

Volume II
No. 14



Friday
24th June, 1960

PARLIAMENTARY DEBATES

DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)

OFFICIAL REPORT

CONTENTS

ORAL ANSWERS TO QUESTIONS [Col. 1511]

ORDER OF BUSINESS [Col. 1514]

BILLS—

The Prevention of Crime (Amendment) Bill [Col. 1522]

The Currency Bill [Col. 1550]

MOTION—

Commendation to the Prime Minister [Col. 1571]

FEDERATION OF MALAYA
DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)

Official Report

Second Session of the First Dewan Ra'ayat

Friday, 24th June, 1960

The House met at Half-past nine o'clock a.m.

PRESENT:

The Honourable Mr. Speaker, DATO' HAJI MOHAMED NOAH BIN OMAR,
S.P.M.J., P.I.S., J.P.

.. the Prime Minister, Y.T.M. TUNKU ABDUL RAHMAN PUTRA
AL-HAJ, K.O.M. (Kuala Kedah).

.. the Deputy Prime Minister and Minister of Defence, TUN
ABDUL RAZAK BIN DATO' HUSSAIN, S.M.N. (Pekan).

.. the Minister of Finance, ENCHE' TAN SIEW SIN, J.P.
(Malacca Tengah).

.. the Minister of Works, Posts and Telecommunications,
DATO' V. T. SAMBANTHAN, P.M.N. (Sungei Siput).

.. the Minister of Agriculture and Co-operatives, ENCHE'
ABDUL AZIZ BIN ISHAK (Kuala Langat).

.. the Minister of Transport, ENCHE' SARDON BIN HAJI JUBIR
(Pontian Utara).

.. the Minister of Health and Social Welfare, DATO' ONG
YOKE LIN, P.M.N. (Ulu Selangor).

.. the Minister of Commerce and Industry, ENCHE' MOHAMED
KHIR BIN JOHARI (Kedah Tengah).

.. the Minister of Education, ENCHE' ABDUL RAHMAN BIN
HAJI TALIB (Kuantan).

.. TUAN SYED JA'AFAR BIN HASAN ALBAR, J.M.N., Assistant
Minister (Johore Tenggara).

.. ENCHE' ABDUL HAMID KHAN BIN HAJI SAKHAWAT ALI KHAN,
J.M.N., J.P., Assistant Minister (Batang Padang).

.. TUAN HAJI ABDUL KHALID BIN AWANG OSMAN, Assistant
Minister (Kota Star Utara).

.. ENCHE' CHEAH THEAM SWEE, Assistant Minister (Bukit
Bintang).

.. ENCHE' V. MANICKAVASAGAM, J.M.N., P.J.K., Assistant
Minister (Klang).

.. ENCHE' MOHAMED ISMAIL BIN MOHAMED YUSOF, Assistant
Minister (Jerai).

.. ENCHE' ABDUL GHANI BIN ISHAK, A.M.N. (Malacca Utara).

.. ENCHE' ABDUL RAUF BIN A. RAHMAN (Krian Laut).

The Honourable ENCHE' ABDUL SAMAD BIN OSMAN (Sungei Patani).

- „ TUAN HAJI ABDULLAH BIN HAJI ABDUL RAOF (Kuala Kangsar).
- „ TUAN HAJI ABDULLAH BIN HAJI MOHD. SALLEH, A.M.N., P.I.S. (Segamat Utara).
- „ TUAN HAJI AHMAD BIN ABDULLAH (Kota Bharu Hilir).
- „ ENCHE' AHMAD BIN ARSHAD, A.M.N. (Muar Utara).
- „ ENCHE' AHMAD BOESTAMAM (Setapak).
- „ ENCHE' AHMAD BIN MOHAMED SHAH, S.M.J. (Johore Bharu Barat).
- „ TUAN HAJI AHMAD BIN SAAID (Seberang Utara).
- „ ENCHE' AHMAD BIN HAJI YUSOF, P.J.K. (Krian Darat).
- „ TUAN HAJI AZAHARI BIN HAJI IBRAHIM (Kubang Pasu Barat).
- „ ENCHE' AZIZ BIN ISHAK (Muar Dalam).
- „ DR. BURHANUDDIN BIN MOHD. NOOR (Besut).
- „ ENCHE' CHAN CHONG WEN (Kluang Selatan).
- „ ENCHE' CHAN SIANG SUN (Bentong).
- „ ENCHE' CHAN SWEE HO (Ulu Kinta).
- „ ENCHE' CHIN SEE YIN (Seremban Timor).
- „ ENCHE' V. DAVID (Bungsar).
- „ DATIN FATIMAH BINTI HAJI HASHIM, P.M.N. (Jitra-Padang Terap).
- „ ENCHE' GEH CHONG KEAT (Penang Utara).
- „ ENCHE' HAMZAH BIN ALANG, A.M.N. (Kapar).
- „ ENCHE' HANAFI BIN MOHD. YUNUS, A.M.N. (Kulim Utara).
- „ ENCHE' HARUN BIN ABDULLAH, A.M.N. (Baling).
- „ TUAN HAJI HASAN ADLI BIN HAJI ARSHAD (Kuala Trengganu Utara).
- „ TUAN HAJI HASSAN BIN HAJI AHMAD (Tumpat).
- „ ENCHE' HASSAN BIN MANSOR (Malacca Selatan).
- „ ENCHE' HUSSEIN BIN TO' MUDA HASSAN (Raub).
- „ TUAN HAJI HUSSAIN RAHIMI BIN HAJI SAMAN (Kota Bharu Hulu).
- „ ENCHE' IBRAHIM BIN ABDUL RAHMAN (Seberang Tengah).
- „ ENCHE' ISMAIL BIN IDRIS (Penang Selatan).
- „ ENCHE' KANG KOCK SENG (Batu Pahat).
- „ ENCHE' K. KARAM SINGH (Damansara).
- „ ENCHE' LEE SECK FUN (Tanjong Malim).
- „ ENCHE' LEE SIOK YEW (Sepang).
- „ ENCHE' LIM JOO KONG (Alor Star).
- „ ENCHE' LIM KEAN SIEW (Dato Kramat).
- „ ENCHE' LIU YOONG PENG (Rawang).
- „ ENCHE' MOHAMED BIN UJANG (Jelebu-Jempol).
- „ ENCHE' MOHAMED ABBAS BIN AHMAD (Hilir Perak).
- „ ENCHE' MOHAMED ASRI BIN HAJI MUDA (Pasir Puteh).
- „ ENCHE' MOHAMED DAHARI BIN HAJI MOHD. ALI (Kuala Selangor).

- The Honourable ENCHE' MOHAMED NOR BIN MOHD. DAHAN (Ulu Perak).
- „ DATO' MOHAMED HANIFAH BIN HAJI ABDUL GHANI, P.J.K. (Pasir Mas Hulu).
- „ ENCHE' MOHAMED SULONG BIN MOHD. ALI, J.M.N. (Lipis).
- „ ENCHE' MOHAMED YUSOF BIN MAHMUD, A.M.N. (Temerloh).
- „ TUAN HAJI MOKHTAR BIN HAJI ISMAIL (Perlis Selatan).
- „ NIK MAN BIN NIK MOHAMED (Pasir Mas Hilir).
- „ ENCHE' NG ANN TECK (Batu).
- „ DATO' ONN BIN JA'AFAR, D.K., D.P.M.J. (Kuala Trengganu Selatan).
- „ ENCHE' OTHMAN BIN ABDULLAH (Tanah Merah).
- „ ENCHE' OTHMAN BIN ABDULLAH (Perlis Utara).
- „ ENCHE' QUEK KAI DONG (Seremban Barat).
- „ TUAN HAJI REDZA BIN HAJI MOHD. SAID (Rembau-Tampin).
- „ ENCHE' SEAH TENG NGIAB (Muar Pantai).
- „ ENCHE' D. R. SEENIVASAGAM (Ipoh).
- „ TUAN SYED ESA BIN ALWEE, S.M.J., P.I.S. (Batu Pahat Dalam).
- „ TUAN SYED HASHIM BIN SYED AJAM, A.M.N., P.J.K. (Sabak Bernam).
- „ ENCHE' TAJUDIN BIN ALI, P.J.K. (Larut Utara).
- „ ENCHE' TAN CHENG BEE, J.P. (Bagan).
- „ ENCHE' TAN KEE GAK (Bandar Malacca).
- „ ENCHE' TAN PHOCK KIN (Tanjong).
- „ ENCHE' TAN TYE CHEK (Kulim-Bandar Bahru).
- „ TENGKU INDRA PETRA IBNI SULTAN IBRAHIM, J.M.N. (Ulu Kelantan).
- „ DATO' TEOH CHZE CHONG, D.P.M.J., J.P. (Segamat Selatan).
- „ ENCHE' V. VEERAPPEN (Seberang Selatan).
- „ WAN MUSTAPHA BIN HAJI ALI (Kelantan Hilir).
- „ WAN SULAIMAN BIN WAN TAM, P.J.K. (Kota Star Selatan).
- „ WAN YAHYA BIN HAJI WAN MOHAMED (Kemaman).
- „ ENCHE' WOO SAIK HONG, J.P. (Telok Anson).
- „ ENCHE' YAHYA BIN HAJI AHMAD (Bagan Datoh).
- „ ENCHE' YEOH TAT BENG (Bruas).
- „ ENCHE' YONG WOO MING (Sitiawan).
- „ PUAN HAJAH ZAIN BINTI SULAIMAN, J.M.N., P.I.S. (Pontian Selatan).
- „ TUAN HAJI ZAKARIA BIN HAJI MOHD. TAIB (Langat).
- „ ENCHE' ZULKIFLEE BIN MUHAMMAD (Bachok).

ABSENT:

- The Honourable the Minister of External Affairs, DATO' DR. ISMAIL BIN DATO' ABDUL RAHMAN, P.M.N. (Johore Timor).
- „ the Minister of the Interior, DATO' SULEIMAN BIN DATO' ABDUL RAHMAN, P.M.N. (Muar Selatan).

The Honourable the Minister of Labour, ENCHE' BAHAMAN BIN SAMSUDIN (Kuala Pilah).

- „ ENCHE' CHAN YOON ONN (Kampar).
- „ ENCHE' HARUN BIN PILUS (Trengganu Tengah).
- „ ENCHE' HUSSEIN BIN MOHD. NOORDIN, A.M.N., P.J.K. (Parit).
- „ CHE' KHADIJAH BINTI MOHD. SIDEK (Dungun).
- „ ENCHE' KHONG KOK YAT (Batu Gajah).
- „ ENCHE' LEE SAN CHOON (Kluang Utara).
- „ DR. LIM SWEE AUN, J.P. (Larut Selatan).
- „ ENCHE' T. MAHIMA SINGH, J.P. (Port Dickson).
- „ ENCHE' S. P. SEENIVASAGAM (Menglembu).

IN ATTENDANCE:

The Honourable the Minister of Justice, TUN LEONG YEW KOH, S.M.N.

PRAYERS

(Mr. Speaker *in the Chair*)

ADJOURNMENT TO A LATER DAY

(Motion)

The Minister of Finance (Enche' Tan Siew Sin): Mr. Speaker, Sir, I beg to move,

That, notwithstanding the provisions of Standing Order 12, at its rising this day this House do stand adjourned to Monday, 27th June, 1960, at 10 a.m.

