

REDELINEATION: GUIDELINE FOR VOTER RIGHTS AND DUTIES

Danesh Prakash Chacko and Chia Jia Xuan

TindakMalaysia Network Services PLT

(in collaboration with Persatuan Pemangkin Daya Sarawak -ROSE)

Advance Reader Copy



TindakMalaysia Network Services PLT



Rise Of Social Efforts

REDELINEATION: GUIDELINE FOR VOTER RIGHTS AND DUTIES

Danesh Prakash Chacko and Chia Jia Xuan

TindakMalaysia Network Services PLT

(LLP0001492-LGN)

Petaling Jaya, Malaysia

2025

Copyright © TindakMalaysia Network Services PLT and Persatuan Pemangkin Daya Sarawak 2025. All rights reserved.

First published in 2025 by

TindakMalaysia Network Services PLT (LLP0001492-LGN)

Unit C-2-09, Centum @ Oasis Corporate Park,

No. 2, Jalan PJU 1A/2, Ara Damansara,

47301 Petaling Jaya, Selangor, Malaysia,

Email: info@tindakmalaysia.com

Website: <https://tindakmalaysia.org>

This publication contains original content developed by TindakMalaysia Network Services PLT, as well as selected contributions from Persatuan Pemangkin Daya Sarawak, which are used with permission.

Unless otherwise indicated, all content—such as text, graphics, design elements, and other materials—is the intellectual property of TindakMalaysia Network Services PLT and is protected by applicable copyright laws.

Content contributed by Persatuan Pemangkin Daya Sarawak remains their intellectual property and is used herein under agreement. Reuse or redistribution of this content requires direct permission from the respective copyright holder.

No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without the prior written consent of the respective copyright owner(s), except where permitted by law.

We gratefully acknowledge Persatuan Pemangkin Daya Sarawak for contributing content on pages relating to Objection Expeience: Case Studies of this publication. Their expertise and collaboration have added valuable insights to this work.

Disclaimer

While every effort has been made to ensure the accuracy, reliability, and completeness of the information contained in this publication, TindakMalaysia Network Services PLT and Persatuan Pemangkin Daya Sarawak make no representations or warranties, express or implied, regarding the content's suitability for any purpose.

Each organization is solely responsible for the content it has contributed. The inclusion of material from Persatuan Pemangkin Daya Sarawak does not imply endorsement by TindakMalaysia Network Services PLT, and vice versa.

The information is provided "as is" and is for general informational purposes only. Any reliance you place on such information is strictly at your own risk. Neither TindakMalaysia Network Services PLT nor Persatuan Pemangkin Daya Sarawak, nor the contributors, shall be held liable for any loss or damage, including indirect or consequential loss, arising from the use of this material.

Contents

Introduction.....	5
Redelineation	6
Stages of the redelineation process	8
Forms of representations	8
Qualifications to submit an objection	10
Characteristics of ideal objector group	13
Objections that were successful, partially successful, or rejected	13
Local Enquiry	16
Preparation for Local Enquiry.....	16
Powers of EC.....	16
Other matters	17
Objection Experience: Case Studies (2015).....	18
Case Study 1: DUN Sebuyau	18
Case Study 2: Parliament Stampin	19
Annexure A	21
References	22

Guidelines for Objectors

Introduction

This guide has been prepared to update the existing publication that could be found here https://www.tindakmalaysia.org/wp-content/uploads/2021/09/OBJECTOR-GUIDE-SERIES_-5-Ws-AND-1H-FOR-AN-OBJECTOR-DUTY-AS-AN-OBJECTOR.pdf and assist public in understanding the process and requirements for making effective representations for objection (bantahan) during a redelineation exercise conducted under the Thirteenth Schedule of the Federal Constitution.

The contents of this guide are largely based on the Election Commission's (EC) Report of the Redelineation Exercise in Sarawak in 2015, supplemented with references from other redelineation exercises. The aim is to provide clarity on the:

1. Stages of the redelineation process;
2. Forms of representations;
3. Qualifications to submit an objection; and
4. Objections that were successful, partially successful, or rejected.

Disclaimer: The summaries of objections, process of local enquiries, and other matters in relation to the redelineation exercises are interpretations of the EC's reasoning as recorded in its official reports. The statements made herein are not necessarily aligned with Tindak's views or positions. They are presented here solely for reference and to help objectors prepare more informed submissions. The contents may be updated from time to time as per EC's latest rules.

Redelineation

Redelineation is the process of redrawing electoral boundaries. Since Malaysia practices Single Member Territorial Representation (SMTR) for federal and state constituencies and practices First Past the Post (FPTP), redelineation is an important process that determines who wins the area and eventually who forms the government for the next five years.

It is important to note that Election Commission (EC) only propose recommendations for electoral boundaries but not able to enforce until Dewan Rakyat approves the redelineation report by EC. Prime Minister will determine the date of presentation of the redelineation report in the Dewan Rakyat. In short, EC proposes, Dewan Rakyat disposes.

