

INTRODUCTION

1. BISMILLAHIRRAHMANIRRAHIM,

Assalamualaikum Warahmatullahi Wabarakatuh, Good Evening, salam Perpaduan and salam Sabah Maju Jaya.

2. Yang Amat Arif, Yang Arif, My Lords, My Ladies, Your Excellencies, distinguished guests, ladies and gentleman,

It is of a great honour and pleasure for me to be standing here this morning. I would like to express my deepest gratitude to the organising committee for a warm welcome to the **Opening Legal Year 2023 of Sabah and Sarawak**.

3. Like every Opening Legal Year tradition, let me now very quickly share some of our achievements from the past years up until now. In other words, allow me to brag a little. Do not worry, I will keep my speech as short and concise as possible.
4. This speech will focus on two parts. Firstly regarding the establishment of a new Enforcement Unit in our Sabah AG Chambers. And Secondly, some accomplishments we have done under the Malaysia Agreement 1963.

PROSECUTION AND ENFORCEMENT UNIT

5. Let me now proceed to the first part of my speech.
6. Last year, the Sabah State Cabinet has approved the establishment of a new Enforcement and Prosecution Unit in the Sabah State AG's Chambers.
7. Many of our Enactments and Ordinances contain provisions which allow the State to prosecute any individual or entity which has committed an offence provided under the said Enactments or Ordinances. As of to date, there are approximately 42 criminal offences provisions within the State of Sabah Enactments and Ordinances. However, many of these provisions have remained untested until today.
8. Since the power to conduct criminal proceeding matters lie with the Federal Government, the Deputy Public Prosecutors in Sabah are tasked with handling offences relating to both Federal as well as Sabah State laws. This new Unit within the Chambers is established with the intention to ease and share the burden of enforcement with the Federal Government, especially in respect of Sabah laws.
9. During the process of implementation of this Unit, we will be able to highlight any of the said State laws which requires improvements, and

once those have been identified, amendments to the respective provisions will be carried out accordingly.

10. Eventually, the establishment of the said Unit is to set up a platform for conducting our own prosecution for any State law offences. Just very recently, we have received good news from the Federal AG, as three officers from our Chambers will be appointed as DPP in due course. Once that has taken place, this new Unit will be formally set in motion. In that, I would like to extend my heartfelt gratitude to the Federal AG.
11. As this is a new Unit within our Chambers, we look forward to work hand-in-hand with the Federal AG as well as the Court.

MALAYSIA AGREEMENT 1963

12. Now on the second part of my speech.
13. The State Attorney-General's Chambers had and will always continue to fight for Sabah rights under the Agreement Relating to Malaysia 1963 (MA63) as aspired by the People of Sabah. From the Devolution of Powers exercise in 2016 to Special Council Committee Relating Malaysia Agreement 1963 (Majlis Khas Perjanjian Malaysia 1963) held last year had become the forum in discussing and resolving pertinent issues between the Federal Government, the Sabah Government and the Sarawak Government.

14. Although there are still more to achieved, we hope that the new administration of our newly elected Prime Minister, YAB Datuk Seri Anwar Ibrahim will continue the discussion and fulfilled our claim as provided under the Malaysia Agreement. We take that the recent announcement of our PM is a sign of continued discussion and fulfillment of our rights as aspired by the people of Sabah.
15. Last year, we have achieved important milestones in our history in that we have managed to restore our status in the Malaysia Agreement where the Parliament had unanimously agreed to amend Article 1(2) and Article 160(2) of the Federal Constitution which gave new definition to the Federation.
16. Besides that, the State Government of Sabah and PETRONAS had entered into the Commercial Collaborative Agreement (CCA) dated 07.12.2021 in which it is the aspiration of the people of Sabah to get interests in the oil and gas industries. Through CCA, we had set up a consultative framework between Sabah and PETRONAS to discuss on any decision that is related to the Oil & Gas Industries in the State of Sabah. This includes giving opportunities as well as proper training to local Sabahans under Vendor Development Program and participation within the Petroleum industries in Sabah. With CCA, we had set up the Sabah Gas Masterplan and recently on 09.01.2023, Sabah State Government through SMJ Sdn Bhd, a company wholly owned by the

State had acquire 25% shareholding interest of the PETRONAS Chemical Fertilizer Sabah Sdn Bhd.

17. Further, there are other matters achieved last year. For instance, empowerment regarding Licensing and Deep Sea Fishing is now within the control of the Sabah Fisheries Department. The full administrative control of the Sipadan and Ligitan islands were also granted to the Sabah Government and the appointment of a Sabahan as a board member in the Inland Revenue Board.
18. The Sabah State Attorney-General's Chambers with the State Government of Sabah is committed to solve every other outstanding matter with the Federal Government.

PASSING OF ENERGY COMMISSION OF SABAH ENACTMENT 2023 AND GAS SUPPLY ENACTMENT 2023

19. Last but not least, just this Tuesday, the Energy Commission of Sabah Enactment 2023 and Gas Supply Enactment 2023 were passed by the Sabah State Legislative Assembly at the Special Sitting held on the 10th of January 2023.
20. The Gas Supply Enactment 2023 is for taking over the regulatory power of gas supply comprising onshore gas supply, which is the importation of gas into regasification terminal; the processing of gas;

regasification; shipping of gas; transportation or transmission of gas; distribution of gas; retail of gas; and use of gas.

21. These two enactments can ultimately empower the State Government to regulate gas supply in Sabah so all activities in the supply of gas sector that are conducted can be controlled and implemented effectively and efficiently.
22. The transfer of the regulatory power of gas to the Sabah Government is one of the issues claimed under the MA63.

CONCLUDE

23. As I have mentioned in the beginning of this speech, “short and concise”. I think I have taken enough of your time.
24. So, let me end this speech by saying. On behalf of the Sabah State Attorney-General’s Chambers, I would like to hereby declare that we will endeavour to provide the highest standard of excellence, fairness and integrity in all of our services to the Government of the State of Sabah. May we all strive for excellence in our upcoming journey.
25. Before I go, I would also like to wish each and everyone of you a Happy New Year and let me deliver one poem special for all Sarawakian’s.

**“Meli Buah Dabei, nyinggah di Pasar Miri,
Dabei Miri nyaman rasanya dan lunak lagi,
Pembukaan Tahun Perundangan 2023 di bulan Januari,
Segan tok jak pertemuan kita semoga jumpa lagi”**

**“Sungai Miri ai ya beresi,
Urang miri cukup mereti,
Kami meri terima kasih,
Undah ngambat penatai enggau ati kasih”**

26. And also, Happy Chinese New Year in advance.

Xin Nian Kuai Le, Gong Xi Fa Cai.

27. Much obliged!



SABAH STATE ATTORNEY- GENERAL'S CHAMBERS

新年快乐, 恭喜发财!