The Minister of Works, Posts and Telecommunications (Dato' V. T. Sambanthan): Sir, I beg to second the motion.

Question put, and agreed to.

Resolved,

That, notwithstanding the provisions of Standing Order 12, at its rising this day this House do stand adjourned to Monday, 27th June, 1960, at 10 a.m.

ORAL ANSWERS TO QUESTIONS

MEMAJUKAN PELAJARAN DE- WASA DALAM BAHASA KEBANG- SAAN

1. Enche' Zulkiflee bin Muhammad minta kepada Menteri Pembangunan

Luar Bandar menerangkan apa-kah dasar Kerajaan berkenaan dengan memajukan pelajaran dewasa dalam negeri khas-nya berkenaan dengan bahasa Kebangsaan.

The Assistant Minister of Rural Development (Tuan Haji Abdul Khalid bin Awang Osman): Tuan Yang di-Pertua, dasar Kerajaan Perikatan bukan sahaja hendak membasmikan buta huruf tetapi yang sa-benar-nya hendak membolehkan orang² yang buta huruf itu mengata mereka boleh membaca dan menulis dalam bahasa Kebangsaan, mempelajari lain² perkara yang boleh meninggikan taraf hidup mereka dan menjadikan mereka ra'ayat yang ta'at setia dengan tidak berbelah bagi kapada Persekutuan Tanah Melayu.

Dengan tujuan ini Kerajaan baharu² ini telah melantek sa-buah Jawatan-Kuasa untuk menasihatkan supaya dapat di-adakan satu susunan baharu bagi pelajaran dewasa di-Persekutuan Tanah Melayu. Jawatan-Kuasa ini di-antara lain² sedang menyiasat atas kemungkinan Kerajaan sendiri menjalankan kerja² mengajarkan bahasa Kebangsaan dan membasmikan buta huruf di-kalangan orang² dewasa 'am-nya. Jawatan-Kuasa Penasihat berkenaan dengan pelajaran dewasa ini, berharap akan menyediakan penyata-nya tidak berapa lama lagi.

Dato' Onn bin Ja'afar: Tuan Yang di-Pertua, saya minta kepada Yang Berhormat Menteri Muda itu menerangkan pertanyaan yang kedua. Dalam soal ini "... particular reference to literacy in the national language." Dia tidak menyebut sa-patah pun dalam fasal itu.

Tuan Haji Khalid: Memang menjadi dasar Kerajaan supaya masa kahadapan di-adakan pelajaran dewasa atau dengan lain² perkataan "literacy drive" di-dalam bahasa Kebangsaan.

2. Enche' Zulkiflee minta kepada Menteri Pembangunan Luar Bandar menerangkan bagaimana-kah atornya memberikan bantuan wang kepada kelas² pelajaran dewasa.

Tuan Haji Khalid: Tuan Yang di-Pertua, wang bantuan di-beri kepada kelas² pelajaran dewasa yang di-jalankan oleh badan² sukarela yang disahkan oleh Kerajaan. Badan² yang menerima bantuan ini ia-lah Federal Adult Education Association masing² negeri dan Malayan Public Library Association. Wang bantuan ini di-beri mengikut chara² grant \$4 satu jam masa pelajaran untuk kelas dewasa di-luar bandar dan \$3 satu jam masa pelajaran untuk kelas dewasa di-bandar dengan tiada melebihi 3 jam pada satu minggu dan 120 jam pada satu tahun.

Enche' Zulkiflee: Harap Menteri Muda menerangkan berkenaan dengan beza bantuan kepada kelas bahasa Melayu dan kelas bahasa Inggeris dan kelas yang di-katakan-nya berbagai² bahasa.

Tuan Haji Khalid: Tuan Yang di-Pertua, tidak ada perbezaan-nya. Hanyang ada, perbezaan di-antara kelas² kawasan luar bandar dengan kawasan dalam bandar.

3. Enche' Zulkiflee minta kepada Menteri Pembangunan Luar Bandar menerangkan berapa orang yang telah tahu membaca dan menulis, dan dalam bahasa apa, dengan kerana telah di-adakan pelajaran dewasa semenjak Merdeka.

Tuan Haji Khalid: Tuan Yang di-Pertua, bilangan orang² yang di-ajar sehingga boleh membaca dan menulis

di-dalam berbagai² bahasa semenjak Merdeka ia-lah:

(i) Bahasa Kebangsaan—			
orang ² Melayu	36,375		
orang ² yang bukan Melayu	16,460		
<hr/>			
Jumlah dalam bahasa Ke-			
bangsaan ...	...	52,835	
(ii) Bahasa China	...	17,140	
Bahasa Tamil	...	3,162	
Bahasa Inggeris	...	2,024	
<hr/>			
Jumlah ...	75,161		

Angka² ini di-dapati daripada jumlah orang² yang memasoki peperiksaan² dan lulus di-dalam peperiksaan itu.

Sungguh pun sa-banyak lebih kurang 10,000 orang Melayu dan 4,000 orang² yang bukan Melayu yang telah menamatkan kursus membasmikan buta huruf tiada memasoki peperiksaan, orang² ini boleh-lah di-jangkakan sabagai orang² yang boleh membaca dan menulis di-dalam bahasa Kebangsaan. Juga lebih kurang 4,000 orang China dan 2,000 orang India telah mengambil kursus membasmikan buta huruf di-dalam bahasa masing² akan tetapi tidak memasoki peperiksaan dan lebih kurang 10,000 orang² dewasa telah mengambil kursus sa-lama 3 tahun dalam bahasa Inggeris tidak juga memasoki peperiksaan.

ORDER OF BUSINESS

(Motion)

The Minister of Finance (Enche' Tan Siew Sin): Mr. Speaker, Sir, I beg to move,

"That in accordance with the provisions of Standing Order 14 (2) this House takes Motion No. 6 standing in the name of the Honourable Enche' Ibrahim bin Abdul Rahman immediately after the Currency Bill has been disposed of."

My reason for moving this Motion is self-evident. Motion No. 6 is a motion which will enable the House to debate the South African question in the light of the Prime Minister's statement made at the beginning of this session. Time is running short, hence the desirability of disposing of this motion before the present session ends.

The Minister of Works, Posts and Telecommunications (Dato' V. T. Sambanthan): Sir, I beg to second the motion.

Dato' Onn bin Ja'afar (Kuala Trengganu Selatan): Mr. Speaker, Sir, as a request, would it be possible to get a transcript of the Prime Minister's speech which he made on Monday? In dealing with it, it will be difficult to remember off-hand what he said; so I would request that a copy of the transcript be supplied to every Honourable Member.

Enche' Lim Kean Siew (Dato Kramat): Mr. Speaker, Sir, I do not quite get the number of the Standing Order under which the Honourable Mover is moving this motion.

Enche' Tan Siew Sin: Under Standing Order 14 (2).

Enche' D. R. Seenivasagam (Ipoh): Mr. Speaker, Sir, on a point of information, is this motion open to debate? Under Standing Order 14 (2) it is not stated "without debate".

Mr. Speaker: Yes. It is not stated in Standing Order 14 (2) that there should be no debate—it only says "without notice"; so, I am afraid I have got to allow this motion to be debated; that is why I allowed the Honourable Member for Kuala Trengganu Selatan to speak just now.

Enche' D. R. Seenivasagam: Mr. Speaker, Sir, I oppose the motion. The motion is down on the Order Paper as item No. 6. It is a private Member's motion and not a Government motion, and it should not be construed as a Government motion.

Sir, the question of South Africa and its apartheid policy is an important one, and I have no doubt that when this question comes up, it will be debated in very great detail.

On the Order Paper to-day there are motions which have been stood down from meeting to meeting and they are motions from Members of the Opposition—in particular Motion No. 7 and Motion No. 8. Motion No. 5 is also one which has been stood down from meeting to meeting. I was grieved to see

how Motion No. 6 came as Motion No. 6 on this Order Paper. If one follows Standing Order 15, Motion No. 6 should have come last on the Order Paper. I had no opportunity to look into the Order Book, but it is strange if Motion No. 6 did come before Motion No. 8 in particular, which was stood down from the last meeting—it was on the Order Paper of the last meeting. It is now again on the Order Paper, but put down to No. 8, and a private Member's motion has gone in as Motion No. 6.

If private Members on the Government side are going to get preference for their motions as against Opposition private Members' motions, then I say that that is not parliamentary procedure; if and when a motion comes, let it come in the order that it comes. Motion No. 6 certainly, from all the information that we have, could not have come before Motion No. 8. I say that there is no justification for No. 6 to be taken in such great hurry. Nothing was proposed by the Honourable the Prime Minister for the decision of this House; nothing is going to come out of the motion, except perhaps a tap on the back—nothing of exceptional importance. Let us take what is there in the Order Paper as it stands.

Enche' V. David (Bungsar): Mr. Speaker, Sir, I beg to support the move by the Honourable Member for Ipoh. The motion in to-day's Order Paper standing in my name was submitted some time back and at the beginning of the meeting I observed the motion by the Honourable Enche' Ibrahim bin Abdul Rahman was down as No. 13. To-day, suddenly, it has come to No. 6.

Mr. Speaker, Sir, I think the Opposition Members should have equal opportunities as Members of the Government except on urgent business. I do not think that there is any urgency in this motion; further as the Honourable Member for Kuala Trengganu Selatan has said, it would be better to have a copy of the speech made by the Honourable the Prime Minister circulated to every Honourable Member, so that we can study the important and significant aspects

attached to it and make constructive suggestions, if necessary.

Enche' Zulkiflee bin Muhammad (Bachok): Tuan Yang di-Pertua, saya menyertai pehak² pembangkang kerana dalam hal ini memang-lah mengejutkan, Tuan Yang di-Pertua, bahawa dia ini lepas nombor 6 pula. Saya ingat pesan Tuan Yang di-Pertua, pada satu masa dahulu ia-itu bahawa chadangan² atau usul² yang di-kemukakan dalam Parlimen ini hendak-lah di-beri keutamaan mengikut mana yang sampai dahulu. Dan saya tahu, Perdana Menteri memberi ucapan-nya pada hari yang pertama dan mustahil-lah bahawa usul nombor 6 sampai dahulu daripada usul nombor 4, 5, 7 dan 8. Maka, Tuan Yang di-Pertua, memang-lah patut Order Of The Day mengikut apa yang tertulis di-sini. Ada pun hujah Menteri Kewangan yang menyatakan, perkara ini patut-lah di-selesaikan, yang sabenar-nya, ini tidak berlawanan langsung dengan hakikat kita hendak menyelesaikan motion yang ada di-sini bukan sahaja nombor 6 tetapi nombor 8 juga hendak kita selesaikan. Katakan-lah, kita ambil satu keputusan kita bersetuju dengan motion ini, itu sudah habis baik. Apa yang berlaku, ia-lah Perdana Menteri akan mendapat sa-kalong bunga dan ucapan terima kaseh daripada Rumah ini. Apa dia hendak buat dengan sebab bersetuju itu saya tidak fikir dalam sa-hari dua ini

Mr. Speaker: Itu sudah terlebih.

