdom dan sehingga hari ini tidak ada satu jawapan yang rasmi daripada SPR. Boleh saya minta jawatankuasa ini dibekalkan dengan penjelasan daripada pihak SPR bukan hari inilah tetapi dalam tempoh yang tertentu supaya dapat menyasat perkara ini dan saya percaya dokumen-dokumen ini ada dalam simpanan SPR oleh kerana ia berbentuk e-mel dan komunikasi secara rasmi untuk memberi penjelasan kepada jawatankuasa tentang status rayuan yang telah dikemukakan oleh Dr. Shawn semenjak tahun 2007 yang lalu.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *There is a reply, a reply here. There is a reply here right?*

Dr. Shawn Tan: *That's is a reply from the consulate and daripada consulate reply was not correct, tak betul. But if you ask me, I just want to add one thing here that is for me I don't really care sebab I no longer student. I dah Dr. Shawn Tan.*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *That's not the point, that's not the point.*

Tuan Mohamed Azmin Ali: *There is beside the point. The point here, earlier SPR has given response to the committee that under this section, student should be allowed to register as voter tetapi apa yang Dr. Shawn kemukakan adalah sebaliknya. Jadi jawatankuasa ini mohon SPR untuk kemukakan penjelasan tentang kes ini. Mengapa ianya berlaku dan mengapa tidak ada jawapan kepada pihak yang memohon penjelasan secara rasmi.*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *So thank you very much.*

Tuan Loke Siew Fook: Tuan Pengerusi, satu soalan yang spesifik sebab perkara yang dibangkitkan itu spesifik, khusus. Saya hendak tanya Dr. Shawn Tan, semasa minta dijadikan pengundi pos, adakah Dr. Shawn Tan sendiri sudah mendaftarkan diri di Malaysia?

Dr. Shawn Tan: *I already voted in 2004.*

Tuan Loke Siew Fook: Maksudnya sudah menjadi pengundi.

Dr. Shawn Tan: Ya, sudah.

Tuan Loke Siew Fook: Mungkin ini kita hendak dapatkan penjelasan daripada SPR. Dia sudah jadi pengundi. Apa prosiding yang sebenarnya. Ada dua soalan di sini, yang pertamanya betulkah hanya pelajar tajaan JPA dibenarkan menjadi pengundi pos ataupun semua pelajar dibenarkan? *Fulltime*. Okey, yang keduanya kalau dalam kes macam dia ini, dia sudah jadi pengundi. Dia hendak memohon jadi pengundi pos di UK, di luar negaralah, sama ada itu dibenarkan atau dia kena memohon semasa di Malaysia lagi?

▪ 1700

Keduanya, sekiranya orang itu belum lagi menjadi pengundi, belum lagi mendaftar sebagai pengundi, boleh atau tidak dia terus mendaftar di kedutaan?

Encik Harun Che Su: Yang Berhormat Tuan Pengerusi, sebenarnya kes ini telah pun kita bincangkan dengan *detail* di pihak SPR dan telah pun kita buat kenyataan di media pun, ada berlaku sedikit kekeliruan. Saya tidak salahkan mana-mana pihaklah. Kekeliruan dalam memahami bahawa mereka ingat pelajar-pelajar persendirian tidak termasuk kategori ini. Dia ingat hanya pelajar tajaan. Cerita di London tetapi penjelasan dari pihak sana, di London, di *consulate*. Jadi kita telah meminta dibuat pembetulan *statement* itu. Maksudnya kita minta buat pembetulan *statement* bahawa pelajar tajaan dan pelajar persendirian sepenuh masa boleh mendaftar sebagai pengundi tanpa hadir. Jadi perkara ini telah diambil maklum oleh pihak berkenaan di luar negara dan perkara ini *insya-Allah*, sudah putuslah, sudah selesai.

Tuan Mohamed Azmin Ali: Cuma email daripada pemohon itu sendiri iaitu Dr. Shawn.

Encik Harun Che Su: Ya, perkara itu saya akan siasat dan minta tempoh...

