



SPEECH TEXT

YAB TAN SRI DATO' HAJI MUHYIDDIN BIN HAJI MOHD YASSIN PRIME MINISTER OF MALAYSIA

Bismillahirrahmanirrahim.

Assalamu'alaikum wa rahmatullahi wa barakatuh and Salam Sejahtera.

Ladies and gentlemen,

How are you? I wish you all in the best of health always.

1. Following the statement issued by Istana Negara in relation to the Proclamation of Emergency to be enforced in this country, I am here before all of you to make some explanations.

2. Yesterday, I was granted an audience by His Majesty the Yang di-Pertuan Agong to present the advice by the Cabinet for His Majesty to issue a Proclamation of Emergency in accordance with Article 150 (1) of the Federal Constitution to declare a state of Emergency for the whole Federation effective from January 11, 2021 to August 1st, 2021.

3. Article 150 (1) of the Federal Constitution provides:

“If the Yang di-Pertuan Agong is satisfied that a grave emergency exists whereby the security, or the economic life, or public order in the Federation or any part thereof is threatened, He may issue a proclamation of Emergency making therein a declaration to that effect.”

4. Pursuant to Article 150 (1) of the Federal Constitution, the threat to economic life is one of the grounds for an emergency proclamation to be made. In the case of Stephen Kalong Ningkan against the Government of Malaysia, the Privy Council stated in its judgment that –

“An emergency to be within that article (article 150(1) of the Federal Constitution) must be not only grave but such as to threaten the security

or the economic life of the Federation or any part of it, the natural meaning of the word itself is capable of covering a very wide range of situations and occurrences, including such diverse events as was famines, earthquakes, floods, epidemics and the collapse of the civil government.”.

5. In this regard, as the whole world is currently facing the threat of the COVID-19 pandemic which has directly become a major threat to the economic life of the people in this country, a declaration of emergency can be made by His Majesty the King, the Yang di-Pertuan Agong. Apart from the sharp increase in positive COVID-19 cases, there are several states in Malaysia such as Johor, Pahang and Kelantan currently experiencing heavy flooding, directly posing major threats to the safety and economic life of the people.

6. As I explained when announcing the implementation of the Movement Control Order yesterday, COVID-19 infection cases are on the rise and show no signs of decline in the near future. Therefore, the Government needs to have certain powers to ensure that this pandemic can be curbed more effectively and the health services provided to the people are not crippled.

Ladies and gentlemen,

7. After considering the advice of the Cabinet, His Majesty was satisfied that there was a need to issue an Emergency Proclamation to enable the Ordinance to be promulgated under Clause (2B) of Article 150 as to provide the necessary powers to curb and prevent further spread of COVID-19 pandemic in this country.

8. Allow me to provide further clarification on the form of emergency in this country. I would like to stress that the emergency declared by His Majesty the Yang di-Pertuan Agong is not a form of military coup. The curfew will also not be enforced. Instead, during this emergency period, the civilian government will continue to function.

9. Again, let me assure you that the civilian government will continue to function. The emergency proclaimed by the Yang di-Pertuan Agong is not a military coup and curfew will not be enforced.

10. In terms of government administration, the Cabinet and the States Executive Council will continue to function in accordance with the Federal Constitution and any ordinance proclaimed by His Majesty the Yang di-Pertuan Agong from time to time. I would like to assure you that the

administrative and public service machineries of the Federal and State Governments will not be disrupted by this declaration of emergency.

11. Throughout the period of emergency, if His Majesty is satisfied that there are certain circumstances that cause him to take immediate action, then His Majesty may declare any ordinance necessary according to the circumstances.

12. In this context, several Emergency Ordinances may be promulgated by His Majesty the Yang di-Pertuan Agong for the purpose of curbing the COVID-19 epidemic, including matters relating to the use of private hospital assets, temporary acquisition of land, buildings or private hospital movable assets or making requests for the use of private hospital resources for the purpose of treating COVID-19 patients.

13. Towards this, the Government may seek more inclusive involvement from the private sector, including private healthcare facilities to help ease the burden borne by Government agencies, especially public hospitals. Through this ordinance, assistance to be made available by the private sector includes human resources, expertise, facilities, assets, testing laboratories and utilities.

14. Furthermore, the necessary powers under this Ordinance during the pandemic, will also be utilized to facilitate businesses and overcome any regulations that make it difficult to deliver public health services quickly, efficiently and effectively.

15. An ordinance may also be promulgated to provide enforcement powers to the Malaysian Armed Forces in addition to the existing powers, in accordance with the powers accorded to the Royal Malaysian Police under the Criminal Procedure Code or any other relevant law enforcement authorities.

16. The Malaysian Armed Forces will also be provided with the power to assist in performing the functions relating to public health and the functions performed by the relevant civil servants. In line with the Emergency Proclamation, the aspect of national border controls will also be tightened by empowering military personnel as well as police and immigration personnel to arrest illegal immigrants and anyone who encroaches on our national borders.

17. Additionally, an Ordinance may also be enacted to amend the Prevention and Control of Infectious Diseases Act 1988 to enhance the

effectiveness of enforcement of this Act in curbing the spread of COVID-19. This includes increasing the penalties or punishments for anyone who violates the laws and regulations relating to the control of spread of the COVID-19 pandemic.

18. Ordinances aimed at combating economic sabotage, monopolies and excessive increase in the prices of goods during the pandemic can also be proclaimed by His Majesty. Strict enforcement actions and heavier penalties can be imposed for these purposes.