Enche' Zulkiflee bin Muhammad: Tidak, Tuan Yang di-Pertua.

The Minister of Transport (Enche' Sardon bin Haji Jubir): Tuan Yang di-Pertua, mengikut keterangan rakan saya Yang Berhormat Menteri Kewangan, perkara ini patut-lah, perkara yang tidak boleh di-ambil akhir atau mengikut pentadbiran-nya yang keenam tetapi kita telah berbath 4 hari dalam Parlimen ini dan barangkali 2 hari lagi. Oleh kerana, kalau perkara ini, perkara yang telah di-bawa oleh Perdana Menteri dalam persidangan Perdana² Menteri di-England telah mendapat sokongan seluruh dunia dan perdana Menteri

kita pun telah menerangkan kepada Rumah Yang Berhormat ini, kalau-lah chadangan yang telah di-bawa oleh sa-orang daripada Ahli Perikatan, walau pun Ahli Yang Berhormat itu bukan dari pehak Kerajaan, tidak dapat di-bahathkan di-dalam persidangan ini tentu-lah dalam mata dunia akan nampak yang kita Ahli Parlimen di-sini tidak mengambil berat apa yang telah kita bagi kuat kuasa kepada Perdana Menteri kita yang telah di-akui oleh dunia itu, sa-bagaimana jagoh yang telah memperjuangkan ke'adilan berkenaan soal warna kulit apartheid di-South Afrika itu. Kerana memandang kepada hubungan yang mustahak, Yang Berhormat wakil dari Ipoh sendiri mengaku perkara ini, perkara besar, perkara ini, perkara mustahak, perkara ini menjadi perkara International, perkara ini ada-lah mengenai peri ka-manusiaan, patut juga tiap² sa-orang daripada Ahli Yang Berhormat di-sini di-bagi peluang mengambil bahagian menyokong atau bagikan chadangan² yang lebeh concrete, yang lebeh mustahak kepada Perdana Menteri yang akan di-jalankan-nya nanti di-dalam tempoh yang tidak berapa lama lagi. Sa-bagaimana ucapan Yang Berhormat Perdana Menteri, beliau telah berhubong dengan negeri² bukan sahaja di-Asia Tenggara tetapi seluruh dunia. Oleh kerana kalau-lah ada keputusan dalam persidangan Parlimen yang persidangan pada waktu ini tentu-lah ini akan membagi satu kuasa yang lebeh lagi dan memberi pandangan yang lebeh luas lagi daripada dunia luar. Kerana, dengan sebab itu, Tuan Yang di-Pertua, patut-lah chadangan ini, walau pun chadangan ini datang-nya dari pehak Kerajaan tetapi boleh di-terima dan di-utamakan.

Enche' Othman bin Abdullah (Tanah Merah): Tuan Yang di-Pertua, saya berdiri di-sini menyokong bagi pehak pembangkang membantah perkara ini, sebab-nya saperti mana yang telah diterangkan oleh Yang Berhormat sa-orang Menteri kita mengatakan bahawa perkara ini paling penting, tetapi dalam pada itu saya rasa tidak ada satu perkara pun yang di-kemukakan dalam Dewan ini tidak penting. Bagi tiap²

sa-orang walau pun dia berdarjat nombor 20 sekali pun dia merasa dia terlalu penting dan mahu di-pentingkan, sebab usul-nya telah di-bahathkan dahulu beberapa bulan dalam Dewan ini, maka kalau nombor 6 ini di-bahathkan dahulu ada jua benar-nya kerana berkaitan dengan persidangan Perdana² Menteri Commonwealth di-London itu. Tetapi ada satu perkara, Tuan Yang di-Pertua, ia-itu kami belum pun mendapat satu salinan ucapan dari Perdana Menteri yang akan menjadi bahan bahathan dalam Dewan ini sama ada ia-itu perlu, diberi sokongan atau tidak mendapat sokongan daripada usul ini, maka patut-lah Dewan ini di-beri peluang menyemak-nya. Maka supaya jangan-lah nanti akan berlaku sa-suatu yang akan terjadi ia-itu melambat²kan usul orang lain oleh itu, saya rasa perlu di-beri satu salinan ucapan kepada ahli² sekalian, jika sakira-nya di-bahathkan kelak. Tetapi, Tuan Yang di-Pertua, tahu² sahaja yang nombor satu pergi ka-bawah dan yang nombor enam pergi nombor satu dan ini pula yang di-dahulukan. Ini jangan marah kepada kami. Apa salah-nya usul ini di-letakkan di-atas sekali sa-belum susunan agenda ini di-edarkan kepada ahli² sekalian? Maka saya meminta dengan tegas-nya supaya No. 6 itu yang telah di-chadangkan supaya di-bahathkan dahulu di-tinggalkan seperti biasa, kerana ini bukan satu dasar yang 'adil dalam Parlimen ini.

Enche' Tan Phock Kin (Tanjong):

Mr. Speaker, Sir, I am afraid that the Honourable the Minister of Transport is quite irrelevant when he talks about the importance of this particular motion. Nobody is quarrelling about the importance of this motion. What the Opposition is asking is that the procedure laid down in the Standing Orders should be followed, and there is no good reason whatsoever why the Order Paper should be changed. Nobody is quarrelling over the importance of the subject. If the Honourable Minister concerned is afraid that the House may not have time to discuss this particular motion, surely the sitting could be extended another day.

Enche' Mohamed bin Ujang (Jelebu-Jempol): Tuan Speaker, saya rasa soal ini sangat mustahak dan patut di-binchangkan dahulu, tetapi soal mengemukakan soalan ini dahulu saya rasa terbit-nya daripada perbuatan parti pembangkang, kerana telah beberapa kali kita bermeshuarat sikap parti pembangkang sengaja melambatkan. Mithal-nya meshuarat yang telah lalu dia telah menerangkan bahawa dia akan menchuba melambatkan sa-suatu chadangan, oleh itu, perkara ini sangat mustahak pada kita mengemukakan soalan ini. Sa-perkara lagi, Tuan Yang di-Pertua, Ahli Yang Berhormat daripada Socialist Front sememang-nya sengaja hendak membuang masa, dan saya teringat sa-mula bahawa pada meshuarat yang lalu di-mana kata-nya sa-orang daripada-nya pada satu meshuarat telah di-kemukakan 100 soalan, baik 100 soalan, tetapi apa dia soalan itu? Tak lain dan tak bukan ia-lah semata² hendak membuang masa sahaja.

Mr. Speaker: Saya rasa jangan-lah hendak-nya berchakap panjang, kerana banyak masa akan hilang. (*Ketawa*). Masa'alah ini sama ada hendak di-ambil yang nombor 6 itu atau tidak, itu sahaja masa'alah-nya.

Enche' Mohamed bin Ujang: Saya rasa pehak pembangkang itu sengaja hendak membuang masa sahaja.

Enche' K. Karam Singh rises.

Enche' Ahmad Boestamam (Setapak): Tuan Yang di-Pertua,

Mr. Speaker: (*To Enche' K. Karam Singh*) You have lost your chance I can't give you another chance, Mr. Karam Singh. Please proceed.

Enche' Ahmad Boestamam: Saya tidak pula mengubah usul yang dibawa oleh Menteri Kewangan itu yang boleh menimbulkan tuduhan² yang mengatakan bahawa kami dari pehak Socialist Front ini mahu melanjutkan masa. Tuan Yang di-Pertua, saya berchakap kalau perkara tuduhan ini di-timbulkan

Mr. Speaker: Saya sudah tahan dia tadi, dan jangan di-panjang²kan lagi perkara itu.

Enche' Ahmad Boestamam: Jadi, tujuan Parlimen ini merundingkan sesuatu itu untuk menchari kebaikan dan kebenaran, meski pun kita harus bertengkar atau berbatah panjang dalam Parlimen ini. Berkenaan dengan usul ini kami ada-lah membangkang, kerana usul ini pertama-nya tidak menyentuh soal apartheid. Kalau kita lihat usul ini yang hanya menyebutkan soal menguchapkan "terima kaseh", memberi sa-kalangan bunga, bagitu sahaja kapada Perdana Menteri kerana usahanya dalam persidangan Perdana² Menteri di-London, maka usul ini tidak menyebutkan sama sekali bagaimana sikap kita terhadap apartheid itu, tidak. Tetapi, hanya menguchapkan terima kaseh kapada Perdana Menteri, maka dengan sebab itu soal ini tidak penting, dan kalau kita tentukan sikap apartheid sa-bagaimana sa-sudah perjuangan demikian di-persidangan Perdana² Menteri di-London, barangkali boleh kita berikan keistimewaan. Tetapi, kalau hanya untuk menguchapkan terima kaseh yang mungkin pula akan menimbulkan soal² yang lanjut maka saya fikir bahawa perkara ini tidak patut di-beri keutamaan.

Enche' Mohamed Dahari bin Haji Mohd. Ali (Kuala Selangor): Tuan Yang di-Pertua, oleh kerana semua pehak sudah berchakap dalam perkara ini maka izinkan saya mengemukakan dalam soal yang di-bawa ini bahawa mengikut Standing Orders 40 (1) supaya perbahathan ini di-tutup.

Enche' Tan Siew Sin: Mr. Speaker, Sir, I can assure Honourable Members who have spoken in opposition to this motion that there is no intention on the part of anyone in this House to prevent any of the motions which are down on the Order Paper from being taken during the present session of Parliament. The only reason for my motion is that, as the Honourable the Minister of Transport has already informed the House, this is not a national but an international issue; and if the motion is allowed to stand in the position it does to-day on the Order Paper, there is the danger that we may not be able to debate the motion at all.

I agree that this motion is for the purpose of thanking the Honourable the Prime Minister for the excellent work he has done overseas, but this motion will also enable Honourable Members to express their views on this question in the light of recent development.

Enche' K. Karam Singh rises.

Mr. Speaker: The Honourable Mover of the motion has already replied. The debate is closed.

(Mr. Speaker directed that copies of the Statement made by the Prime Minister on the subject of Apartheid in South Africa on Monday, 20th June, 1960, should be circulated to all Members).

Question put, and agreed to.

Resolved,

That in accordance with the provisions of Standing Order 14 (2) this House takes Motion No. 6 standing in the name of the Honourable Enche' Ibrahim bin Abdul Rahman immediately after the Currency Bill has been disposed of.

BILLS

THE PREVENTION OF CRIME (AMENDMENT) BILL

Second Reading

The Assistant Minister of the Interior (Enche' Mohamed Ismail): Mr. Speaker, Sir, I beg to move that a Bill intituled "an Act to amend the Prevention of Crime Ordinance" be read a second time.

Sir, the Prevention of Crime Ordinance has now been in force since April last year and there has been an opportunity to study its operation. The only power of summary arrest conferred on police officers in this legislation is that contained in section 3 (1) which deals with the arrest of any person with the intention of holding an inquiry into his acts under the provisions of this law. The police have, however, no power of summary arrest in respect of offences set out in section 16 which requires a person who is registered under the Ordinance not to consort with other registered persons; section 18 which deals with loitering by such a person; and section 19 which deals with the

harbouring of such persons. It is considered that the absence of the power of summary arrest in these cases weakens the position of the police to deal properly and effectively in the circumstances described and the object of the Bill before the House is accordingly to confer the necessary powers of arrest on the police.