Dewan Rakyat determines the apportionment of federal constituencies for every state in Malaysia while the DUN determines the legislative composition (number of state constituencies). EC has no power in influencing the apportionment matters for federal and state tiers

The Malaysian redelineation process is largely guided by Article 113 and Thirteenth Schedule¹. There are three triggers for redelineation in Malaysia

- (i) Alteration of state boundaries or admission of new states or territories (e.g., Formation of Putrajaya (2001), first set of constituencies of Sabah (1966))
- (ii) Change in number of constituencies either Dewan Rakyat or Dewan Undangan Negeri (DUN) (or simultaneous change in count) (e.g., addition of 13 new DUN constituencies for Sabah (2016), addition of 17 new DUN constituencies for Sarawak (2025))
- (iii) Eight years lapsed from the submission of the previous redelineation exercise (e.g., redelineation exercise of Peninsular Malaysia (2018))

The objective of any redelineation exercise² is to ensure constituencies (federal and state) are in compliance with Thirteenth Schedule. Thirteenth Schedule is as below:

- (a) *while having regard to the desirability of giving all electors reasonably convenient opportunities of going to the polls, constituencies ought to be delimited so that they do not cross State boundaries and regard ought to be had to the inconveniences of State constituencies crossing the boundaries of federal constituencies;*
- (b) *regard ought to be had to the administrative facilities available within the constituencies for the establishment of the necessary registration and polling machines;*
- (c) *the number of electors within each constituency in a State ought to be approximately equal except that, having regard to the greater difficulty of reaching electors in the country districts and the other disadvantages facing rural constituencies, a measure of weightage for area ought to be given to such constituencies;*

¹ Other legislations that impact or associated with the redelineation process would be State Constitution (which dictates the composition of the DUN), Elections Act 1958 (Section 7) – which guides formation of polling districts and Commissions of Enquiry Act (1950). References to these legislations will be mentioned in different parts of the booklet

² The only known exception for not complying the Thirteenth Schedule would be a redelineation triggered by seat count change in Dewan Rakyat or DUN before the eight years lapsed from the previous redelineation exercise. EC has the power to modify Thirteenth Schedule

(d) regard ought to be had to the inconveniences attendant on alterations of constituencies, and to the maintenance of local ties

When a Redelineation occurs, a voter should pay attention to the following matter:

- (a) Electoral roll being used for the redelineation (as it determines whether the voter is qualified for potential objection)
- (b) List of constituencies affected by the redelineation process³
- (c) Formation of new constituencies
- (d) Renaming of constituencies

In greater detail, following are the changes that could happen during a redelineation :

- (a) Change in federal constituency boundaries (with or without change of federal constituency count). This includes formation of new constituencies
- (b) Change in state constituency boundaries (with or without change of state constituency count). This includes formation of new constituencies
- (c) Old federal constituency was abolished and merged into other constituencies
- (d) Old state constituency was abolished and merged into other constituencies
- (e) State constituency moving from one federal constituency to another federal constituency
- (f) Polling districts (which defines where voter votes) move from one state/federal constituency to another state/federal constituency
- (g) Polling district experience boundary change (e.g., formation of new polling districts during the exercise)
- (h) Localities (subset of polling districts) gets shifted from one polling district to another polling district
- (i) Name changes for Federal Constituency
- (j) Name changes for State Constituency
- (k) Name changes for polling districts

³ This is very critical as it determines whether the objector groups (state government, local government or group of 100 voters or more) can qualify for local enquiry

Stages of the redelineation process

The stages of the redelineation process are set out in Part II of the Thirteenth Schedule to the Federal Constitution, under the heading “*Procedure for Delimitation of Constituencies*”.

A flowchart summarising these stages is attached as Annexure A.

Unlike changes to administration boundaries (e.g., districts) or local authority areas (e.g., council), changes to electoral boundaries will involve community consultation (as this is stipulated in Thirteenth Schedule)

The Federal Constitution (as of 15 October 2020) can be accessed here: [Malaysia Federal Legislation](#).

Forms of representations

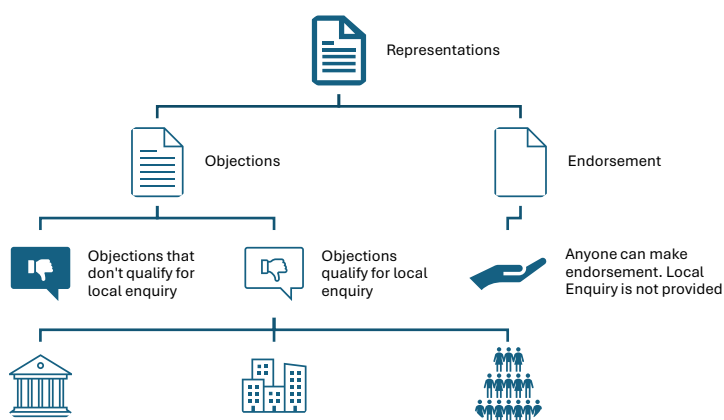
Section 4, Part II, Thirteenth Schedule of the Federal Constitution states:

Where the Election Commission have provisionally determined to make recommendations under Clause (2) of Article 113 affecting any constituency, they shall inform the Speaker of the House of Representatives and the Prime Minister accordingly, and shall publish in the Gazette and in at least one newspaper circulating in the constituency a notice stating—

- (a) the effect of their proposed recommendations, and (except in a case where they propose to recommend that no alteration be made in respect of the constituency) that a copy of their recommendations is open to inspection at a specified place within the constituency; and*
- (b) that representations with respect to the proposed recommendations may be made to the Commission within one month after the publication of such notice,*

and the Commission shall take into consideration any representations duly made in accordance with any such notice.

This means anyone can file representations and these representations would be scrutinised and assessed. There are two (2) forms of representations: endorsements and objections.



An endorsement is simply to express support for the Election Commission’s proposals. Since endorsements are not intended to trigger a local enquiry, they are not subject to the constitutional requirements that apply to formal representations.

An objection, on the other hand, is explicitly provided in the Federal Constitution. Therefore, an objection must comply with the specific requirements set out in the Constitution in order to be valid.

Section 5, Part II, Thirteenth Schedule of the Federal Constitution provides that:

“Where, on the publication of the notice under section 4 of a proposed recommendation of the Election Commission for the alteration of any constituencies, the Commission receive any representation objecting to the proposed recommendation from—

(a) the State Government or any local authority whose area is wholly or partly comprised in the constituencies affected by the recommendation; or

(b) a body of one hundred or more persons whose names are shown on the current electoral rolls of the constituencies in question,

the Commission shall cause a local enquiry to be held in respect of those constituencies.”

