10 Key Institutional Reforms Needed Under the Madani Government

THOMAS FANN
The Coalition for Clean and Fair Elections (BERSIH)

bersih

Six Pillars of Malaysia Madani

- Sustainability
- Prosperity
- Innovation
- Respect
- Trust
- Compassion

bersih

INTRODUCTION

- MM is an idealistic and noble aspiration
- MM is not achievable without good governance and institutional reforms
- Any reforms must be in alignment with the values of MM

bersih

10

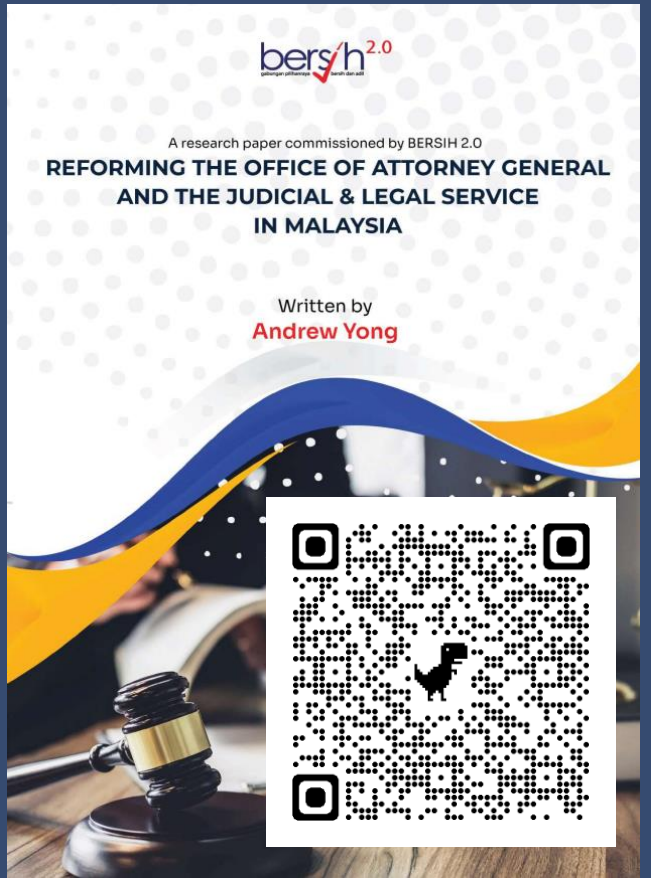
Ten Important Reforms to Achieve Malaysia Madani

bersih

1 Reform the AGC and the MACC

- The AG is appointed by the PM, the AG is also the Public Prosecutor, the PP has the power to initiate charges and to withdraw charges.
- AGC can be weaponized against political opponent or give immunity to those in power.
- Solution : Separate the role of the Public Prosecutor from that of the Attorney-General.

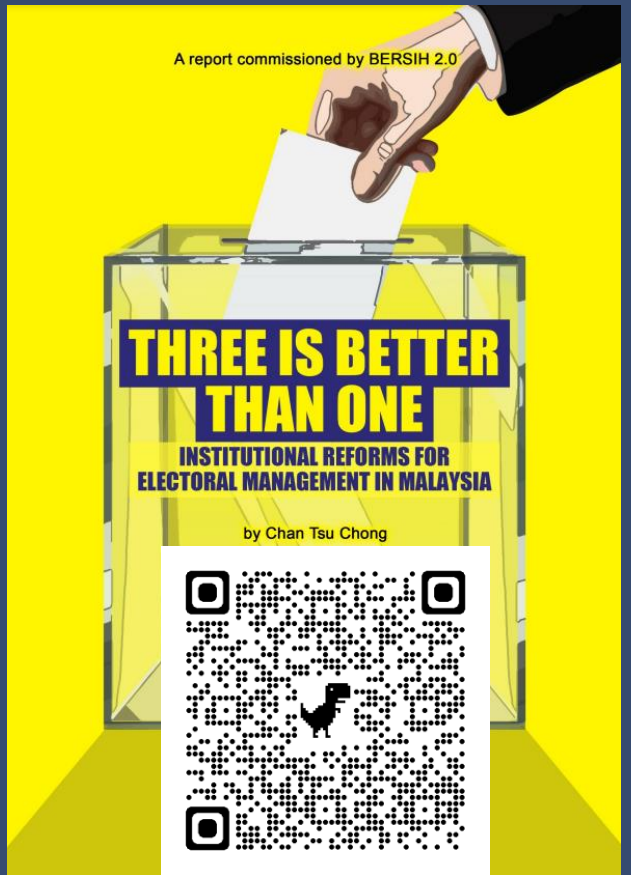
bersih



2 Reform the Election Commission (EC)

- The Election Commissioners are appointed by the Agong upon the sole recommendation of the PM and are not free from political influence.
- The EC is the body mandated to conduct elections and elections determine who has the right to govern the country. Elections MUST be free and fair.
- Solution : Let the Parliamentary Special Select Committee vet candidates for appointment as election commissioners

bersih



3 Fixed Term Parliament Act (FTPA)

- Uncertainty over the date and term of each Parliament contributes to political instability and preparedness for election.
- Solution : FTPA to allow the 15th Parliament to go full term until 18 December 2027 and for the EC to pre-announce default election dates. Early dissolution possible on two conditions only, The govern lost its majority or tow-thirds of MPs vote to dissolve earlier.