Sir, I beg to move.

Enche' Sardon: Sir, I beg to second the motion.

Enche' V. David: Mr. Speaker, Sir, we affirm our stand by opposing the grant of unanswerable and unquestionable powers to the police. The Prevention of Crime Ordinance itself is an arbitrary and dictatorial power vested on the police—to pick up anybody they do not like and arrest him without trial. The provisions of the amendment proposed to it would place additional powers in the hands of the police to push around any individual according to their will and pleasure and the courts of law in this country will have no authority or jurisdiction over such arbitrary action taken by the police. Sir, there are cases where persons have been arrested and placed under restricted residence; far away from their home towns—40—50 miles away—and have been followed by police and if by chance a small violation of the restrictions is made by any individual, he is taken back to the lock-up, sometimes assaulted, and further punishment is imposed on the individual. Sir, there are cases which have proved that the police are misusing the powers of the Prevention of Crime Ordinance. Now, the provisions in this amendment would allow the police to move around and push around any citizen of this country. Sir, under the Prevention of Crime Ordinance large number of persons in this country have been arrested unilaterally and placed under restricted residence. Most of these people who have been arrested have received an X mark on their identity cards. That guarantees that no employment would be offered to them by prospective employers and their chances of making a livelihood are doomed. Sir, I say these things through

practical experience, and I have seen through my own eyes that the lives of hundreds of youngsters have been hindered and curtailed as the Government has placed them in a position where they can no more live a normal and decent living. To-day the additional provisions of this amendment here are adding to the powers which have already curtailed the freedom of the people. Sir, I strongly object to the amendment here. As we objected to the Prevention of Crime Ordinance we also object and oppose the amendment proposed at this meeting. The person who becomes the chairman of the inquiry under this Ordinance at times do not even go into the file to see what has been reported by the police. He comes there just to endorse and just to sign that he is satisfied with the report of the police and that the person concerned should be placed under restricted residence since he is a risk to live within the residential area where he is living. This act is very arbitrary and it is only going to create a lot of disgruntled citizens who cannot find employment, and they might even become house breakers. They cannot be blamed for this, because the Government is driving them to resort to this action.

Sir, when we asked assurances from the Honourable Minister of the Interior he assured that even though the Prevention of Crime Ordinance is there every time it is applied on any citizen his case will be carefully studied and justice and fair play will be maintained. Here I am sorry to say that justice has been hampered and fair play has been sabotaged. Therefore, I call upon the Minister to view this carefully since we already have a new Bill—the Internal Security Bill—and additional powers given to the police will make this country a police state whereby gestapoes will follow every individual, every citizen of this country, and whereby we will be creating more Dr. Goebbels.

Enche' D. R. Seenivasagam: Mr. Speaker, Sir, arbitrary powers of arrest given to the police, are acknowledged throughout the democratic world as a dangerous power. Such a power exercised by an enlightened police force

may be a useful power, but time has shown that the police force in this country is not an enlightened, not an intelligent, and not a proper, force to have arbitrary powers such as are asked for in this amendment. One has only to read the *Straits Times* of to-day to see what a high court judge in Ipoh said of the police and how they get statements. He said: "Why do the police do this kind of thing—get a man to sign a statement which he did not understand, which he said 'I did not understand'?" Another trial judge excepted that evidence and asked "Why do the police do this kind of thing?" And I ask the Alliance Government—why do the police do this kind of thing? Why do you want to give them the power to enable them to do this kind of thing? The Prevention of Crime Ordinance was passed to combat thuggery, to combat vice, to combat gambling. Dozens of people, some of them thugs, some of them men who deal in vice, some of them gamblers, have been dealt with under the Prevention of Crime Ordinance. They have been put aside; they have had their identity cards marked with an X. Mr. Speaker, Sir, has the Prevention of Crime Ordinance been used in a just manner and not an impartial manner? That is relevant because we are considering whether we should enlarge the powers of the police under that Ordinance. At the last meeting of Parliament I asked a question. How many persons have been dealt with under the Prevention of Crime Ordinance; how many of them received an X mark on their identity cards; and how many of them received conditions on their orders? The answer came back—an answer which I did expect—all of them got conditions, all of them were excluded from their normal place of residence, except one man—the "king gambler" of Ipoh, the "hundred character" and "thousand character king" of Ipoh. He was taken in under the Prevention of Crime Ordinance. He is wellknown. Ask anybody in Ipoh, ask anybody right up to Singapore. They will tell you that he is the "king of thousand characters" in Ipoh. Mr. Speaker, Sir, he was arrested under the Prevention of Crime Ordinance. He was taken before

an inquiry and an order was made against him that he should be restricted in the northern part of Perak for a period of years. He appealed against that order, as he had a right to do. His appeal was allowed. Despite all the evidence—which the Alliance says is evidence—despite all that evidence, his appeal was allowed. What happened? All conditions were cancelled, except that he has an X on his identity card. He lives in the same town of Ipoh; he lives in his same big house; and he is still the same old man. And what happened? The Alliance holds a procession round Ipoh town. He supplies motor cars; he joins that procession. What is the inference to be drawn? Mr. Speaker, Sir, is that a just administration of the Prevention of the Crime Ordinance? If I am saying anything under the privilege of this House, I challenge the Government—produce the files of that man and see whether there was any justification for removing that order. That is a challenge or, shall I say, a request which I make to the Government. Mr. Speaker, Sir, that is why I say that the Prevention of Crime Ordinance is not fairly administered. People who have influence get out of the Prevention of Crime Ordinance. People who have no influence suffer under the Prevention of Crime Ordinance. Mr. Speaker, Sir, they are taken away from their homes and sent away. Good! If they are bad men, they deserve it; they should be taken away. But when the Government takes a man away, the police, or the Government, should see that that person is given a chance to rehabilitate, to become a better man. But what is happening under this Ordinance is this. People are X'd on their identity cards and mostly they are congregated into one area—Upper Perak—and if you go to Grik you will see dozens of boys in Yankee pants, all congregated in Grik town and playing mahjong. That is what they all do. They cannot get employment because they have an X, and Grik town to-day is becoming a centre of thuggery and secret society activities. That is all what is happening in this country: remove them from one area and dump them more concentrated into another area.

Another thing with regard to the police is this. There are cases where not thugs, not gangsters, but fairly elderly men, who are not of very good character for one reason or another, have been dealt with under this Prevention of Crime Ordinance. They have been sent to a town, let us say, Kampar. Now, such a person cannot get employment there. But there is a wellknown, respectable Chinese medicine shop or a Chinese merchant in Kuala Lumpur who says "I know this man's family and I am prepared to give him employment at \$150 a month if the Government will allow him, or restrict him, to come and live within the Municipal limits of Kuala Lumpur." The C.P.O. is written to and asked "Will you please arrange to transfer this man on a restricted residence to Kuala Lumpur so that he can work and he need not be a robber, gangster or thug." And what is the reply that one gets? "The C.P.O. of Selangor State does not like this man to stay in Selangor State. Therefore, we cannot send him there." Mr. Speaker, Sir, are we going to turn this country into one pocket dictator in Selangor—the C.P.O.—another pocket dictator in Perak, a third pocket dictator in Malacca and so on? The C.P.O. does not like it—the pocket dictator does not like it—therefore, we can't do anything. Are we going to chop this country into a number of power blocks under the hands of the C.P.O.s? Is it to be the C.P.O. who is going to say "I don't like so and so to come here although here he will lead a decent life. Let him remain there where he may have to rob for his own food."?

Now, if we give our assent to this Bill, it is necessary to read the explanatory statement. It is very cleverly drawn up and makes it appear very simple, as if they are asking nothing more than the powers conferred under the Minor Offences Ordinance. It says: "Such a power is conferred in relation to crimes of lesser importance, e.g. under the Minor Offences Ordinance, 1955". But the person who drafted this forgot to say that under the Minor Offences Ordinance you can get bail—under the Minor Offences Ordinance invariably you get bail—and invariably the minute a man is arrested he is

allowed to see his lawyer or his relatives. But under the Prevention of Crime Ordinance he is not given bail and he is not allowed to see his relatives or a lawyer, if he wants to do so. Assurances given by the Government Bench are no longer sufficient. Assurances were given to the Opposition that counsel and relatives would be allowed to see them as soon as possible. What is "as soon as possible" in the opinion of the pocket dictators of the police force? "As soon as possible" means four days or five days. That is what they mean by as soon as possible—enough time to wallop these men and extort statements from them. That is what they mean by a reasonable time.

Mr. Speaker, Sir, I cannot stand here in this House and say that I support this, because if I say I support this it opens the power to any policeman to intimidate, to bully, to arrest and to cause disturbances to anybody who walks on the road. That is the licence which the Government is asking us to give to the police force. That we are not prepared to do. We want to combat crime, but we want to see that in combating crime the innocent is not frightened by a force which should protect and not destroy the confidence of the people in security in this country, and if we do this that is what is going to happen.

Enche' Lim Kean Siew: Mr. Speaker, Sir, I rise to oppose this Bill. The Prevention of Crime Ordinance allows the arrest of persons for the purposes of detention without recourse to the courts. It is quite true, as my Honourable friend has stated, that summary powers of detention similar to these powers are given in the Minor Offences Ordinance. But how many here know what happens after a person is detained under such an Ordinance as this? First of all, when a person is detained under the Prevention of Crime Ordinance he gets locked up until the time of inquiry which may take months. At the time of inquiry, no legal representation is normally allowed although in certain cases favour may be shown, provided that the witnesses do not object. Under the Minor Offences Ordinance, However, a person must be

produced before the Court within a specified period. The other day the Honourable the Deputy Prime Minister said that we ought to be proud of our police force. If there are cases of beating, you can go to the court, he said.

Well, I would like to tell the Government that there was a Police Officer in the Secret Societies Section in Penang who has been accused of having used criminal force on certain detainees, and that, after protest by certain authorities concerned, that man was taken out of the Secret Societies Section of the Police in Penang. I happen to know that person, and I happen to know the other persons involved. At the moment, there are about 11 people held in the Penang Prison—some of them have had their inquiries as far back as four months ago, and they are still in prison waiting for the order of detention, which I understand will restrict them to certain areas. It might be said: "Of course, these people are thugs. They should be detained in prison till they can be put somewhere". But is that a sufficient reason?

I know of one case where a member of the Alliance was accused of secret society activities and various other illegal activities. This accusation and allegation had persisted for several years, and on two or three occasions action was about to be taken by the Police, but because he was in the Alliance no action was taken against him. During the last elections he broke away from the Alliance and supported an independent candidate. He was then arrested and detained. He is a very well-known personality, and I think many, if not all of us, if we do not know him, must have heard of his name. He had legal representation, and certain Ministers of the Alliance, I believe, gave evidence during the time of his inquiry, and he was released later on long after the elections on condition that he did not take part in further political activities. There are certain facts I know which were not brought up during the inquiry, and certain facts which I am not supposed to know—and therefore I shall not say

them. But everybody knows, I think, in this House that that man was detained because and the circumstances of his detention was that he left the Alliance to campaign against the Alliance. But I think very few of us here know that other people have been detained for less reason and have been restricted to certain areas of Malaya for periods up to five years because they could exert no influence. Some of those at present detained, under the Prevention of Crimes Ordinance, in Penang (two of them were arrested in connection with gambling and for encouraging gambling) are still sitting in prison in Penang waiting for an inquiry.