Tuan Loke Siew Fook: Prosedur, kalau prosedur, bagaimana orang itu kalau dia belum lagi menjadi pengundi, dia belum lagi menjadi pengundi mendaftar, adakah dia boleh terus memohon melalui konsulat?

Encik Harun Che Su: Sekarang kita sudah lantik semua ketua perwakilan sebagai Penolong Pendaftar. Jadi dengan kata lain, mereka boleh memohon sebagai pengundi dan seterusnya mendaftar sebagai pengundi tidak hadir, sekiranya mereka *students* ataupun lain-lain.

Tuan Loke Siew Fook: Satu lagi, apabila mereka balik, macam mana?

Encik Harun Che Su: Apabila balik, mereka kena memohon sebagai pengundi biasa balik.

Tuan Loke Siew Fook: Mohon di sini atau mereka kena batalkan di sana?

Encik Harun Che Su: Mohon di sini dan kita akan ada *link* dan dalam sistem kita memang sudah adalah, dia sebagai pengundi tidak hadir dan apabila dia balik, pergi kepada SPR atau mana-mana wakil yang kita lantik, dia memohon dan kita akan batalkan sebagai pengundi tidak hadir, tukar kepada pengundi biasa balik.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *Otherwise* dia tidak boleh mengundi sebab nama dia ada..., dia kena balik ataupun dia balik ke London, *postal vote* dia akan dihantar ke alamat dia di London. Dia tidak boleh mengundi sendiri. *In other word*, dia tidak boleh *appears di police station and minta ballot paper*, sebab nama dia tersenarai sebagai undi pos.

Tuan Mohamed Azmin Ali: Cuma yang kita dapati ada kelemahan di sini tidak ada satu komunikasi yang jelas dengan Penolong Pendaftar di semua Kedutaan Malaysia. Jadi saya hendak cadangkan supaya SPR kena memberikan satu garis panduan yang jelas kepada pegawai-pegawai khususnya Penolong Pendaftar yang dilantik di setiap kedutaan tentang bidang kuasa yang diberikan dan peraturan-peraturan yang perlu diterima pakai dalam mendaftarkan Warganegara Malaysia di luar negara sebagai pengundi tidak hadir, supaya tidak lagi timbul masalah yang dibangkitkan oleh Dr. Shawn.

Tuan Loke Siew Fook: Mungkin cadangan saya ialah SPR kena buat satu SOP berkenaan dengan pendaftaran pengundi tidak hadir ini dan mewajibkan mungkin bantuan kerjasama daripada Kementerian Luar Negeri. Mewajibkan setiap kedutaan ataupun *embassy* kita di luar negara kena ada SOP ini, supaya mereka tau apabila ada masalah macam ini.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: Untuk pengetahuan, apabila katakanlah Dr. Shawn ketika itu berjaya mendaftar diri sebagai seorang pengundi luar semasa dia menjadi penuntut, alamat dia akan mengikut alamat kad pengenalan dia. Itu untuk pengetahuanlah. Jadi kalau dia daripada Kangar umpamanya, *postal vote* dia akan hantar ke Kangar...

Tuan Mohamed Azmin Ali: Akan tetapi, tidak la semestinya dia mengundi calon Kangar lah... *[Ketawa]*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: Ya, tidak semestinya dia undi calon Kangarlah... *[Ketawa]* Terima kasih Dr. Shawn tetapi akan mengundi Kangarlah juga kemudian kan... *[Ketawa]*

Dr. Mohd. Hatta Md. Ramli: Tuan Pengerusi, saya amat menghargai kesudian keempat-empat dan mungkin ada lagi....

Seorang Ahli: Belum-belum. Ada seorang lagi.

Dr. Mohd. Hatta Md. Ramli: Ada lagikan? Ya yang ketiga tetapi empat orang semuanya yang sudi..., saya bukan hendak menutup tetapi hendak ucap terima kasihlah dahulu. Belum lagi?

Tuan Loke Siew Fook: Belum lagi.