Having said that, there were instances in history (in reference to Sarawak 1987, 1996 and 2005 Redelineation exercises), representations amounting to objecting which doesn’t qualify for local objections⁴. These objections are usually emanating from individuals, group of less than 100 voters, societies, elected representatives and political parties. Unlike the endorsement, EC will study the reasons behind for objections or appeals and provide their responses of which one finds in the final redelineation report).

For ease of reference, a table is included below to provide a clearer comparison between endorsements and objections.

Category	Who Can Submit	Qualification Requirement	Effect
Endorsements (Sokongan)	Essentially any person or organisation - Individual voters (even less than 100) - Groups of individual voters (100 or more) - Local councillors / JKKK - Clubs & societies - Political parties - Cooperatives - Joint Management Bodies (JMBs) - Tabika Kemas	No strict requirement under 13th Schedule – EC accepts endorsements broadly from “anyone”	Recorded as support in the report, but does not trigger a local enquiry

⁴ In the 2015 Sarawak exercise, there was mention of 23 objections that didn’t qualify for local inquiries for the first round of recommendations by EC. For the second round, there were 8 objections that didn’t qualify for local inquiries. For these both instances, there was no information provided whether EC accepted or rejected such objections.

	- Business associations - Government Departments <i>*Note: For individual voters, they do not have to be from the affected constituencies.</i>		
Objections (Bantahan) for fulfilment of local enquiry	- State Government or Local authority (wholly or partly within affected constituencies) - Body of 100 or more registered voters in affected constituencies	Must meet 13th Schedule requirements: (a) State Gov / Local Authority, OR (b) 100+ electors on roll	EC must hold a local enquiry in respect of affected constituencies
Objections (Bantahan) that failed to meet local enquiry requirements	Essentially any person or organisation (examples) - Individual voters - Groups of individual voters (100 or more) - Clubs & societies - Religious organisations (i.e. Mosque) - Political parties - Elected Representatives	EC accept these objections and assess accordingly	EC assess submitted objections or appeal. The outcome of EC's assessment only be seen during the final redelineation report

It is also interesting to note that one of the endorsements in Sarawak's 2015 redelineation exercise had the support of 7,324 voters (N.38 Kalaka), which was equivalent to the total number of voters in that State Legislative Assembly (DUN).

Qualifications to submit an objection

As mentioned earlier, Section 5, Part II, Thirteenth Schedule of the Federal Constitution provides that the EC shall consider objections to its proposed recommendations if they are made by a) the State Government or any local authority *"whose area is wholly or partly comprised in the constituencies affected by the recommendation"*, or b) at least 100 registered voters *"whose names are shown on the current electoral rolls of the constituencies in question"*.

(a) State Government

The authorised representative is the Menteri Besar/Chief Minister who chairs the State Legislative Council (MMKN)/Cabinet. Alternatively, anyone appointed and given a letter of authority by the Menteri Besar/Chief Minister may represent the State Government at the Local Enquiry.

(b) Local Authority

The authorised representative is a Council Member, including the Datuk Bandar/Mayor, Yang Dipertua, or Chairman. Alternatively, anyone appointed and given a letter of authority by the Datuk Bandar/Mayor, Yang Dipertua, or Chairman may represent the Local Authority at the Local Enquiry.

(c) A body of at least 100 registered voters

The phrase “current electoral rolls” refers to the fact that only voters whose names appear in the current gazetted electoral roll are eligible to submit objections during a redelineation exercise. The “current roll” is the official roll adopted by the EC as the basis for that particular exercise.

For example, in Sarawak’s redelineation exercise in 2015, the electoral roll gazetted on 30 April 2014 was used as the current roll. In the case of Malaya and Sabah, the EC adopted the electoral roll gazetted on 13 May 2016. Accordingly, only voters whose names appeared on those rolls were entitled to form part of the group of 100 or more voters required to submit a valid objection under the Federal Constitution.

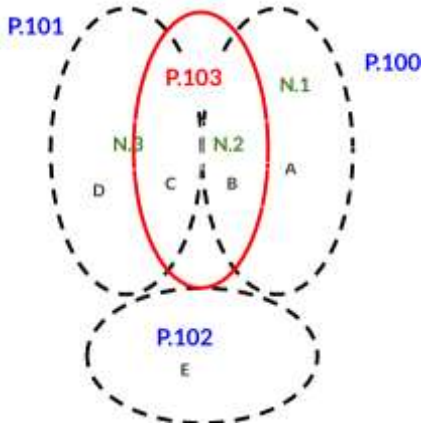
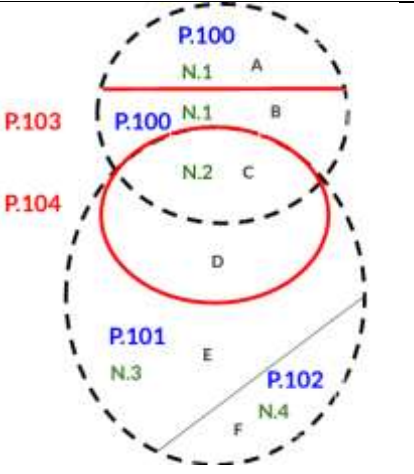
The table⁵ below shows some scenarios of what constitutes the objectors that are qualified to object the EC’s proposed recommendations.

**P. refers to Parliamentary constituencies*

N. refers to State constituencies

Scenarios	Explanations
	Before: P.100 → N.1 (area A + area B) P.101 → N.2 (area C + area D) After: When a new constituency (P.102) is proposed by taking B (from N.1) and C (from N.2): Who can object? 1. Group of voters in B and/or C (the areas being moved into P.102).

