



Balloting in the UK

1 message

Shawn Tan <ssnt2@eng.cam.ac.uk>

Sun, Aug 12, 2007 at 6:49 PM

Reply-To: ssnt2@eng.cam.ac.uk

To: spr@spr.gov.my

Hello SPR,

I am currently a full-time student in the UK. I am also a registered voter in Malaysia. The last time I checked (a few weeks ago), I was on the active list of registered voters.

I would like to enquire about how to get myself registered as a postal vote. I will still be in the UK for at least another year and I would like to exercise my legally protected right to vote, in the event that a general election is called while I am still here.

So, I contacted the Malaysian High Comm in London to enquire and was informed that I was not allowed to vote. But according to the rules and regulations, I am allowed to vote. I highlighted this to them and they recommended that I seek clarification from the SPR instead.

So, I would like to seek clarification on the matter and I would like you to advise me on how to get myself registered as a postal vote. If you insist that I am not allowed to vote, could you please show me the relevant paragraphs of the regulations that disqualify me? I cannot find any.

I'm attaching the relevant sections of the regulations that qualify me to vote below. I have taken out some parts to shorten the email. I'm sure that you have the original copies of the regulations. I would like to draw your attention to the following paragraphs:

- 1) Elections (Postal Voting) Regulations 2003, Part II, Paragraph 3(1)(a).
- 2) Elections (Postal Voting) Regulations 2003, Part I, Paragraph 2 (definition of "absent voter").
- 3) Elections (Registration of Electors) Regulations 2002, Part I, Paragraph 2 (e).

Thank you.

_____ First Exhibit _____

ELECTIONS (POSTAL VOTING)

REGULATIONS 2003

PART II

POSTAL VOTERS

Persons entitled to vote as postal voters

3. (1) Any person who has registered as a Parliamentary or State elector

(e) engaged in full-time studies at any university, training college or any higher educational institution outside the boundaries of Peninsular Malaysia or Sabah or Sarawak; or

(f) the spouse of a person engaged in full-time studies at any university, training college or any higher educational institution outside the boundaries of Peninsular Malaysia or Sabah or Sarawak who is living with her or his husband or wife at the date of application for registration as a Parliamentary or State elector.

[Quoted text hidden]

read and studied the regulations.

- > 3. (1) Any person who has registered as a Parliamentary or State elector
- > under the Elections (Registration of Electors) Regulations 2002, and is -
- >
- > (a) an absent voter;

This is the bit that qualifies me as I am categories as an "absent voter". I shall quote in full (below), as you may have been worried about me editing the regulations to confuse you. You can verify it with the links that I've attached.

I hope that you can appreciate that voting is a very sacred matter to me and that it is integral to a democracy. My right to vote is protected by law and that is why I am taking this seriously.

I'm hoping that you will take the necessary steps in advising me on how to proceed to get myself on the postal vote list. From the regulations, I understand that there are forms to fill.

Otherwise, if you still insist that I'm not qualified, please explain to me exactly why I am not qualified. If possible, point me to the relevant paragraphs.

Have a good weekend!

PS: In case it was mistaken, I am currently registered as a full-time student at University of Cambridge. I am pursuing a PhD. I'm not a random Malaysian here on holiday.

———— quotes from the SPR regulations —————

From <http://www.spr.gov.my/index/elecprpreliminary.htm>. Please note the definition of "absent voter" at the bottom.

**ELECTIONS ACT 1958
ELECTIONS (POSTAL VOTING)
REGULATIONS 2003**

IN exercise of the powers conferred by section 16 of the Elections Act 1958 [Act 19], the Election Commission, with the approval of the Yang di-Pertuan Agong, makes the following regulations:

PART I

PRELIMINARY

Citation, application and commencement

1. (1) These regulations may be cited as the Elections (Postal Voting)

Regulations 2003.

(2) These Regulations come into operation on 16 June 2003.

(3) These Regulations shall be read as one with the Elections (Conduct of Elections) Regulations 1981 [P.U.(A) 386/1981].

Interpretation

2. In these Regulations, unless the context otherwise requires-

"Form 2" means a declaration of the identity of a postal voter and bearing the ballot paper number;

ELECTIONS (REGISTRATION OF ELECTORS) REGULATIONS 2002, PART I, Section 2,
Paragraph (e):

"absent voter" means a citizen who has attained the age of twenty-one years
on the qualifying date and is-

(e) engaged in full-time studies at any university, training college or any
higher educational institution outside the boundaries of Peninsular Malaysia
or Sabah or Sarawak; or"

Therefore, according to the regulations, I am allowed to vote as a postal
voter.

I would appreciate it if you could clarify this matter and advise me on the
proper procedure to get myself registered as a postal voter. If you insist
that I am not eligible to vote by post, could you please point me towards the
relevant regulations that disqualify me?

[Quoted text hidden]

Airul Azhar Mat Nasit <myconsular@btconnect.com>
To: ssnt2@eng.cam.ac.uk

Fri, Aug 10, 2007 at 5:14 PM

Dear Shawn,

Please study under this regulation; below-

ELECTIONS (POSTAL VOTING)
REGULATIONS 2003

PART II

POSTAL VOTERS

Persons entitled to vote as postal voters

3. (1) Any person who has registered as a Parliamentary or State elector
under the Elections (Registration of Electors) Regulations 2002, and is -

(a) an absent voter;

(b) a person certified by the Election Commission to be an election officer
and liable for duties on polling day;

(c) a member of any police force established by any written law in force in
Malaysia, other than a member of the Police Volunteer Reserve Force;

(d) a member of any of the public services who on polling day is employed
full-time in a post outside Peninsular Malaysia or Sabah or Sarawak;

(e) a member of the Election Commission appointed under Article 114 of the
Federal Constitution; or



Shawn Tan <sybreon@gmail.com>

RE: Balloting in the UK

4 messages

Airul Azhar Mat Nasit <myconsular@btconnect.com>

Fri, Aug 10, 2007 at 1:16 AM

To: sybreon@gmail.com

Cc: mydcm@btconnect.com

Dear Shawn Tan,

Your email dated 6 August 2007 is refers.

Please check this under webpage <http://www.spr.gov.my/index/legislation.htm> for further clarification.

By referring to the criteria - Only government Officer/Staff on posting are eligible to vote post.

Thank you.

Regards,

CONSULAR DIVISION
High Commission of Malaysia,
London

—Original Message—

From: Malawakil London [mailto:mwlon@btconnect.com]

Sent: 07 August 2007 09:06

To: myconsular@btconnect.com

Cc: mydcm@btconnect.com

Subject: FW: Balloting in the UK

—Original Message—

From: Shawn Tan [mailto:sybreon@gmail.com] On Behalf Of Shawn Tan

Sent: 06 August 2007 19:41

To: mwlon@btconnect.com

Subject: Balloting in the UK

Hi Malaysian High Comm,

I'm interested to find out about voting in the UK.

I am a registered voter in Malaysia but I am currently studying in the UK. From the SPR website, I have read that students studying overseas are