Encik Kee Tuan Chye: *Do you try to shut me up?... [Ketawa] Can I proceed Tuan Pengerusi?*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: Ya, sila.

Dr. Mohd. Hatta Md. Ramli: Saya ingat hendak mencelah tadi.

5.04 ptg.

Encik Kee Tuan Chye: *Okay, I would like to say that I'm very glad that Shawn concern has been address because I'm have a daughter who is studying overseas and I been in the US and I been wondering how on earth she's going to vote an the next general election because as it stand so far, that is still a confusion as to how overseas student can register.*

In fact as far as I know, used to be and that was the point I should raise when the Assemblymen for Teratai was mentioning that she could not vote in 2004 because was still a student in overseas, it should had been mention that point in time, it was stated that only student who was sponsor by the government were allowed to vote from overseas and that of course is discriminating and I hope that will not be a case anymore and I hope that the SPR will seriously address this issue so that students regardless whether they are government sponsor or privately sponsor, will get the chance the vote form overseas and that mechanism should be replace...

Tuan Loke Siew Fook: *Sorry. Can I ask, where you read that statement?*

Encik Kee Tuan Chye: *It was pointed out at some forum, which I think that was this overseas group that was try to make a case for them to vote and they are 'private' citizens and they had try to vote over the years but they where not allowed to because when they went to the embassy, Malaysian Embassy overseas, they were told that they could not vote and that only government servants and army personnel, and students sponsor by the government - these were the only people who could vote...*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *That's correct!*

Encik Kee Tuan Chye: *But they should not be the case because all Malaysian overseas should allowed....*

Dr. Mohd. Hatta Md. Ramli: SPR kata *mistake of people there.*

Tuan Loke Siew Fook: SPR cakap semua...

Tuan Mohamed Azmin Ali: *No, kalau kita boleh dapatkan penjelasan SPR, is it government sponsored students or all full times students?... Tekan ini, kalau tidak, tidak masuk.*

Encik Harun Che Su: *Full times students.*

Encik Kee Tuan Chye: *I find it of course unbelievable that such of mistake could be made by all our delegations overseas. It is ridiculous. I also find it ridiculous that in this day and age. In this age of technology that my daughter registered to be a voter six month ago and to this day she is still not accepted as a voter. She still not registers. I only check three days ago... [Ketawa] And it say that, she's registration is still pending, why? Because Parlimen ditangguhkan. Parliament is now in session so, why is it her registration have still not gone true and why is it in this day and age of technology it takes so long for a voter to be registered? We have a modern system.*

Tuan Loke Siew Fook: *Tuan Pengerusi, which Parliament and when?*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *Where was she registers? Where, which constituency?*

Tuan Loke Siew Fook: *When?*

Encik Kee Tuan Chye: *Which constituency? She with the Subang Parliamentary constituency.*

Tuan Loke Siew Fook: *When is it?*

Encik Kee Tuan Chye: *She make registered six month ago.*

Tuan Loke Siew Fook: *Six month, can you give exact date?*

Encik Kee Tuan Chye: *She still..., I don't know, I cant remember the exact date but I know that I brought her to be registered six month ago and to this day when I check, alright..., three days ago not to this day, three days ago and I check I found the notice saying that she is still not yet a registered be voters because the Parliament is not in session. How can that be? It just means SPR website is not are being updated.*

Tuan Loke Siew Fook: *Boleh..., no that one I can give some explanation. Parlimen ditangguhkan maksudnya is not that Parliament is not in session. In that means that Parliamentary constituency, there are complaints then the whole or the updated must be..., it can be updated once all complains has been created. Although that, we don't think the system is right but the current system is that if there is complain against to even one voter in that particular constituency, all the other new voters in that constituency will be put on hold...*

Encik Kee Tuan Chye: *I agree with you that system cannot be right...*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *Right, right!*

Encik Kee Tuan Chye: ...And especially in this day and age, why must it take so long? It's been six month and what if the general election comes, she was denied the opportunity to vote? That's not fair.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: Alright, we agree with you Mr. Kee, we agree with you at the moment. Lets me explains, that's the rules. Your daughter had registered with others I'm sure, but there is any objection like what Yang Berhormat Rasah is trying to explain to you, that is any objection in that constituency against one, two, may be one voter, then the whole the names people said doing that three months about 354 new voters are registered and all these 354 voters pull on hold to wait for the clearance of this one or two objections. That is the present state of affairs, which is not fair.