⁵ Contents of this table is derived from “Taklimat Urusan Kajian Semula Persempadanan Bahagian-Bahagian Pilihan Raya Tahun 2014 kepada Parti-Parti politik dan Orang Awam”. This was a powerpoint deck by EC and may be applicable for 2015 Sarawak Redelineation, 2017 Sabah Redelineation and 2018 Peninsular Malaysia Redelineation exercises. It may or may not be applicable for coming redelineation exercises of which EC can choose to inform the qualification of objectors.

	2. Group of voters in the whole of N.1 (A + B), because part of their constituency is affected. 3. Group of voters in the whole of N.2 (C + D), because part of their constituency is affected. Who cannot object? Mixed groups of voters from unrelated areas (e.g. A + D, A + C, D + B) will not be recognised by the EC.
	Before: P.100 → N.1 (area A) + N.2 (area B) P.101 → N.3 (area C + area D) P.102 → Area E After: New P.103 is proposed, made up of B (from N.2) + C (from N.3). Who can object? 1. Group of voters of N.3 (C and/or D), because part of N.3 is being moved. 2. Group of voters of B and/or C (from N.2 and/or N.3), because these are the areas forming the new P.103. 3. Group of voters of N.1 and/or N.2 (A and/or B), because part of P.100 (N.2) is being shifted. Who cannot object? Mixed groups of voters from unrelated areas (e.g. A + D, A + C, D + B, or area E).
	Before: P.100 → N.1 (A, B) + N.2 (C) P.101 → N.3 (D, E) P.102 → N.4 (F) After: P.103 → includes B (from N.1) together with P.101. P.104 → contains all of N.2 (C) + part of N.3 (D). Who can object? 1. Group of voters of B (N.1) and/or C (N.2), because these areas are moved/affected and both areas B and C are in the same Parliamentary constituency.

	2. Group of voters of N.1 (A and/or B), because part of their constituency (B) is shifted to P.103. 3. Group of voters of C (N.2) and/or D (N.3), because these areas are combined to form P.104. 4. Group of voters of N.3 (D and/or E), because part of their constituency (D) is moved. Who cannot object? 1. Group of voters of A (N.1) and F (N.4) 2. Group of voters of A (N.1) and C (N.2) 3. Group of voters of B (N.1) and D (N.3) 4. Group of voters of A (N.1) and F (N.4)
--	---

Characteristics of ideal objector group

Following are the features that one should aspire for the objector group

1. Objectors must know their polling district.
2. Objectors be mindful of the rights and responsibilities as a voter.
3. Objectors must understand the process and procedures of the Redelineation.
4. Objectors must know the elements of the proposed redelineation exercise.
5. Objectors are to ensure that the maps are cited, and references made to this.
6. Objectors are to review the intent and proposed of the redelineation exercise.
7. Objectors are to be aware of general, specific and legal issues pertaining to the redelineation exercise.

Objections that were successful, partially successful, or rejected

In this section, we set out some of the common reasons relied upon by the EC in accepting or rejecting objections, accompanied by selected illustrations. These examples help to show the types of arguments that were persuasive, those that were only partially accommodated, and those that were ultimately rejected. There is a separate section for Objection Experience Case Studies of the 2015 redelineation exercise for further study

(A) Rejected

1. No alteration of boundaries

A proposal was made to create a new State Constituency (DUN) by combining certain Polling Districts (DMs) from both N.10 Pending and N.11 Batu Lintang. However, since no DMs were shifted from N.10 Pending in the Election Commission (EC)'s recommendations, the EC considered that N.10 Pending was not involved in the redelineation exercise.

This principle also applied in cases where proposals were made to move DMs from an affected DUN to an unaffected DUN. For example, the EC rejected the proposal to transfer several DMs from P.212 Sibu to P.211 Lanang, as no DMs were shifted for the latter.

2. Out of scope of the redelineation exercise

Any proposals to form new DUN or Parliamentary seat would fall beyond the scope of the redelineation exercise, as such powers are vested in the State Legislative Assembly (for DUN seat) and the Parliament (for Parliamentary seat)⁶.

During the 2018 redelineation exercise in Malaya, the Penang State Government objected to the redelineation of the entire state, rather than only the constituencies directly affected. The EC regarded this objection as outside the scope of its mandate.

3. Maintaining local ties

There are several considerations in maintaining local ties, such as adherence to local council boundaries, as well as kinship, ethnicity, and customary practices.

Polling District (DM) Keniong⁷ was originally part of DM Kepyang (originally N.21 Simunjan). In its recommendations, the EC proposed moving both DMs to form the new constituency of N.26 Gedong. During the Local Enquiry, a proposal was made to transfer the newly created DM Keniong (allocated to N.26 Gedong) to N.25 Simunjan. The EC rejected this proposal in order to preserve local ties between DM Keniong and DM Kepyang by placing both within the same constituency.

Besides, the EC also rejected the objection to transfer five (5) DMs from N.78 Long Lama in P.220 Baram to the N.81 Ba'kelalan in P.222 Lawas⁸, after taking into consideration the kinship, ethnicity, and customary practices in those DMs.

4. Disparity in the number of voters

There are several justifications by the EC, including:

- a. Disparity between affected DUNs, where the shifting of DMs between DUN A and DUN B would result in a more significant imbalance in the number of voters between both DUNs within the same Parliamentary seat.
- b. Disparity between Parliamentary seats, where the shifting of DMs or entire DUNs between Parliamentary seats creates unequal representation at the Parliamentary level.