19. All the ordinances proclaimed by His Majesty the Yang di-Pertuan Agong will be gazetted and be made known to the people.

Ladies and gentlemen,

20. During the emergency period, the executive authority of the Federation shall extend to any matter within the legislative authority of the country except for any matter of Islamic law or Malay customary or on any matter of law or custom in Sabah or Sarawak, religion, citizenship and language, in accordance with Clause 6A of Article 150 of the Federal Constitution.

21. In addition, Parliament and the State Legislative Assemblies will not sit until a time set by the Yang di-Pertuan Agong.

22. During the period of emergency, General Elections, State Elections and By-Elections will not be held. Under normal circumstances, a by-election must be held within 60 days after a seat is declared vacant. State elections must also be held within 60 days after the State Legislative Assembly is dissolved. As we all know, the people currently do not want elections to be held to prevent COVID-19 from spreading like what had happened after the recent Sabah State Election.

23. To ensure fair and transparent implementation of the emergency period, an Independent Special Committee will be established under an Ordinance to advise His Majesty whether a major emergency still exists in the Federation to continue with the period of Emergency Proclamation or terminate the Proclamation earlier than the date designated.

Ladies and Gentlemen,

24. Of late, there have been parties urging for elections to be held. I never have the intention to not have the elections. The main thing that prevented me from advising His Majesty the Yang di-Pertuan Agong to dissolve

Parliament to enable the General Election to be held is the COVID-19 pandemic.

25. The decision not to hold elections amidst the ravaging COVID-19 pandemic is in line with one of the five principles of Maqasid Syariah which is to take care of life or hifz al-nafs. In this context, it is my duty as the Head of Government to take care of the lives of the people by protecting you all from COVID-19 infections. This is the most important task as enshrined and propagated in Islam.

26. Therefore, I want to give my firm commitment here that the General Election will be held as soon as the Independent Special Committee acknowledges that the COVID-19 pandemic has subsided or fully recovered and elections are safe to be held. At that time, it is up to the people to choose which government is capable and would be given the mandate to govern this country and take care of the welfare of the people. Trust me, this is my commitment and pledge which I will fulfill, God willing.

27. For me, in a situation where the country and people are facing great harm, it is very important that all politicians set aside their political differences and stand in solidarity with the people. When it comes to time for politicking, then do so, with responsibility.

28. I also want to give an assurance that during this period of emergency, the judiciary will continue to function to uphold law and justice. The Perikatan Nasional Government will continue to defend the independence of the judiciary and will never interfere in the affairs of the court. The judiciary will continue to be the beacon of justice in our country and I will never interfere in the business of the court.

29. Economic activities will also continue to function, subject to the SOPs and the Movement Control Order in force. The Government will ensure that economic activities do not stop so that the people can continue to work and do business while trades and industries can continue to operate as usual.

30. The Government is also committed to ensuring that good governance continues to be practised throughout the implementation of the emergency period. Internationally-recognized national regulatory bodies, namely Bank Negara Malaysia, the Securities Commission, and Bursa Malaysia, will

continue to play their roles as catalysts, regulators and facilitators of companies and markets.

31. To all the stakeholders keenly monitoring what is happening in Malaysia, I emphasize that Malaysia is open for business. In facing these challenging times, this Period of Emergency will give us much needed calm and stability, as well as enable us to focus on economic recovery and regeneration. We remain committed to good governance during these times and we have a robust and dynamic regulatory ecosystem. We must remember that the Government has a 6-stage strategy in place for economic recovery since March last year and were incorporated in the Budget 2021. Continued stability will enable us to sustain and build upon the economic recovery trajectory we have been working hard for since last year.

Ladies and gentlemen,

32. I would like to call upon all of you to remain calm and give full trust and support to the government to curb the spread of COVID-19 more effectively throughout the emergency period. I also want to call on all politicians, civil society leaders, non-governmental organizations, religious bodies, youth, students and the communities to unite and work together in facing this very difficult situation. Importantly, our only goal is that we must win in our fights against COVID-19.

33. Let us practise self-discipline more strictly throughout this period of MCO and the Emergency. Hopefully, we will be able to flatten the curve of COVID-19 infection immediately and further ease the pressure on our country's health system which is burdened by the soaring number of positive COVID-19 cases every day.

34. My warning to anyone who tries to disrupt the Government's efforts to manage the COVID-19 pandemic and the country's economy - we will take stern action against them to uphold national security and welfare of the people.

35. I also hope that religious scholars and religious leaders will continue to pray for the well-being of our country, hopefully, that we are all protected from calamities and disasters.

36. On behalf of the Government, I would like to, once again, extend my heartfelt gratitude for the concerns and wisdom of His Majesty the Yang di-Pertuan Agong in approving the declaration of emergency under Article 150

of the Federal Constitution to address the COVID-19 pandemic more effectively.

37. I pray that His Majesty the Yang di-Pertuan Agong, Raja Permaisuri Agong, the Majesties' princes and princesses, all members of the Royal

Family and all the people will remain under the protection and blessing of Allah SWT. Hopefully the COVID-19 pandemic that is plaguing our country will end soon. *Amin, Amin Ya Rabbal Alamin.*

Wabillahi al-taufiq wal hidayah wassalamu'alaikum wa rahmatullahi wa barakatuh.

YAB TAN SRI DATO' HAJI MUHYIDDIN BIN HAJI MOHD YASSIN

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