Encik Kee Tuan Chye: It's nice to feel that it is not fair but why it's nothing done about it?

■1710

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: Well, that's our jobs. That's our job.

Encik Kee Tuan Chye: Well you have 54 years an experience to this point.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: Yes I know, I know.

Encik Kee Tuan Chye: And this is still your job and it's not done.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: This is the first time this that committee...

Encik Kee Tuan Chye: Which bring to my suggestion...

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: What is your suggestion?

Encik Kee Tuan Chye: My suggestion is that perhaps you respect the current members of the SPR. Future members of the SPR should not be selected from the civil service. And my reason is a civil servant what at the certain place. Civil servant has a certain mindset. I'm saying this due respect. And civil servants also have a tendency to be too respectful of the ruling regime. And that should not be the case when you talk about an independent body like the election commission, it should be independent, I should be comprise of members, distinguish members of the public who can be trusted, who can be expected to work at the faster rate and who can be innovative and who will not be so respectful of the ruling regime that they maybe curtail when they want to do certain things.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: Thank you.

Encik Kee Tuan Chye: I think that I speak in the complaint among the public.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: Yes, yes.

Encik Kee Tuan Chye: Thank you very much.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *Thank you Mr. Kee. We appreciate your suggestion and your concern. So now we would like to...*

Tuan Mohamed Azmin Ali: Satu lagi. SPR belum respons tentang ada *contradiction* sebab - *can you read it out?*

Encik Harun Che Su: Tuan Pengerusi, di bawah seksyen 2 Peraturan-peraturan Pilihan Raya (Pendaftaran Pemilih) 2002 ada disebutkan di para 2(e), "*yang sedang belajar sepenuh masa di mana-mana universiti, maktab latihan atau mana-mana institusi pendidikan tinggi di luar sempadan Semenanjung Malaysia atau Sabah atau Sarawak*". *Very clear*. Dengan jelas bahawa yang sedang belajar sepenuh masa. Dia tidak sebut pelajar persendiriankah, tajaanakah. Maknanya semua pelajar sepenuh masa, rakyat Malaysia boleh mendaftar sebagai pemilih tidak hadir.

Tuan Loke Siew Fook: Apa mekanisme yang kena dia buktikan? Apakah yang perlu dibuktikan. Hanya dengan *student card* atau macam mana?

Encik Harun Che Su: Surat tawaran daripada pusat pengajiannya yang menyebutkan bahawa dia pelajar peringkat mana. Ijazah berapa tahun. Tiga tahunkah? Itu sudah dianggap sepenuh masa. Kalau *part time*, dia mungkin bekerja dan pada sebelah malam dia *study*. Itu pelajar *part time* atau pelajar sambilan. Akan tetapi sepenuh masa, dia memang sebut.

Tuan Loke Siew Fook: Adakah dalam peraturan dinyatakan pendaftaran itu perlu diluluskan oleh siapa? Sama ada oleh pihak kedutaan ataupun perlu hantar balik kepada SPR di Malaysia?

Encik Harun Che Su: Pihak SPR yang memutuskan kedudukannya. Akan tetapi kalau ada bukti sedemikian, kita akan proses sebagai pengundi tidak hadir.