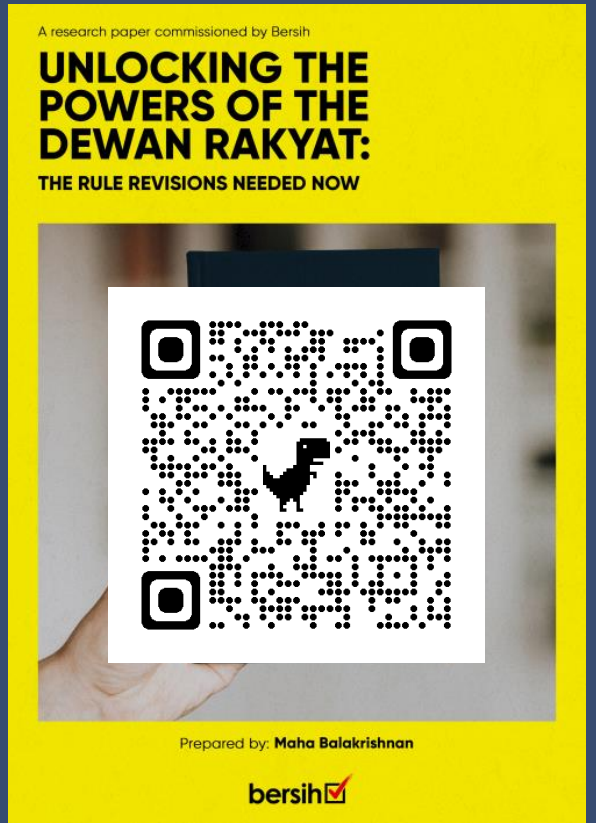
bersih

4 Codification of provisions and processes for Parliament's confidence mechanism

- Currently there is no requirement or clear process in Parliament to manage confidence motions.
- Confidence mechanisms would evoke confidence and yet ensure stability for small majority or minority governments
- Confirmatory Vote of Confidence (CVC) after the appointment of a new PM and the Constructive Vote of No-Confidence (CVNC) in the removal of a PM.

5 Amendments to Standing Orders to Empower Parliamentary Committees and Private Members

- Currently there are only 10 PSC and the Standing Orders do not empower the PSC,the Private Members
- Parliament has to be empowered so that it can be an effective check and balance body to the Executive.
- Private Members MPs and the Opposition would have a meaningful role to play and safeguard the interest of the Rakyat.



6 Re-introduction of the Parliamentary Services Act (PSA)

- Parliament depends on the Executive for its budget and the Public Service Department for its staff.
- The Parliament should have its own budget to fund its own staff, research department, select and special committees, and even the service centres of its members.

bersih

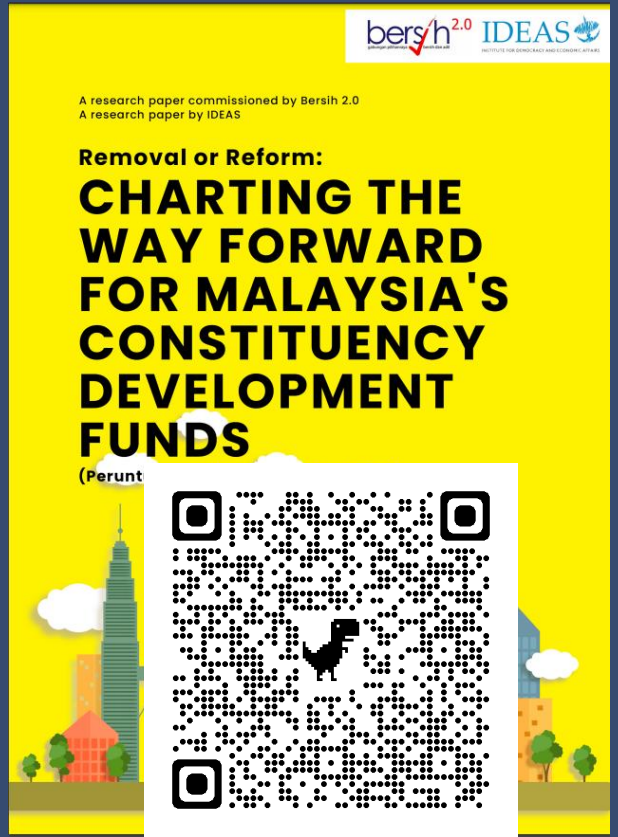
7 Recognition of the Opposition's Shadow Cabinet

- Recognition of the Opposition's Shadow Cabinet with adequate allocation to shadow Ministers and commensurate access to information so that they can function effectively as a constructive opposition and government-in-waiting.

bersih

8 Equitable Constituency Development Funding (CDF) Act

- To ensure equal treatment for all Members of Parliament regardless of party affiliations.
- Similar laws should be introduced at the 13 state legislatures.



bersih

9 Political Financing Act with Public Funding for Parties

- To curb money politics and corruption, and to meet the need of parties to fund legitimate operational cost and activities.

bersih

10 Strengthening of the Senate

- To function as the patron of state rights with elected Senators with a one-third representation/veto power for Sarawak, Sabah and Labuan.

bersih

Thomas Fann

The Coalition for Clean and Fair Elections (BERSIH)

Telephone : +6016-702 0011

Email : thomas.fann@gmail.com