There was a third person who was arrested with the two gamblers in Penang who have not been subjected to inquiry who was allowed to leave Penang on his undertaking that he would go to Singapore and not come back into the Federation. What further example do we need to show how dangerous it is to give such powers of arbitrary arrest and detention to any person? At the moment such powers lie with the Mentri-mentri Besar and the Chief Ministers.

Mr. Speaker: I don't like to interrupt you, but the amendment in this Bill only refers to the powers of arrest, that is, arrest without warrant.

Enche' Lim Kean Siew: Mr. Speaker, Sir, I was just going on to say that when we have such terrible powers given to the Police under the Prevention of Crimes Ordinance, it would not be advisable to allow any Police Officer to arrest without warrant, which is the amendment in this Bill. Under the Bill as it now stands, a Police Officer may arrest without a warrant, but you must realise the implications of such an arrest, because once there is an arrest, the chain of events as shown above can happen, and the extent of the effects, I am sure, cannot be realised by people who do not know what may happen to any person who has been detained. In the example I have given above, a person was released on his undertaking that on his expulsion into Singapore he was never to return to Malaya again. And the Chief Minister who ordered his

release, like all Mentri-menteri Besar, has no jurisdiction over other States, so that the undertaking is in fact useless since that person may in fact enter the other States in spite of his undertaking. In effect, it means that the person has given an undertaking that he shall leave the State of Penang, but there is nothing to prevent him from going back to the State of Perak. Arbitrary powers are therefore liable to abuse consciously or otherwise, yet this Bill is attempting to give such powers.

Then, Sir, the last point is this: when persons are released under an order of restriction they are usually sent to a definite area in Penang at least, I know that all or most are sent to the district of Nibong Tebal. It would thus appear that what we are trying to do is to concentrate what the Police believe to be persons inclined to unlawful activities into one area. So what in fact happens is that such people are shifted from many areas into another area. This surely cannot solve the problem. It only puts the problem in another place.

This amendment says:

"A police officer may without warrant arrest any person if he has reason to believe that such person has committed an offence against section 16, 18 or 19; and every such offence shall be seizable and non-bailable for the purposes of the Criminal Procedure Code."

I have two days ago talked of the difference in the approach of laws made by draftsmen before the war and laws drawn by draftsmen under the present policy of the present Government. Laws drawn up long, long years ago never gave powers to the Police of arresting without warrant or entry into and search of premises without proper and due consideration; and very often we would come across sections which say that before a person can enter any premises it is required that he state his reasons in writing, or if a person has no time or if he has time he is supposed to go a magistrate who shall, after recording or considering that the case is fit for search, issue a warrant under his hand. Now, to-day, we have the other type of law which is that any Police Officer, so long as he is able to pass a physical examination, so

long as he has good eye-sight, so long as he has good limbs, so long as he puts on a uniform, has the power to arrest any one of us here. Of course, in the Internal Security Bill, the Honourable mover did say that for security reasons it is advisable that that kind of powers be given to any kind of Policemen, because we cannot afford to delay arrest. But then if we give the power to any police officer to arrest a person without warrant, it means that any policeman, who is qualified to put on a uniform, who may be completely ignorant and who may not know the meaning of the word "frequenting", can arrest any person by saying, without learning the meaning of the word "frequenting" can, by saying, "Yes, I saw him yesterday and I saw him to-day; so according to the power given to me I arrested him because he was frequenting a certain place" If the power is given to a Magistrate or to a senior police officer who can read English (and this Ordinance is in English) he will at least know the implication or the effect of this section and will therefore not make such a mistake. But to give the power to any police officer, regardless of his rank, without any safeguard, I think, is a dangerous matter. I do not like to use the words "Police State" or such phrases as "turning the Federation of Malaya into a Police State", but this Bill does give too much power to the Police in respect of the ordinary citizens of this country.

Now, as regards the power to arrest without warrant under section 18—section 18 talks of loitering with such a person. Loiter means, to use a slang, "to hang about", to move about aimlessly and without purpose. Again, before you can know whether a person is aimlessly wandering about in the company of another person, you have got to study and watch him; and surely if you have time to study and watch him, you have got time to carry a message to your superior officer who can make a decision and therefore there need be no power given for arrest without warrant. This amendment gives unrestricted power to the police, and when

we think of the police we think of the whole administration, to arrest—you are giving power of arrest to any person who can put on a uniform, and so long as he manages to get admission into the Police Force—anyone they do not like who is powerless to fight back.

Mr. Speaker, Sir, I hope that the Government will have second thoughts over this Bill and put in some safeguards: for example, it can limit the power of arrest without warrant to the policeman not below the rank of a corporal, or to a policeman not below the rank of a sergeant, or to a gazetted officer, or to any policeman not below the rank of an Inspector, but to give such power to all policemen is certainly undesirable, to say the least. Unless we do that, this trend of giving more and more powers to executive officers of the Government will continue until the time will come, when all a person has to do in Malaya is to look at a police officer and be arrested.

Enche' K. Karam Singh: Mr. Speaker, Sir, I rise to speak on the amendment, and I would like to say that although an Assistant Minister introduced this amendment, the powers are nevertheless dreadful. One very significant fact that we find in the Prevention of Crime Ordinance is that even in the original law there is no definition of a police officer, and presumably when this new section 20A is brought into force a police officer would then include any police officer, including a private or an ordinary constable. Considering the great risk involved in the conferring of such power, we cannot but say that this is a dangerous provision, because anyone in the police force can at any time arrest these persons against whom this amendment is directed, or alleged to be directed—and the provision is more dangerous still if a police officer, be he an ordinary constable or a person above the rank of a constable, has reason to believe that such a person has committed an offence against section 16, 18 or 19. The important phrase is “has reason to believe”.

Sir, you are putting power into the hands of a constable who depends

merely on his belief, and we know that in the past and even to-day the powers of the police have been misused. What would be the result of such power? Anyone can take it into his head to arrest any person, any policeman can take it into his head to arrest anyone merely on his belief, and any other person can influence any police officer, including a constable, to go and arrest someone—the justification for doing so would be “I believe”. The police officer can say “I believe” before any tribunal, before any Magistrate, before any Court, and no one can do anything about it. But the worst feature of the Bill is this and that is contained in the Explanatory Statement which says:

“It is considered that a power of summary arrest should be conferred on police officers in respect of the offences contained in several sections of the Prevention of Crime Ordinance, 1959, viz., section 16 (which requires a person who is registered under the Ordinance not to consort with other registered persons); section 18 (which deals with loitering by such a person); and section 19 (which deals with the harbouring of such persons).”

These persons have already become the victims of the law and, as the Honourable Member for Ipoh has said, they have been “X-ed” with a capital “X”. Now, without any safeguards you are giving such power into the hands of every Tom, Dick and Harry in the police force—power to arrest at any time of the day or night any of these unfortunate persons, who have already been so much hounded and harassed by the Prevention of Crime Ordinance. But even more than that, we find—as the Honourable Member for Ipoh has said—that these people, who are already victims of the Prevention of Crime Ordinance and who have “Xs” on their identity cards, cannot get jobs and will not be given jobs, and they are being driven by the action of the Government to a life of crime. These people, who are already, due to the action of the police, victims of the law will not be given jobs by anyone for fear of the “Xs” on their identity cards. These people who are already suffering so much are going to be hounded and harassed further. Sir, I think this will not reduce crimes in any way, but it will provoke these people to become more desperate.

Sir, giving this dreadful and arbitrary power to the police is bad enough, but the more dangerous aspect is the abuse of such power—and we know that it can be abused very easily, as all that anyone need do when called upon to justify his action is to produce a statement “I believe”. Since no one can examine the condition of a man’s mind at the time when he made the arrest, who is to challenge his belief? It does not say that there must be reasonable grounds for his belief. He need not give the grounds or reasons to anyone; and I have known of the operation of this Ordinance where a person was arrested and the constable said, “I arrested him because he behaved suspiciously.” How did the man behave suspiciously—because of the manner he walked? All the constable need say is, “I believe” and, on the strength of that, a person can be victimised.

Sir, to elaborate further on the abuse of power, we find that there are already enough abuses of power in the face of all conventions and usages in opposition to all customary procedure of the police. We find that there is already enough abuse of power by the police: for example, we know that in a trade dispute in England, there cannot be any interference by the police against the strikers, but we find that only yesterday people who carried out a strike in sympathy with the strikers on Seremban Estate were arrested—sixteen of them, including a woman. This is abuse of power by the police and interference in a trade dispute—and all talk of so-called neutrality of the police can be thrown overboard, because the police had been brought in to take part on the side of one party, and that is not neutrality—that is a declaration of war on the strikers by the police, by the Government. If that could happen, we ask the Government, we ask the police, “Why have you done such a drastic thing, why have you taken such a mean action?”

Mr. Speaker: How is that relevant to this debate? The debate is on the amendment, and this amendment only refers to arrest by the police without a warrant in respect of these three sections—section 16, 18 and 19. It does not say anything about strikes.

Enche’ K. Karam Singh: To illustrate, Sir, that all the police have to do is to say that the officer who effected the arrest “believed”—and on the strength of that he can do anything. Thank you.

Tuan Haji Ahmad bin Saaid (Seberang Utara): Tuan Yang di-Pertua, pehak² pembangkang telah mengeluarkan fikiran², membangkang dengan sakeras²-nya Rang Undang² yang sedang di-bahathkan ini ia-itu berkenaan dengan menahan daripada berlaku-nya perbuatan² yang salah. Saya ingin menarek perhatian ahli² yang membangkang itu, kita mengadakan undang² ini ia-lah tidak lain dan tidak bukan ia-lah oleh kerana hendak menjaga keselamatan orang yang banyak, maka terpaksa-lah kita adakan undang² yang kuat untuk menahan puak yang kecil membuat pekerjaan² yang merbahayakan orang yang banyak. Bukan ra’ayat sahaja di-kehendaki patoh atau tundok kepada perintah² polis bahkan kepada batu, kayu dan lampu pun kena ta’at juga barang siapa tidak ta’at mereka akan di-hukum. Mithal-nya, kalau-lah Ahli Yang Berhormat dari Ipoh, membawa kereta dan chuba hendak melanggar tanda Jalan Raya “stop, look, go”, dia akan di-da’awa di-Mahkamah dan di-denda; kalau dia membawa kereta di-tengah² jalan, di-mana tanda, kata jalan sa-belah kiri, dia kena ikut sa-belah kiri dan bagitu juga lampu yang merah, kuning dan hijau itu, kalau nampak yang merah tidak boleh jalan; ini-lah ma’ana-nya kita mengadakan undang² untuk menjaga keselamatan orang yang banyak.