⁶ EC, in particular for the 2015 redelineation exercise, explicitly rejected suggestions of creating new DUN and Parliamentary constituencies in Greater Kuching. Creation of new constituencies within the framework of existing DUN and Parliamentary count could mean removal of constituency in rural area and creation of new urban constituency. However, EC interpreted otherwise where it perceived the proposal as adding new seat count on top of existing legislation.

⁷ DM Keniong was one of the 26 new polling districts that appeared during the proposed recommendations by EC for the 2015 Sarawak Redelineation Exercise.

⁸ According to the final redelineation report by EC, the report erroneously omitted that P.222 Lawas was not affected by the redelienation process. There was inter DUN and inter parliamentary transfer of five DMs from Lawas to Baram.

- c. Disparity between affected and unaffected DUNs, where moving a DM from one Parliamentary seat to another can increase disparities in the distribution of voters among the DUNs that remain in the original Parliamentary seat. For example, the EC rejected the proposal to transfer DM Merit from N.65 Belaga (in P.216 Hulu Rajang) to N.61 Pelagus (in P.215 Kapit), as this would have widened the disparity in voter numbers among the DUNs within P.216 Hulu Rajang. In this instance, the affected DUN was N.65 Belaga, while the unaffected DUNs were N.64 Baleh and N.66 Murum – all three of which fall under P.216 Hulu Rajang.

5. Proposals redraw the boundaries too extensively

The EC might view certain proposals as going beyond a simple adjustment of boundaries. For instance, although one of the proposals was framed as concerning only P.198 Puncak Borneo, the shifting of DMs into and out of the proposed DUNs would have altered the constituency boundaries across three Parliamentary seats, namely P.196 Stampin, P.197 Kota Samarahan, and P.198 Puncak Borneo.

6. Election management difficulty

For instance, one proposal suggested that three (3) DMs from N.25 Simunjan be shifted to its neighbouring DUN, N.27 Sebuyau. Had the EC accepted this proposal, N.25 Simunjan would have been divided into two non-contiguous parts. Such a discontinuous boundary would complicate the administration of elections, particularly with respect to logistics, deployment of election staff, and the management of polling arrangements.

(B) Accepted

1. Improving the efficiency of administrative affairs / Maintaining local ties / Improving voter convenience

This includes facilitating the elected representative in providing services and resolving issues by dealing with only one Local Council, enabling the elected representative to deliver services more efficiently, effectively and economically, as well as strengthening the local ties encompassing kinship, religion, and custom practices.

The EC allowed the transfer of DM Lidah Tanah from N.18 Serembu (P.198 Puncak Borneo) to N.13 Batu Kitang (P.196 Stampin), noting that it would enhance administrative efficiency under the Majlis Perbandaran Padawan and enable the elected representative to serve constituents more effectively through a single Local Authority.

Efficiency is also linked to proximity and accessibility. For example, services can be delivered by the elected representative more effectively when the areas are closer to the town centre, such as in the case of DM Tingkalanon, which is nearer to Kota Marudu in Sabah. Another example would be the shifting of DMs between N.19 Mambong and N.20 Tarat, where the EC accepted the proposals on the basis that it would facilitate the elected representative in providing services, since they would only need to travel along a single road.

2. Reducing the voter disparity

For example, the EC agreed to the objection to transfer DM Kepyang from N.25 Simunjan to N.26 Gedong (P.200 Batang Sadong), on the ground that it would help reduce the disparity in voter numbers between the constituencies concerned. The difference in voters' number between both DUNs was reduced from 1,545 to 801.

Local Enquiry

Preparation for Local Enquiry

Following are the actionable items need to be worked on by objector group

1. Determine how many Representatives to appear at the EC enquiry
2. Determine the Spokesperson (s) – Three of them
3. Convene a Discussion, review the Objection Form and get everyone on the same page (some kind of alignment).
4. Before the enquiry, the spokespersons will be notified in writing by EC's Secretariat/State EC Office. EC could nominate top three people of the objector list as the recipient of the notice
5. If three persons nominated by EC are not the spokesperson, the objection group must choose three spokespersons
6. If the objectors cannot make it to the enquiry (please avoid this scenario), they can write the objection reason to EC and submit to EC 3 days before the enquiry date

Powers of EC

It shall be noted that during the Local Enquiries, the EC is vested with the powers conferred on Commissioners by the [Commissions of Enquiry Act 1950](#) (see Section 8 for Powers of Commissioners). The following elaboration is based on the 2015 Sarawak Redelineation Exercise, 2017 Sabah Redelineation Exercise and 2018 Peninsular Malaysia Redelineation Exercise

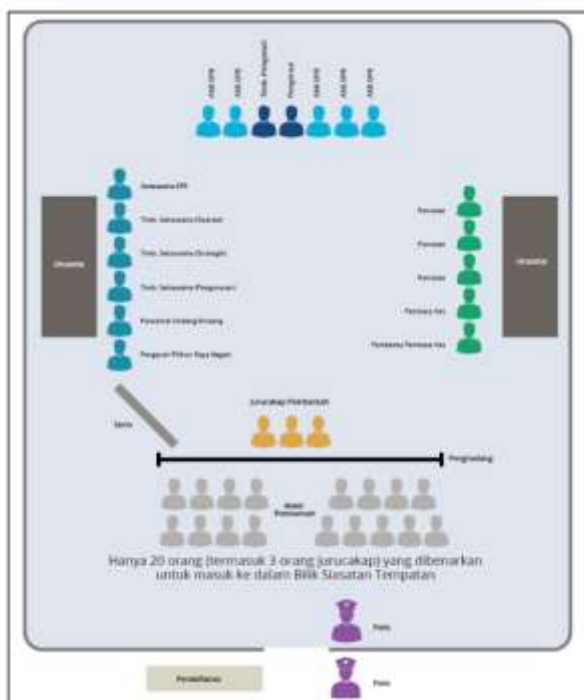
Key features of Local Enquiry:

- 1) Local Enquiry shall be treated as judicial proceeding
- 2) the Local Enquiries must be conducted in Malay language. This requirement may stem from Section 2 of the [National Language Acts 1963/67](#)⁹
- 3) Objectors must wear decently and follow all instructions laid by EC
- 4) No usage of phones and cameras during Local Enquiry proceedings
- 5) Within the objector group, there are 3 people who will be spokespersons for the proceedings
- 6) No more than 20 voters of the objector group (of the affected constituencies) (including three spokespersons) are allowed to be present in the local enquiry room

⁹ “National language to be used for official purposes

2. Save as provided in this Act and subject to the safeguards contained in Article 152(1) of the Constitution relating to any other language and the language of any other community in Malaysia the national language shall be used for official purposes.”

- 7) The objectors are not allowed to be represented by legal counsel, but this does not sit neatly with the general framework of the Commissions of Enquiry Act 1950, which ordinarily allows parties to be legally represented (see Section 18). In the context of constituency redelineation under the Thirteenth Schedule, Federal Constitution, the requirement that objections must come from a body of at least 100 registered voters of the constituencies in question may possibly explain this restriction. The only possibility of legal counsel to be in the local enquiry is himself or herself must be part of the objector group
- 8) Spokespersons must be there at local enquiry place 30 minutes before proceedings start
- 9) All objectors must bring the Identity Card
- 10) Each objector group is given 30 minutes to present their case of objection to EC's proposal. EC will inform the status of the presented objections of the first round via the second display of proposed recommendations of boundaries . For the status of the presented objections of the second round, EC's decisions are communicated via the final report by EC which gets tabled in the Dewan Rakyat
- 11) If the objector group can't be present for the designated date and place for the Local Enquiry proceedings, they are allowed to write in their case to EC as soon as possible before the Local Enquiry date. Having said that, EC will make decision of their objection despite their physical absence



Source: Laporan Kajian Semula Persempadanan mengenai syor-syor yang dicadangkan bagi Bahagian-Bahagian Pilihan Raya Persekutuan dan Negeri di dalam Negeri Sarawak Kali Keenam Tahun 2015

Other matters

1. Objector group should adopt mindset to seek clarity and not to antagonize Enquiry panel
2. Spokespersons should express appreciation to be invited
3. In light of limited time restrictions, state the key analysis, state the objection clearly and recommend alternate proposal.

Objection Experience: Case Studies (2015)

Case Study 1: DUN Sebuyau

LESSONS FROM MY OBJECTION TO THE REDELINEATION OF SARAWAK'S ELECTORAL BOUNDARIES – 25 FEBRUARY 2015

By Numpang Suntai

On 25 February 2015, I stood before the Election Commission (EC) to object to the redelineation of Sarawak's state electoral boundaries. I carried with me the voices of 100 affected voters from Sebuyau. I went in with hope that fairness would prevail. What I found instead was a process designed to silence us.

Our objections were clear and rooted in the Constitution. The EC wanted to carve out three polling districts—Sungai Apin, Tanjung Beluku, and Slanking—from Sebuyau and move them to Simunjan. This would slash Sebuyau's voters to just 8,804—well below the state average of 13,536. Worse, the move violated Section 2(c) of the 13th Schedule of the Federal Constitution, which prohibits such extreme voter imbalances.

The sole main intent of that redelineation exercise was to enable the EC to form an additional new state constituency, Gedong, through extreme gerrymandering and malapportionment. Gedong was carved out with only 6,712 voters—barely half the Sarawak average and shockingly far below the national average of 35,289. This was not an oversight; it was a deliberate manipulation of numbers in blatant disregard of the Constitution. Gedong was never about fair representation but about entrenching political power.

Beyond numbers, there was another wound. Those districts shared the same geography, culture, and social ties with Sebuyau. Removing them broke Section 2(d) of the Constitution, which protects local ties. Even the EC's own notice promised no change to federal constituencies—yet our case clearly affected Batang Lupar and Sadong.

When I presented all this, the Chairman of the EC looked at me and said only: "Let us meet in court." No explanation, no fairness. Just dismissal. I had gone in believing the "hearing" was exactly that—a fair hearing. But I walked out knowing it was a farce. We received no written response. No changes were made.

That experience scarred me. I felt anger, frustration, and helplessness. It was clear that the process was not meant to listen but to rubber-stamp. Yet, there are lessons I must share:

- Ground your objections in the Constitution. Quote Section 2(c) (equal voter numbers) and Section 2(d) (local ties).
- Document everything. Keep records of your submissions and the EC's responses—or their lack of it.
- Expect resistance. The EC may not act fairly. Be prepared mentally and emotionally for dismissal.
- Know the bigger picture. Gerrymandering and malapportioning are about power, not fairness.

I left that day disillusioned, but also determined. The system may be corrupt, but every objection counts. Each one adds to the record, to the evidence, and to the struggle for a fairer

democracy. My story is one of frustration, but it is also a reminder: do not give up. Others will come after us, and they must be better prepared.

EC'S RESPONSE (AS PER 2015 SARAWAK REDELINEATION REPORT)

The EC rejected the objections raised to transfer 3 polling districts (Daerah Mengundi) from DUN N.27 Sebuyau in the P.201 Batang Lupa Parliament to DUN N.25 Simunjan in the P.200 Batang Sadong Parliament after considering the following factors:

- The transfer would cause the voter gap between the two DUNs to increase;
- Making the management of the election more difficult; and
- The counter-proposal to change the demarcation structure in the P.200 Batang Sadong and P.201 Batang Lupa Parliaments.