Dr. Mohd. Hatta Md. Ramli: Tuan Pengerusi, terima kasih. Saya rasa keempat-empat pandangan tadi sangat membantu kita dalam memperkuat lagi hujah-hujah yang sebelumnya ataupun mendedahkan lagi kita kepada beberapa maklumat baru seperti yang di bawa oleh Dr. Shawn tadi. Kalau kita tengok senarai jumlah pengundi tidak hadir luar negara, saya hendak ambil satu contoh sahaja. *Egypt* – Mesir. Ada dua sahaja pengundi. Masa kita bawa balik *student* masa berlaku Arab Spring itu, bawa balik sahaja dekat 3,000 orang ataupun dua ribu orang lebih. Akan tetapi yang daftar sebagai pemilih hanya dua orang sahaja. Jadi nampak macam tidak munasabah dan kebanyakan pelajar-pelajar di sana kecuali yang buat perubatan yang dihantar oleh JPA, MARA dan sebagainya...

Tuan Loke Siew Fook: Maksudnya pegawai kedutaan pun tidak masuk.

Dr. Mohd. Hatta Md. Ramli: Pegawai kedutaan pun tidak masuk. Dua orang duta dengan timbalan duta sahaja.

Kebanyakan pelajar-pelajar di Mesir, di Al-Azhar misalnya adalah pelajar-pelajar tajaan sendiri kebanyakannya yang pergi ke sana. Jadi kalau maklumat seperti yang kita bincang hari ini kalau tidak disampaikan ke sana, kita akan dapat suasana yang masih begini. Kita ada di Rusia. Yang di *Ukraine* dan di Rusia yang buat *medicine*. Bukan main ramai. Kalau tidak sampai, mereka akan terlepas peluang untuk melaksanakan tanggungjawab mereka.

Jadi saya rasa perbincangan kita yang dibawa oleh rakan-rakan tadi sangat penting dan saya seronok mendengar cadangan mengenai pengisytiharan harta oleh Encik Robert walaupun mungkin agak terlalu *detail* yang diminta. Akan tetapi saya rasa itu juga perlu kerana ahli-ahli politik ini terutamanya wakil rakyat kadang-kadang menjadi *joke*, menjadi bahan gurauan masyarakat di sana. Sampai kadang-kadang kita hendak memperkenalkan diri sebagai *politician* pun malu kerana dia dilihat orang yang menggunakan kesempatan dan sebagainya untuk memperoleh kekayaan melalui kerjaya sebagai *politician*.

Jadi saya rasa cadangan untuk *declare property* ini sangat baik dan bolehkah Encik Robert *till down* sikit daripada sampai keluarga kepada hanya tuan badan itu sendiri. Kalau tidak nanti kita hendak mencadangkan berat sedikit sebab anak dan isteri semua ini. Bagaimana, boleh respons sedikit?

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: Jika dan ingin hendak mengemukakan kemudian hari, *you can always do it later*.

Encik Robert William: *No, no. No respond*, Tuan Pengerusi.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *No problem, ya. So...*

Datuk Rosmee Hamzah: Kita ada satu sahaja lagi.

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: Jadi kami, Jawatankuasa mengucapkan ribuan terima kasih kepada semua keempat-empat orang yang telah mengemukakan pandangan dan pendapat mereka. *We appreciate. We appreciate. We are here to listen. This is first time in our history; committee of this sort has been form with the view.* So that kita akan memperbaiki jika sistem ada kelemahan. Kita mengakui bahawa ada kelemahan-kelemahan *especially student overseas*. Saya semasa jadi *student* dulu pun tidak tahu pun. *My children were overseas but they never know, they never allowed to vote, to register and vote.* Jadi inilah perkara-perkara kelemahan yang mungkin kita hendak memperbaiki.

Jadi sekali lagi kami mengucapkan ribuan terima kasih kepada semua. *Thank you very much.* Kalau ada apa-apa lagi, Encik Kee, *if you have anything more, you please can send us through e-mail or anything. Thank you very much.*

Datuk Rosmee Hamzah: *Last one. Putera MIC.*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *Last. Last sekali. Putera MIC Wilayah Persekutuan.*

[Saksi dari Putera MIC Wilayah Persekutuan mengambil tempat di depan Jawatankuasa]

5.18 ptg

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *S. Yogenvran it is? Please introduce yourself and you friend or your colleague and thank you very much for coming, to see us. Go ahead. You gunakan bahasa Malaysia pun boleh. English with permission.*