Yang Berhormat wakil dari Ipoh selalu berchakap untuk membela puak-nya bila ada undang² yang saperti ini, ini tidak-lah mengherankan kita, urusan-nya ia-lah untuk membela orang² itu. Jika tidak berhasil, oleh kerana hendak melepaskan geram-nya, dia masuk dalam Dewan ini, dan hentam Kerajaan; di-atas perkara ini kita selalu lihat ia menyebutkan perkara² sa-macham itu. Jika kita tidak ada undang² yang tetap dan ketat, harus keamanan dan ketenteraman dalam negeri ini akan menjadi rosak bagaimana jiran kita di-Singapura. Sunggoh pun ada undang² yang ketat, chuba-lah

tuan² baca surat khabar, tiap² hari di-dapati berlaku macham² pekerjaan² yang tidak di-ingini. Undang² untok menchegeh atau memindahkan orang² yang di-shaki membuat pekerjaan² yang jahat dari satu tempat ka-satu tempat yang lain telah berjalan bebrapa lama, jikalau-lah tidak di-chegeh pada masa sekarang, saya tidak tahu apa akan terjadi; tetap sa-kali keselamatan ra'ayat dalam bahaya. Mithalnya di-tempat saya pada satu masa dahulu ada satu pergerakan "yankee", mereka itu terlalu buas dan ganas didalam pekan dan di-kedai² kopi, mereka itu tidak peduli dan hiraukan siapa² pun, konon-nya mereka-lah yang berkuasa di-tempat itu. Tetapi manakala di-adakan undang² saperti ini kepala pergerakan itu di-tangkap dan di-buang ka-tempat yang lain, nampak-nya sangat memberi kesan. Sekarang ini sudah aman, damai tidak ada pekerjaan² yang ganas lagi. Jadi, oleh sebab itu saya sokong kuat di-atas undang² ini untok keselamatan ra'ayat dan negeri ini.

Enche' Ismail bin Idris (Penang Selatan): Tuan Yang di-Pertua, saya bangun menyokong Rang Undang² ini dengan sebab sa-bagai sa-orang wakil ra'ayat dalam kawasan saya, beberapakali saya menerima aduan berkenaan dengan perkara ugutan memukul dan sa-bagai-nya. Ma'alum-lah penduduk² di-kawasan saya ini lebih banyak orang² kampung, mereka berasa takut untok mengadukan hal ini kepada Polis, jadi jikalau undang² ini di-luluskan tidak payah lagi Polis mendapat warrant untok menangkap penjahat² itu.

Tuan Yang di-Pertua, saya rasa perkara yang saperti ini-lah pehak pembangkang di-sabelah sana selalu sahaja membuat bangkangan² kepada undang² yang boleh membawa kepada keselamatan dan keamanan. Memangnya pehak pembangkang membuat demikian supaya dapat melihat keadaan negeri ini selalu dalam keadaan tidak baik dan huru hara. Saya suka menarek perhatian ahli² sakalian di-atas satu perkara yang di-keluarkan oleh wakil Ipoh ia-itu kata-nya Polis ini boleh menangkap orang² yang lalu lalang di-atas jalan walau pun tidak ada

membuat dosa atau membuat kesalahan. Saya rasa takut jikalau-lah sunggoh² Polis berbuat demikian, tetapi saya rasa Polis ini ada-lah manusia biasa dan mempunyai fikiran, dan sa-belum Kerajaan menerima sa-orang polis ia terlebih dahulu di-kaji dan di-semak supaya boleh menjadi pegawai keamanan. Jadi perkataan yang di-keluarkan oleh wakil Ipoh tadi tidak-lah kena dan tidak-lah sesuai sa-bagai sa-buah negara yang berdasarkan demokrasi bagi menjalankan segala perintah dan hukuman yang di-keluarkan oleh Kerajaan.

Saya berbalek kapada tuduhan yang di-buat oleh saudara saya wakil Dato Keramat ia-itu, saya suka menyatakan kapada-nya bahawa soal penangkapan dan tahanan sa-orang ahli Perikatan, maka saya rasa ahli itu waktu di-tangkap bukan-lah sa-orang ahli Perikatan dan sa-hingga hari ini ahli itu bukan-lah ahli Perikatan. Jadi saya rasa tidak boleh-lah dia menyalahkan Perikatan

Mr. Speaker: Bila dia berchakap fasal itu saya sudah tahan.

Enche' Ismail: Saya hendak menerangkan kapada majlis ini atas tuduhan itu tidak kena.

Mr. Speaker: Tidak payah. Perka-taan-nya itu saya sudah tahan.

Enche' Ismail: Sa-lain daripada itu, Tuan Yang di-Pertua, saya sa-bagai wakil ra'ayat kawasan Penang Selatan menyokong dengan sa-penoh-nya rang undang² ini supaya di-persetujukan.

Wan Mustapha bin Haji Ali (Kelantan Hilir): Mr. Speaker, Sir, I rise to oppose only on the ground that such power as asked for, if conferred upon the Police Officers, is liable to be abused. I personally admit that this Bill is quite reasonable, except the amendment to sections 16, 18 and 19. In other words, if such a person has committed an offence as mentioned in the explanatory statement with regard to registered persons and consorting with a registered person a member of the public is liable to be arrested summarily. But the only snag is that in Malaya the Police Officer under this section means any Police Officer including a

constable. We know that the constables are not fully trained; they are not very well educated and they are liable to abuse such power if given—either unintentionally or probably they might be too enthusiastic. I know of a case which is most regrettable but I cannot mention it here because that case is *sub judice*.

Mr. Speaker: You cannot mention it if it is *sub judice*. You will be ruled out of order.

Wan Mustapha: In that case the Police definitely abused the power given to it. The Police here is unlike the Police in England—I am not trying to praise the English Policemen—but we all know that the Police down here are so enthusiastic that they cling together; and if such powers are conferred to these officers they are liable to be abused especially when arrests can be made without a warrant. Perhaps the Bill might be amended by adding “if he has reason to believe on reasonable ground”. Then a policeman, when he arrests a man wrongly, might be excused that under this section he has reason to believe either on unfounded grounds or otherwise. If the Bill were amended with the words “believe on reasonable grounds” then there can be prosecution for false arrest. Without this clause, even anyone down here, outside this Parliament, can be arrested. In fact I know of an incident on my return to Kelantan where the car I was driving was stopped—not for any offence. I introduced myself, and then the Police said that he did not know what was a Member of Parliament. Of course, I was not speaking English. I spoke Malay. That was before the issue of the Parliamentary identity card. I had my Railway card with me to identify myself and I explained to him. He not only cross-examined me but also the owner of the car was questioned unnecessarily for no apparent reason. I was driving the car belonging to a Member of this House. He was so enthusiastic of getting me in case I had no driving licence, but fortunately of course I had one. Here you are, Sir, is an example of the Police being

enthusiastic that they have no commonsense probably they thought the car was stolen—they will arrest anybody, be he Tom, Dick or Harry. If powers such as these are given then people are liable to be arrested and restrained and there is no freedom under the law.

Secondly, I believe that the present power given to the Police under the Prevention of Crime Ordinance is quite sufficient to cope with the present situation. So on these two points, I object to the Bill to be introduced in this House.

Enche' Mohamed Yusof bin Mahmud (Temerloh): Tuan Yang di-Pertua, Bill di-hadapan kita ini ta' lain dan ta' bukan ia-lah hendak menjaga berkenaan dengan Undang² 16, 18 dan 19 yang mana kuasa-nya di-kehendaki ini sangat² mustahak kerana mereka² yang bersangkutan dalam Undang² ini ada-lah mereka² yang tidak bertanggung jawab dalam negeri ini. Maka jikalau mereka² ini tidak kita dapat menchegehakkan dengan serta merta maka beberapa pekara yang tidak akan diingini akan terjadi. Saya berasa hairan semenjak beberapa Undang² berkenaan dengan hal penjahat² ini di-bentangkan di-dalam Dewan ini maka ahli² dari barisan Socialist dan juga P.P.P. telah menjadi jagoh² daripada mereka² yang terlibat dalam undang² itu tadi. Dan saya harap ra'ayat Persekutuan Tanah Melayu faham akan pendirian ahli² yang Berhormat ini. Jadi, saya berharap kepada mereka² yang sayang kepada negeri ini dan berkehendak keamanan dalam negeri ini maka Undang² ini sangat²-lah mustahak. Saya beri satu pandangan, saya telah berjumpa beberapa pegawai polis yang hendak menchegeh satu² kejadian yang burok daripada mereka² yang jahat ini, tetapi oleh sebab tidak ada Undang² saperti ini maka perkara² itu telah menjadi berpanjangan. Jadi, saya rasa mereka² yang sayang kepada negeri ini tidak akan menolak Undang² ini.

The Minister of Transport (Enche' Sardon bin Haji Jubir): Tuan Yang di-Pertua, saya ta' hendak berchakap panjang tetapi oleh kerana tuduhan²

yang di-hadapkan kepada pihak Kerajaan maka terpaksa-lah saya menerangkan sedikit sa-banyak. Soal yang kita hadapkan, mengikut Rang Undang² ini ia-lah meminta kuasa boleh ditahan kepada orang² yang membuat kesalahan dalam Bab 16, 18 dan 19 dan orang² ini di-tangkap ada mempunyai Kad Pengenalan "X". Saya perchaya, orang² yang ada Kad Pengenalan yang berchap "X" itu telah di-kenali dan di-ketahui baik² oleh pihak polis dalam kawasan itu. Tujuan Kerajaan dan tujuan polis mengadakan Undang² pengawalan negeri ini ia-lah menyekat satu perkara yang salah yang di-buat oleh mereka itu. Jadi, kalau pihak polis tidak di-benarkan menangkap orang dengan tidak menggunakan warrent ya'ani orang yang mempunyai Kad Pengenalan "X" ini berkumpul atau pun berpakat² hendak melakukan kesalahan, tentu-lah tujuan asal Undang² ini menahan satu² perkara salah yang hendak di-buat, ta' dapat di-jalankan sa-bagaimana kahendak yang asal. Kami daripada pihak Perikatan dan Kerajaan Perikatan berfaham baik², pihak pembangkang memang pada mulanya hendak membangkang dengan Undang² ini. Apabila hendak di-adakan pindaan yang tidak kena mengenai dengan dasar-nya; mengambil peluang di-sini menerangkan, segala² benda yang salah di-buat oleh polis. Tetapi seribu satu macham yang benar, mereka tidak berchakap, barangkali ada satu atau dua yang silap atau salah itu-lah yang di-besar²kan-nya.

Saya suka menerangkan di-sini, sa-bagai pihak Yang Berhormat daripada Bungsar, mengatakan yang Kerajaan ada sangkut paut yang menyebabkan orang itu pechah rumah, itu dan ini. Sa-bagai Kerajaan, tentu-lah kita tidak sanggup sakali di-tudoh semua sakali bersubahat dengan orang yang tidak ada kerja memecah rumah dan buat kerja yang salah. Sebab Kerajaan mengadakan Undang² ini ia-lah menahan daripada mereka membuat kesalahan dalam negeri ini dan hendakkan negeri ini aman dan ma'amor. Dan lagi berkenaan dengan mengatakan, kalau-lah Undang² ini di-adakan, Malaya akan

menjadi polis state dan akan banyak lagi kumpulan bagitu dan bagini dalam negeri ini. Tudohan daripada pihak pembangkang itu, kami terima dan kami anggap tudohan² itu sa-bagai tuduhan yang tidak berasas. Sa-lagi Kerajaan Perikatan memerintah Persekutuan Tanah Melayu, kami akan jalankan ke'adilan. Kami akan tengok negeri ini aman dan ma'amor (*Tepok*) dan kami harap-lah apabila pihak pembangkang berchakap, hendak-lah menggunakan sedikit 'akal dan fikiran yang semporna supaya tidak mempengarohi orang yang tidak faham sebenar²-nya tujuan Kerajaan apabila Kerajaan menjalankan kuat kuasa di-bawah undang² ini.