The issues raised do not justify the EC to consider and make a decision for this Local Inquiry.

For further reading: <https://www.utusanborneo.com.my/2015/02/26/pengundi-terjejas-bantah-penyengkir-tiga-daerah-mengundi-dun-sebuyau>

Case Study 2: Parliament Stampin

Following is the summarised write up from the contents supplied from Ann Choo Jian Teo (Persatuan Pemangkin Daya Sarawak)

Electors of Parliament Stampin mounted two objections against EC's first round and second round proposal for the said parliamentary constituency. The focus of this write up is about the contents of the objection to the second round of proposal by EC. The objections are listed as below:

- According to the constitution, it must be based on the latest electoral roll, the delineation is done based on electoral roll @ 30 April 2014 . The current gazette electoral roll should be the one approved on the 31st of October 2014 or thereabouts. Hence the SPR has breached a constitutional provision in this delimitation exercise. Secondly there is a difference of more than 2,259 voters between the electoral roll used by the SPR (1,111,393) and the total numbers published in SPR's Buku Syor-Syor (1,109,134) in the schedule of polling districts (DMs). The electors concerned don't know where they are located and cannot object. Thirdly, the SPR has created a new set of DM codes without reference to the existing codes as provided for in Section 7(1)(b) of the Elections Act.
- Discrepancies between number of voters shown in the Buku Syor-Syor as opposed to the actual electoral roll @ 30th April 2014. For instance, in Syor 2 (round two of proposals) daerah mengundi RPR Batu Kawah in N14 Batu Kawah is shown to have 204 voters in the Buku Syor-Syor but in the electoral roll @ 30th April 2014, DM Lama 196/11/08 has a figure of 1675.
- Lack of details of Map displayed by SPR. These maps do not show polling districts , nor administrative boundaries, towns & cities nor physical boundaries or geographical contours. Without the DM map, the presence or absence of many facilities such as registration facilities, polling machinery and administration centres cannot be verified. Nor can a voter be able to determine how he is affected by the Syor-syor (proposed recommendations) SPR. The old Parliamentary and State constituencies are not presented for comparison.

- Insufficient Details in the Buku Syor-syor SPR on display. The Syor-syor SPR has provided a list of 887 daerah mengundi. This is 26 more than the old schedule (861). We have not been able to verify if the SPR had gazetted and published these new DMs as required under the Elections Act Section 7(1)(d) and read with Section 7(2)
- Small DMs- breach of secrecy. We object to the all daerah mengundi having less than 250 electors as the voting pattern of the voters can be identified quite easily and accurately. In P196 Stampin, an example of such a small DM is RPR Batu Kawah under N14 Batu Kawah having only 204 voters as shown in the Buku Syor 2.
- Huge DMs. We also object to DMs having more than 3850 voters. For eg. we note that DM219/64/01 Pujut has 17,629 voters and DM 219/65/02 Kuala Baram has 16,800 voters. In fact, they are larger than a DUN!
- Malapportionment. SPR in this delimitation exercise did not show that it has complied with this constitutional rule (13th Schedule 2 (c) where it provides vague limits on malapportionment). We note that the number of electors in each DUN are not approximately equal when compared to other DUNS. In P196 Stampin, despite the transferring away of most of the DMs in Batu Lintang to the neighbouring parliamentary constituency, it is now left with slightly lower number of voters ie. 58111 but this figure is still 62.42% more than the state's parliamentary constituency average of 35,778 voters. Further, there is now malapportionment between the 3 DUNs that are in this parliamentary constituency. N12 Kota Sentosa has 21, 247 voters, N13 Batu Kitang has 20,819 voters but N14 Batu Kawah has only 16,045 voters.

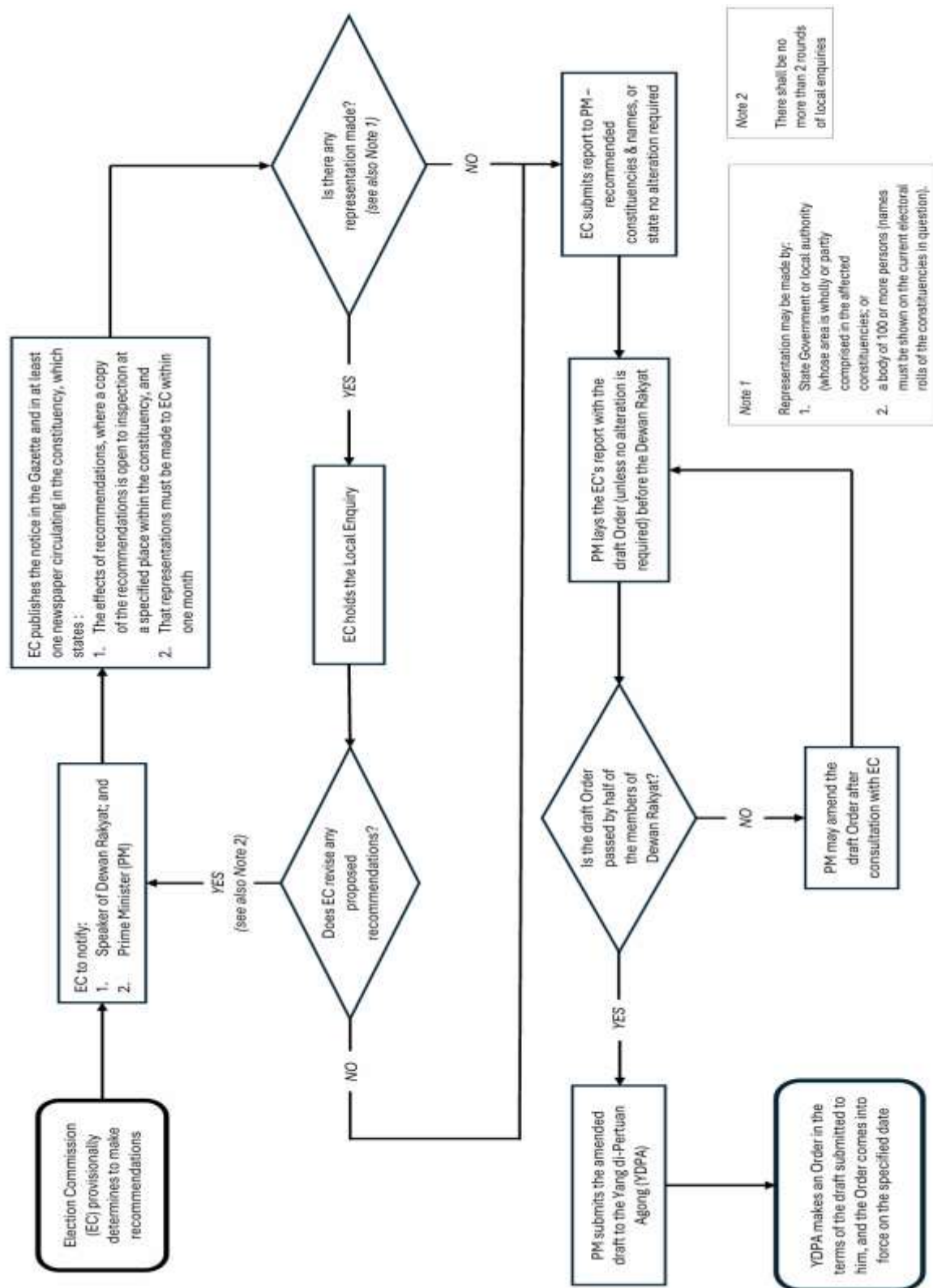
Objection letter has outline solutions of which are:

- The EC has implemented EGIS since 2006. What is preventing the EC from publishing their maps online in digital format so that the public can vet the EC proposals easily and conveniently? It is necessary for the SPR to display individual constituency maps that show both old and proposed constituency boundaries as well as boundaries of all DM's.
- Elections Act Section 7(1)(b) requires the EC to assign to each polling district a distinguishing letter or letters or number or both. EC's Buku Syor-syor merely gave the names of the DMs without any coding or number or letter.
- EC should amalgamate these very small DMs to increase its size ,immediately after the process of delimitation herein
- EC on its website states that it has adopted a practice of limiting DMs to not more than 3850 voters. This should have been done by EC.
- It would consider a reasonable band around the average number of voters (electoral quota - EQ) should be +/- 25% and should not be exceeded except under exceptional circumstances in densely populated areas like Kuching or very low density areas such as Hulu Rajang
- For constituencies of large areas, EC should increase campaign period up to 45 days, increase mobile and road connectivity and more financial allocation for representatives to service these areas
- Proposed list of polling districts of fairly balanced (in terms of electorate count) parliamentary constituencies of Stampin and three DUN constituencies in Stampin

Unfortunately, the objection did not qualify for local enquiry. No reasons were given.

TindakMalaysia Network Services PLT reflects on the non-qualification of the objection (for local enquiry) and is of the view that objections weren't specific heavily on Stampin (objections were largely centred on delineation problems of entire state).

Annexure A



References

1. Laporan Suruhanjaya Pilihanraya Malaysia mengenai Ulangkaji dan Persempadanan Semula Bahagian-Bahagian Pilihanraya Parlimen dan Negeri Bagi Negeri Sarawak (1987) – Jilid 1 - SYOR
2. Laporan Suruhanjaya Pilihanraya Malaysia mengenai Ulangkaji dan Persempadanan Semula Bahagian-Bahagian Pilihanraya Parlimen dan Negeri Bagi Negeri Sarawak (1996) – Jilid 1 - SYOR
3. Laporan Suruhanjaya Pilihanraya Malaysia mengenai Ulangkaji dan Persempadanan Semula Bahagian-Bahagian Pilihanraya Parlimen dan Negeri Bagi Negeri Sarawak (2005) – Jilid 1 - SYOR
4. Laporan Kajian Semula Persempadanan mengenai syor-syor yang dicadangkan bagi Bahagian-Bahagian Pilihan Raya Persekutuan dan Negeri di dalam Negeri Sarawak Kali Keenam Tahun 2015
5. Laporan Kajian Semula Persempadanan mengenai syor-syor yang dicadangkan bagi Bahagian-Bahagian Pilihan Raya Persekutuan dan Negeri di dalam Negeri Sabah Kali Keenam Tahun 2017
6. Laporan Kajian Semula Persempadanan mengenai syor-syor yang dicadangkan bagi Bahagian-Bahagian Pilihan Raya Persekutuan dan Negeri di dalam Tanah Melayu Kali Keenam Tahun 2018 – Jilid 2
7. TAKLIMAT URUSAN KAJIAN SEMULA PERSEMPADANAN BAHAGIAN-BAHAGIAN PILIHAN RAYA TAHUN 2014 KEPADA PARTI-PARTI POLITIK DAN ORANG AWAM (SPR)
8. Chacko, D., Thong, T.R., Liang, J.H., Singam, S.V., Wong, P.Y. , (2021), Objector Guide Series: Redelineation Guidelines (Duty as an Objector), Tindak Malaysia (https://www.tindakmalaysia.org/wp-content/uploads/2021/09/OBJECTOR-GUIDE-SERIES_-5-Ws-AND-1H-FOR-AN-OBJECTOR-DUTY-AS-AN-OBJECTOR.pdf)