Encik S. Yogendran [Ahli, Putera MIC Wilayah Persekutuan]: *I need your permission to use English because we can record.*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *So go ahead. Introduce yourself.*

Encik S. Yogendran: *Thank you very much Tuan Pengerusi. My name is Yogenvran. I'm sorry we have waiting since 10.30 in the morning but I understand that it is been a long wait. We are from Putera MIC Wilayah Persekutuan. This is my friend, Mano. We both represent for Putera MIC Wilayah Persekutuan.*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *Oh, dia sebut lain. Nama dalam ini lain.*

Encik S. Yogendran: *A few suggestions which we have already*

Datuk Rosmee Hamzah: *Your name, please.*

Encik S. Yogendran: *Yogenvran from Putera MIC.*

Datuk Rosmee Hamzah: *Yogenvran? How come you sign here but...*

Encik S. Yogendran: *I am speaking on behalf of Thanasekaran because he has to leave. We were here at 10.30 in the morning and we have waiting since that.*

Datuk Rosmee Hamzah: *So your name?*

Encik S. Yogendran: *Yogendran.*

Datuk Rosmee Hamzah: *Tidak adapun. Can you just sign here? We don't get your registration. Not registered.*

Dato' Seri Mohd. Radzi bin Sheikh Ahmad: *It must be the right person because it will be recorded in Hansard, you know.*

Encik S. Yogendran: *Okay, thank you very much, Tuan Pengerusi. I would not want to take much of your time. Good day to Tuan Pengerusi, the panelist, ladies and gentleman here. We have already send the list of suggestion and I think we will send that as a return submission because being the last team, most of the point have already been spoken about and I don't want to repeat myself.*

So to keep it very simple and just to touch base on the few point which is we just want to raised. I'm will not talk about the main. I'm just want talk about 1, 2, 3, a very-very short note.

▪ **1720**

Number two actually on my list - Authority to prosecute. The Election Commission should be provided with and authority or power to prosecute the phantom voters. This will provide the commission the strength to arrest any phantom voters immediately and bring and to those wanting to cheat as voter or those wanting to vote more than once.

Number three - The campaigning period. I summarize the whole thing. Many actually before me spoke about campaigning period to be within seven days, 14 days or 21 days. As a young voter to me, and also as a member of public and voter myself, I don't think whether seven days, 14 days or 21 days is long enough for anybody to determine if this person is good enough to represent my community at one area. And with the current political ground which is just happening in Malaysia, I think everybody is more knowledgeable when it come to Malaysian politics, they have been noticing, they know who are gone to be a so called 'reasonable candidate' and whether if this person is going to representing well in my constituency. So, I would prefer if the campaigning period would be as short as possible because these funds which are going to be use can be use in many other beneficial ways to the public, especially to those who are really in-need of this money.

My next point - The age limit for new voters. I of course Putera MIC we are a bunch of youth, we target on youth development from 18 to 30 years old but let me tell you, this is something for you, for every parents to also think about. At 18 if you as a parent, don't allow this youth of 18 ages to choose their university and part of education, then you should not allow them to choose who the government is. That's I my point and another way for..., this suggestion to the Panelist - it would be great because I understand that this Public Hearing will be held in a few other places as well, including the north and south and of course this is the central but there are many other youth who may have ideas suggestion but they cannot come to such Public Hearing, it would be great if the Panel can actually come out with probably email address. If there is already one, then probably we should be make known of it or either it's through twitter, facebook, so that we can also...

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Done, already done.*

Encik S. Yogendran: *Thank you very much Tuan Pengerusi. So, more people can actually send their suggestion through this. Thank you very much. I would like to conclude and thank you for this opportunity.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Thank you very much. Sit down, don't runaway. Give us the opportunity to ask or to participate in. Anything Yang Berhormat Rasah or Yang Berhormat Kuala Krai, Yang Berhormat Gombak, tidak ada?*

We appreciate your suggestion. We have take note. That's all written here so, just one question from me. "The authority to prosecute"..., what do you mean by this authority to prosecute? It's suppose to investigation you know. Right now the SPR saying that, they do not have the power to investigate. They will live it to the police but if you use the word, "Authority to prosecute", meaning it's a higher authority because at the moment in this country, the only authority to prosecute is the AG, nobody else. Is that what you mean or you want...