Enche' Abdul Ghani bin Ishak (Malacca Utara): Tuan Yang di-Pertua, saya bangun ada-lah menyokong atas Rang Undang² ini untuk dilaksanakan dalam masa yang akan datang ini. Kita faham bahawa menjaga ketenteraman atau keselamatan itu, ada-lah sangat kita pandang berat untuk menjaga keamanan atau ketenteraman negara kita dalam masa hendak mencapai kemajuan² dan sahingga akhir-nya. Dalam hal ini, saya dengar daripada Yang Berhormat dari Ipoh dan lain² juga, ada menyebutkan mereka memandang sa-tengah² pegawai² polis itu yang akan menjalankan kerja² dengan tidak menasabah. Di-sini, saya bangun suka-lah menyatakan, kita patut menguchapkan tahniah satinggi² kepada pihak pentadbir atau pihak polis khas-nya kerana dengan kerja yang di-tunjukkan dengan che-merlang oleh mereka² ini-lah maka negara kita dapati sekarang aman dan tenteram dan kita tahu dengan kerja kuat serta dapat sokongan dari pihak ra'ayat ini dapat kita sekarang aman dan hapuskan dharurat sa-hingga pada 31 July ini, tidak ada lagi dharurat dalam Tanah Melayu. Lain² perkara yang di-sebutkan keadaan polis atau keadaan pegawai² polis tidak-lah sa-bagai di-England tetapi dukachita bagi pihak yang mengeluarkan hujah² ini, kita membuat Undang² ini kita memberi kuasa kepada orang yang kita nampak orang² itu sudah di-lateh. Sa-orang pegawai polis bukan-lah bererti-nya mata² biasa yang barangkali

juga orang itu kurang dalam hal pelajaran atau dari segi latehan-nya. Jadi, dengan perkara ini, saya rasa, patut benar-lah kita beri kuasa kepada orang² yang bagini untuk menjaga daripada berlaku-nya perkara² yang tidak baik dalam negara ini.

Enche' Mohamed Ismail bin Mohamed Yusof: Mr. Speaker, Sir, the Opposition has painted a wrong picture, and in colouring it so black they hope to spread fear to the peace-loving people of this country. This amendment is meant to strike terror into the hearts of the thugs and secret society members. I will now deal at length on the various points raised by some Members of the Opposition.

Mr. Speaker: Please speak a bit louder.

Enche' Mohamed Ismail bin Mohamed Yusof: Now, coming to the points raised by the Honourable Member for Bungsar, the Honourable Member gave the impression that this Bill, if passed, will enable the Police to make use of this power—to quote his own words—to push around everybody at will and pleasure. But as we know, Sir, in the Prevention of Crime Ordinance the Police cannot just push everybody around. We have such a thing as the Inquiry Officer for the purposes of this Ordinance who conducts the inquiry and submits his report together with his finding. I am afraid the Honourable Member knows very little about the provisions in the Ordinance. Then again, Sir, he said that the Chairman of the Committee of Inquiry does not go through the files. This shows that

Enche' V. David: Will the Honourable Assistant Minister accept the challenge that there are

Mr. Speaker: I have told you many times that you cannot just interrupt. This is laid down in the Standing Orders. If you want to rise on a point of explanation, the Member who is speaking has the right whether to give way or not. This is also laid down in the Standing Orders. Please proceed!

Enche' Mohamed Ismail bin Mohamed Yusof: As I was saying, Sir, the

Honourable Member does not know what he was talking about.

Enche' V. David: Mr. Speaker, Sir, on a point of clarification.

Enche' Mohamed Ismail bin Mohamed Yusof: I won't give way, Sir. Well, I said that because he said that the Chairman of the Committee does not go through the files. Well, there is no such person as Chairman of the Committee; it is the Inquiry Officer who takes and records all the evidence from the witnesses and puts up the recommendations or reports and his findings and I therefore cannot see how the Inquiry Officer can do that without seeing the file. Sir, this goes to show a complete ignorance of the Ordinance and procedure by the Honourable Member himself, and therefore I am not going to deal with him more than I should.

Now, coming to the Honourable Member from Ipoh, the Honourable Member from Ipoh said that the Police have no intelligence to make use of these arbitrary powers, and he also said there is no safeguard against abuse by the Police. I would refer the Honourable Member to Section 4 (2) (a) (i) of the Prevention of Crime Ordinance, and there he will find there are safeguards, because the order comes under the control of the Deputy Public Prosecutor, and therefore to say that there are no safeguards is nonsense.

Again, he went on to say—in fact, he challenged the Government to produce the files of the case of a man in Ipoh. Well, Sir, it is not for me to produce such files in the interests of the public, nor should it be necessary, I think, for me to do so, because whatever action has been taken against this man has been taken purely in accordance with the requirements of the law. The Honourable Member from Ipoh, in his great eloquence—as he usually does in this House, Sir—has made a great plea, a plea for the gangsters. He has made that plea so eloquently that I am surprised that none of the Members in the Opposition even mentioned a word of the

existence of gangsterism, of the existence of thuggery in this country. What they have treated so far is just to say that this amendment Bill is going to terrorise the people of this country, but it is clearly stated that this Bill is meant, and meant solely, for those people who come under Sections 16, 18 and 19, as specifically mentioned in the Explanatory Statement.

Sir, the Honourable Member for Dato Kramat said that a man, after being arrested, will be detained for months. I would like him to refer to Section 3 (2) of the Ordinance, which states that all persons must be produced within 24 hours before a magistrate: a person arrested under this amendment Bill would have to be produced before a magistrate within 24 hours. There is no such thing as detaining a man for months and months, as has been alleged by the Honourable Member for Dato Kramat.

Again, he referred to the laws before the war. He said that before the war, the laws did not give powers to the Police and were different from the laws that are drafted to-day. But, I submit, conditions before the war were different from conditions prevailing now, and again I am surprised that the Honourable Member cannot find the difference in that at present thuggery and gangsterism are prevalent to-day. It only needs you to read the newspapers to know that nearly every day we hear of crimes of violence, acid throwing, etc. Then again, I would refer the Honourable Member from Dato Kramat to the powers of arrest without warrant existing in the pre-war laws, i.e., section 23 of the Criminal Procedure Code—I am sorry to say he is ignorant of the existence of such provisions in the law of this country pre-war.

Sir, coming to the Honourable Member from Damansara—he objected to the phrase “if he has reason to believe” in this Bill. Now, there must be a reason for the Police to believe in order for the Police to act and arrest the persons who are covered by sections 16, 18 and 19. Then he went on to say that these persons, who have been registered and who have “Xs”

on their identity cards are victims of Government. But I submit that they are victims of their own crimes and, therefore, they have to pay for them.

Then he referred to the police in England. He said that the police in England do not interfere with strikes and so on, but the police in England do not have to deal with thugs as we have to in this country.

Mr. Speaker: I have ruled that out of order. You need not reply to that.

Enche' Mohamed Ismail bin Yusof: Sir, the points raised by the Opposition are points which will mislead people into believing that this Bill is against the peace-loving people, but I submit, Sir, that this is a Bill which is meant for those people who are already “bad-hats”, bad characters, who have been registered.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr. Speaker in the Chair).

Clauses 1 and 2—

Enche' V. David: Mr. Speaker, Sir, I beg to move an amendment to Clause 2 in respect of section 20A under “Arrest”. I propose to add after the words “police officer” the words “of or above the rank of an Inspector”.

Sir, the Honourable the Assistant Minister of the Interior is making a desperate attempt to defend himself from the constructive criticisms made by several Members of the Opposition. In his remarks he has stated that we do not know the Ordinance. If we do not know the Ordinance, then there is no necessity for us to speak about it and would have appreciated the views of the Government. Since we know the Ordinance, that is why we are forced here to move an amendment and to criticise where necessary.

According to the amendment in the Bill, it gives a police officer—it may be anybody, a sub-inspector, a sergeant

or corporal—the power to arrest without warrant and he can detain a man without offering bail. I do not know to what extent the Honourable the Assistant Minister of Interior is a constitutional expert, but I might tell him that if he is prepared to accept a challenge, I am prepared to offer him a challenge that the files are not read by the Chairmen of the Inquiry Committee. There have been cases where evidences were recorded but these were not studied by the Chairmen.

Mr. Speaker: I have to interrupt you. You are moving an amendment. The amendment is very simple—that is to add the words “of or above the rank of an Inspector” after the words “police officer”. You have to give your reasons for that and nothing more. Do not introduce irrelevant matters.

Enche' V. David: Sir, the amendment here authorises a police officer of or above the rank of an Inspector; that means it will provide power to a person who at least know the law to a certain extent.

In proposing the amendment, it does not lead to the conclusion that we accept the amendment to the Ordinance or the Ordinance itself. But since we know that our views will be steamrolled by the Honourable Minister's back-benchers, we try to obtain at least a small percentage of justice, if there is any.

Sir, the remarks made by the Honourable the Assistant Minister cannot be left unchallenged, but since an opportunity has not been given to me to reply to his criticisms, I will wait for another occasion.

Enche' D. R. Seenivasagam: Mr. Speaker, Sir, I rise to support the proposed amendment. A policeman is, in a way, a professional man; a doctor is a qualified person, and if somebody who is not qualified tries to act as a doctor, he is known as a “quack”; a lawyer is a qualified person, and if somebody who is not a lawyer tries to explain the law as a lawyer should, then he is known as “*lawyer burok*”. (Laughter). A policeman who does not know the law will be

useless. An Inspector and those above the rank of an Inspector should know something of the law. A good reason for this amendment is that an Inspector or anybody above the rank of an Inspector will not unnecessarily harass members of the public.

On the question of arrest, it is very necessary to distinguish the arrest here, with such power to do so, from an arrest, for example, now not so eloquently explained by the Assistant Minister, under the Penal Code. There is power to arrest without warrant under the Penal Code, but in that case the person arrested must be taken before a Magistrate within 24 hours. If you detain a man under the Criminal Procedure Code you must get an order from a Court after a certain period, but not under this law. That is the difference, the Honourable the Assistant Minister—that is the difference.

The Minister of Transport (Enche' Sardon bin Haji Jubir): Mr. Speaker, Sir, I would like to enlighten the Honourable Member for Bungsar and the Honourable the Member for Ipoh, who is a lawyer and a man of experience. We are dealing with sections 16, 18 and 19—persons who have or are already in possession of identity cards with an “X”. They are being put in certain areas, and the persons are known by the police. The whole idea of giving power to the police is to arrest them without warrant when they are found consorting—some of these people are harbouring . . .

Enche' D. R. Seenivasagam: Mr. Speaker, Sir, if I may I would like to explain . . .

Enche' Sardon: I refuse to give way. Time is short. If the Opposition is going to oppose for the sake of opposition, they can say anything under the sun.

