Constitutional Law and Human Rights in Malaysia
Topical Issues and Perspectives

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Chapter Seven

Functions and Privileges of Parliament: An Overview

Khairil Azmin Mokhtar

7.1 INTRODUCTION

If one were to ask a Malaysian: “where is Parliament?,” almost everyone without hesitation will say that the Malaysian Parliament is that majestic building overlooking the Tugu Negara at Jalan Duta Kuala Lumpur, which is, of course, not the wrong answer. However, if one were to ask: “who are Members of Parliament?,” most people would name some of the candidates who won the General Election. It is a correct but an incomplete answer. If questions such as: “What is the life of Parliament?” and “How many Parliaments have there been since this country achieved Independence?” were asked, you would probably get a disarming smile, or a shrug of the shoulders.

A longer and more complicated question such as “If we gained Independence in 1957 and the Federal Constitution came into force on the same date – August 31, 1957 – and at the same time – 12.00 am – why does Malaysia celebrate Parliament’s 25th birthday two years after the nation celebrated its 25th anniversary of Independence?”, would most probably make the person scratch his head, cause lines on the forehead or draw an embarrassed response: “Are you sure?” This chapter intends to deliberate on certain aspects of Parliament that most people should know. Emphasis is made on its functions and privileges.

7.2 WHAT IS PARLIAMENT?

Parliament is an English word which originates from the old French parley. It means “speaking” or “talking.” According to the Oxford dictionary, Parliament is “(in the United Kingdom) the highest legislature, consisting of the Sovereign, the House of Lords, and the House of Commons.” In the Malaysian legal and constitutional context, Parliament refers to the federal legislature. The legislative authority of the Federation is vested in the Malaysian Parliament, which consists of the Yang di-Pertuan Agong and the two Majlis (Houses of Parliament) known as the Dewan Negara (Senate) and the Dewan Rakyat (House of Representatives).