

LAWS OF MALAYSIA

Act A919

**FEDERAL CONSTITUTION (AMENDMENT)
ACT 1995**

An Act to amend the Federal Constitution.

[21 | 7 | 95]

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

1. This Act may be cited as the Federal Constitution (Amendment) Act 1995. Short title.

2. The Eighth Schedule to the Federal Constitution is amended— Amendment
of Eighth
Schedule.

(a) in PART I—

(i) in paragraph 2(2)(b), by substituting for the word “eight” the word “ten”;

(ii) by substituting for subsections 10(1) and (2) the following subsections:

“ (1) The Legislative Assembly shall from time to time elect as Speaker such person as the Assembly may determine and shall transact no business when the office of the Speaker is vacant other than the election of the Speaker.

(1A) A person shall not be elected to be the Speaker unless he is a member or qualified to be a member of the Legislative Assembly.

- (iii) by deleting the word “other” in subsection 10(3);
- (b) in PART II, by substituting for the word “eight” in paragraph 20(2)(b) the word “ten”; and
- (c) in PART III—
 - (i) in subsection 23(1), by deleting the words “except for the modifications of section 10 stated in subsection (2) of this section”;
 - (ii) by renumbering subsection 23(1) as section 23; and
 - (iii) by deleting subsection 23(2).



(1B) Any person elected as Speaker who is not a member of the Legislative Assembly—

- (a) shall, before he enters upon the duties of his office, take and subscribe before the Assembly an oath of office; and
- (b) shall, by virtue of holding his office, be a member of the Assembly additional to the members elected to the Assembly:

Provided that paragraph (b) shall not have effect for the purposes of the provisions of section 2 and no person shall be entitled by virtue of that paragraph to vote on any matter before the Assembly.

(2) The Speaker may at any time resign his office and shall vacate his office—

- (a) when the Legislative Assembly first meets after a general election;
- (b) on his ceasing to be a member of the Assembly otherwise than by reason of a dissolution thereof or, if he is a member by virtue only of paragraph (b) of subsection (1B), on his ceasing to be qualified to be a member;
- (c) upon being disqualified under subsection (4); or
- (d) if the Assembly at any time so resolves.”; and

