

A BILL

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An Act to amend the Federal Constitution.

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BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and the Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Constitution (Amendment) Act 1991. Short title.

2. Article 54 of the Federal Constitution is amended, in Clause (1), by substituting for the words "by the Election Commission that there is a vacancy" the words "by the President of the Senate that there is a vacancy or by the Election Commission that there is a casual vacancy, as the case may be". Amendment of Article 54.

3. Article 132 of the Federal Constitution is amended— Amendment of Article 132.
(a) in Clause (1), by deleting paragraph (e); and
(b) in Clause (2A), by deleting the letter and punctuation marks "(e)".

4. Article 139 of the Federal Constitution is amended, in Clause (1), by substituting for the words "paragraphs (c), (e) and (f)" the words "paragraphs (c) and (f)". Amendment of Article 139.

EXPLANATORY STATEMENT

This Bill seeks to amend the Federal Constitution.

2. *Clause 2* of the Bill seeks to amend Article 54 of the Federal Constitution to provide that any vacancy among members of the Senate is to be filled within sixty days from the date such vacancy is established by the *President of the Senate*, instead of by the Election Commission as is the case now, in view of the fact that the Election Commission is not involved in the process of filling up a vacancy in the Senate.

3. *Clause 3* of the Bill seeks to amend Article 132 of the Constitution to remove the railway service from the list of public services in that Article. The railway service will, after the amendment, become part of the general public service of the Federation, under the jurisdiction of the Public Services Commission. In fact it is that Commission which now has jurisdiction over members of the railway service. It assumed such jurisdiction when the railway service ceased to have its own Commission in 1981.

4. The amendment proposed in *clause 4* is a consequential amendment.

FINANCIAL IMPLICATIONS

This Bill will not involve the Government in any extra financial expenditure. [PN. (U²) 1548,]