Encik S. Yogendran: *I'm not necessary talking about the AG. What I'm speaking about here when I say "authority to prosecute", is those authorities who are in charge of investigating cases as this because if every cases as this past on to the PDRM the Royal Malaysian Police, well they maybe doing justice but they may not be seen justice to certain quarters and the blame is going comeback to the ruling government who are maybe. So, the best is to actually have a panel to give them the authority to prosecute this and this panel can actually be from probably the same as the PSC because they represent the both parties and also of independent voice. And this people will be able to prosecute them better without at the end of the day after getting whatever result they should not be saying, "Oh, it is actually heavy on the other hand." That's what I mean.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Okay, alright. We take note of that. Thank you very much Encik Yogendran and your colleague. Thank you very much.*

Encik S. Yogendran: *Thank you Sir.*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *So, Yang Berhormat-Yang Berhormat we are here. We are finish for the day. Kita punya hari yang kedua yang kita ada Public Hearing. Next week we are off to Sabah... [Disampuk] Sorry, two weeks time we are off to Sabah. May I mention the fact that the officers that were assign to us all from ministry dan jabatan-jabatan, are they coming with us to Sabah, macam mana? So, they have to come to Sabah to assist us?... Okay, all of us.*

Tuan Loke Siew Fook: *Tuan Pengerusi, Cuma dua perkara. Yang pertamanya, pagi tadi yang Lampiran 1 daripada JPN belum dapat lagi. Lampiran 1 – senarai yang diberikan kewarganegaraan, mengikut alamat negeri, itu belum dapat lagi...*

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Pecahan mengikut negeri, is it?*

Tuan Loke Siew Fook: Keduanya, mungkin Setiausaha kena *confirm* yang mesyuarat hari Selasa... *[Disampuk]* Belum *confirm* lagi. Memang tidak adalah mesyuarat Selasa dengan AG memang tidak adalah. Ditangguhkan?

Tuan Pengerusi: *We are not meeting on Tuesday* Yang Berhormat.

Tuan Mohamed Azmin Ali: Tuan Pengerusi, saya kira Jawatankuasa ini bertanggungjawab untuk menetapkan siapa yang perlu dipanggil untuk memberikan keterangan dan setakat ini SPR, JPN telah memberikan kerjasama yang baik, dan tidak ada pengecualian untuk mana-mana agensi termasuk Peguam Negara. Sekiranya beliau tidak dapat hadir hari Selasa, *I think* dia kena tetapkan tarikh. Kita tidak boleh buat *open ended* begini, *because we have to conclude*. Saya harap kita kena...

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Sure, sure definitely.*

Tuan Mohamed Azmin Ali: Sementara kita bagi ruang tetapi saya harap kita kena tegaslah perkara ini.

Tuan P. Kamalanathan a/l P. Panchanathan: *In fact* Tuan Pengerusi saya setuju dengan Yang Berhormat Gombak saya rasa kerana kita nampak penglibatan dan kerjasama yang diberi oleh SPR dan JPN dia bersama kita daripada awal hingga hari ini dan Jabatan Peguam Negara pun harus memberi *equal important for this meeting* Jawatankuasa ini.

Dato' Seri Mohd. Radzi Sheikh Ahmad: *Definitely, definitely I'm with you all. I'm waiting for the AG to come.*

So, kalau tidak ada apa lagi, kita tangguhkan persidangan kita kepada satu hari yang ditetapkan iaitu dua minggu lagi, di Sabah. Sebelum Sabah jika dikehendaki, Tuan Pengerusi kita akan menentukan tarikh dan masanya. Jadi disudahi dengan ucapan ribuan terima kasih kepada semua.

Thank you, thank you very much. Assalamualaikum.

Mesyuarat ditangguhkan pada pukul 5.28 petang.