Enche' K. Karam Singh: Mr. Speaker, Sir, the Honourable the Minister who spoke just now had put a wrong construction on the Bill of his own Government. This Bill will help to give unnecessary power to the police to victimise people.

Mr. Speaker: I must warn you. The question before the House now is the amendment moved by the Honourable Member for Bungsar. It is a very simple amendment: to add the words "of or above the rank of Inspector".

Enche' K. Karam Singh: I know the amendment, Sir, but I have got to reply to attacks to strengthen our stand on the amendment.

Mr. Speaker: Speak on the amendment only.

Enche' K. Karam Singh: The Honourable the Minister has said that these people are collected and put together, people who have been designated as criminals—but if you put the people together what happens? You say that these people were consorting with one another, but it is you who have put them together.

Mr. Speaker: That is irrelevant, please stop; you are not talking on the amendment.

Enche' D. R. Seenivasagam: Mr. Speaker, Sir, I refer, in supporting this amendment, to a statement made by the Honourable the Minister of Transport, who was a very able and long practising advocate and solicitor in the Federation. He has said that this Bill applies only to those with "X" on their identity cards. He has said this either deliberately wrongly or he does not know the law which he is trying to get through this House, because the Explanatory Statement say, "section 19 (which deals with the harbouring of such persons)". Even the Honourable the Minister may harbour a person with an "X", and a policeman could come and put handcuffs on him. This is not dealing with persons who have "Xs" in this country. I hope that there will be no attempt either deliberately or in ignorance to mislead this House.

Enche' Mohamed Ismail bin Mohd. Yusof: Mr. Speaker, Sir, I cannot accept the amendment. As I have said earlier, there are safeguards under section 3 (2), because a person when arrested will have to be produced within 24 hours before a Magistrate and I have never heard there is such a thing as a quack Magistrate. I cannot accept the amendment.

Amendment put, and negatived.

Clauses 1 and 2 ordered to stand part of the Bill.

Bill reported without amendment; read the third time and passed.

THE CURRENCY BILL

Second Reading

Enche' Tan Siew Sin: Mr. Speaker, Sir, I beg to move that a Bill intituled "The Currency Act, 1960" be read a second time.

This Bill seeks authority to implement an Agreement which is set out in the Schedule to the Bill, entered into between the Government of the Federation of Malaya and the Governments of the States of Singapore and Brunei and the Colonies of Sarawak and North Borneo, whereby the Board of Commissioners of Currency, Malaya and British Borneo, shall continue to be responsible for the issue of a single currency throughout the territories of the participating Governments, although certain substantial amendments have been made as regards the details of the arrangements for the issue of currency to which I will refer subsequently. The agreement has been initialled by all the participating Governments and must be ratified by legislation in each territory. When the Agreement has been ratified by all the participating Governments, it will come into force on a date to be mutually agreed in accordance with Clause 1 of the Act.

Honourable Members may be inclined to enquire why the Government has initialled a new Agreement which provides for Malayan currency to be issued by a Currency Board when the Federation's own Bank Negara has been effectively established. I wish to assure Hon'ble Members that it is still the policy of this Government that at the appropriate time Bank Negara Tanah Melayu should be responsible for the issue of our currency. I shall deal with this point later on in my speech.

In this connection, it might be noted that the 1950 Agreement made no provision regarding the means whereby Members could withdraw from the

Agreement and it did not specify the rights of the withdrawing Member. It was essential, therefore, that the new Agreement should be revised to make provision for the withdrawal of Members and the liquidation of the Board resulting therefrom. It will be agreed, however, that withdrawal from the Agreement would be a momentous step and therefore Clause 11 of the Bill before you provides that the Minister of Finance may not give notice of replacement under Clause 17 of the new Agreement unless such a step has been approved by resolution of the Dewan Ra'ayat, so that Hon'ble Members of that House will have a full opportunity to debate this issue when the time comes.

Although the Government considered that the Currency Board should continue to be responsible for the issue of a common currency, amendment of the 1950 Agreement was considered to be essential if the continuance of the present currency arrangements was to be acceptable having regard to the independent status of the Federation. The principal changes which the Federation considered to be desirable may be summarised as follows:

- (1) that the Board should be responsible only to the participating Governments;
- (2) that the composition of the Board should recognise the predominant interest of the Federation in the currency;
- (3) that the Board with the consent of the participating Governments should have the right to appoint a principal agent;
- (4) that the avenues of investment of the Fund should be widened, in particular, to provide for a part of the Fund to be invested in the securities of the participating Governments and in non-sterling securities;
- (5) that provision should be made for any Government to withdraw from the Agreement.

These basic requirements of the Federation have been met in the new Agreement. It should be noted that even at the best of times it cannot be

easy for five Governments to reach agreement on issues as complex as these and the fact that we did reach agreement is a tribute to the patience, tact and understanding which prevailed on all sides.

As I have said earlier, the new Agreement provides basically for the continuance of the present currency arrangements, and I do not propose therefore to speak on the detailed provisions of the Agreement, but I should like to take this opportunity of speaking briefly on the five requirements of the Federation which I have just enumerated.

Clause 15 of the 1950 Agreement provided that a participating Government could abrogate the Agreement with the approval of the United Kingdom Secretary of State for the Colonies. Similarly, Clause 16 provided that the Secretary of State should be the arbitrator in any dispute between the participating Governments, and the legislation giving effect to the Agreement provided that important matters such as the designing of notes and coins required his approval. The powers granted to the Secretary of State were obviously not acceptable to the Federation, and therefore the new Agreement makes no reference to the Secretary of State. The necessary powers have been vested either in the Board itself or, in major matters, policy decisions are subject to the unanimous agreement of the participating Governments.

Clause 3 (1) of the Agreement sets out the composition of the Board. Hon'ble Members will note that of the seven members, two will be appointed by the Federation and that the Chairman of the Board will be one of the two Federation representatives. Furthermore, Clause 3 (5) provides that the Federation and Singapore representatives shall have three votes each whereas the representatives of Brunei, Sarawak and North Borneo and the independent member, only a single vote each. I consider that these provisions give recognition to the predominance of the Federation's interest as compared with the 1950 Agreement which provided that the Federation and

Singapore should have one representative each and that the three Bornean territories one joint representative: it also provided for the appointment of two independent members to be approved unanimously by the participating Governments.

It will be noted that the Federation has six votes out of a total voting power of thirteen. It may be thought that the Federation should have a voting strength proportionate to the circulation of currency in her territory, that is about 63 per cent. It must be appreciated, however, that the other participating Governments would be unwilling to accord the Federation an overriding majority. Furthermore, in matters of major importance, the Agreement provides for unanimous agreement between the participating Governments. I consider this unavoidable in the circumstances, despite the possible loss of flexibility, as no Government would be likely to accept a position whereby it could be overruled in major matters relating to its own currency.

The 1950 Agreement provided that the Crown Agents should be the Principal Agent of the Board. Because the Agreement provides for the automatic conversion of the Malayan dollar to sterling payable in London, there is no alternative but that the Principal Agent should be in London. Nevertheless, it is considered that the Board, subject to the approval of the participating Governments, should have power to appoint any Agent whom it considers to be most satisfactory, and this power of appointment is now provided for in Clause 3 (8) of the new Agreement.

The 1950 Agreement provided only restricted avenues for the investment of the Fund. In particular, the Fund could not be invested in any securities of the participating Governments. This latter provision prevented any part of the currency reserves from being used by the participating Governments to finance development in their territories. Although it is essential that the external reserves held by the Board should at all times be adequate to retain public confidence in the stability of the currency, it is right and proper

that a part of the Fund should be available, if required, for investment in Federation Government securities or in the securities of the other participating Governments. Proviso (a) of Clause 10 (4) therefore provides that not more than \$300 million of the assets of the Fund may be invested in publicly issued securities of, or guaranteed by, any of the participating Governments provided that such securities are redeemable within 20 years from the date of acquisition by the Board. Paragraph (ii) of this proviso ensures that such investment will take place in an orderly fashion, the maximum rate permitted being \$100 million in each of the first three years after the Agreement comes into force. The value of the Fund on 31st December, 1959, was \$1,242 million and therefore the proportion of the Fund which may be so invested is only 24 per cent. Such a percentage will not in any way impair public confidence in the stability of the currency as the external sterling reserves will remain at a high level. The Third Schedule sets out the formula for determining the proportion of the sum of \$300 million which may be invested in the securities of each of the participating Governments. The formula allows for a slight variation in these shares but, on the basis of the amount of currency at present in circulation in each territory, the Federation's share will be of the order of \$180 million.

Clause 6 (4) of the 1950 Agreement provided that the Fund, other than the liquid portion, could only be invested in sterling securities of the United Kingdom or of Governments subject to the jurisdiction of the United Kingdom or in such other securities as were approved by the United Kingdom. As a result of constitutional and economic developments, it is considered that the avenues of investment should be widened, and therefore Clause 10 (4) of the new Agreement provides that the Fund can be invested in the sterling securities of, or guaranteed by, any Commonwealth Government, excluding participating Governments or in the sterling securities of any international monetary

institution subject to the unanimous agreement of the participating Governments. As I have already stated, investment in the securities of participating Governments is limited to \$300 million. It would therefore be possible, for instance, for part of the Fund to be invested in the sterling securities issued by the International Bank for Reconstruction and Development, provided that this has been unanimously agreed. Although the major part of the Fund is likely to continue to be invested in sterling securities, circumstances may arise where it would be advantageous for the Board to invest certain proportion of the Fund in non-sterling securities, possibly in U.S. dollar securities. Provision is therefore made for such investments under proviso (b) of Clause 10 (4). It is provided that such investments can only be made with the unanimous consent of all the participating Governments and must be confined to publicly issued Government securities maturing within a period of five years from the date of purchase by the Board. I agree that these provisions are rather rigid, but they represent the largest possible measure of agreement among the participating Governments. Nonetheless, this should be a satisfactory arrangement provided there is goodwill on all sides, and I have no doubt that that goodwill will be forthcoming.

The Board has an obligation to provide sterling on demand in the United Kingdom against Malayan currency deposited with it at any of its offices. The Board must, therefore, ensure that it retains adequate liquid reserves to fulfil this obligation at all times. Clause 10 (3) (b) provides for a liquid portion of the Fund and such portion is to be maintained at not less than 30 per cent of the value of the whole Fund. Furthermore, under Clause 10 (5) this liquid portion must be invested entirely in short-term sterling securities.

It is clear, therefore, that the provisions of Clause 10 taken as a whole provide not only for the continued stability of our currency and public confidence therein, but also ensure that

a reasonable proportion of the reserves could be made available to finance development both in the Federation and in the territories of the other participating Governments.

As regards withdrawal from the Agreement, Clause 17 provides that any participating Government may withdraw by lodging a notice of replacement which becomes effective 18 months after it has been lodged with the Board. A period of 18 months has been fixed as this is considered to be the minimum period which Members will require to make alternative arrangements for the issue of their own currency.

Clause 17 is mainly technical in character and makes provision for the orderly redemption of the present currency and the handing-over of the assets of the Fund to the new authority or authorities who will be responsible for issuing currency to replace that which has been redeemed—in the case of the Federation the new authority will be the Bank Negara Tanah Melayu. I consider that these provisions are satisfactory from the Federation's point of view.

It was considered by the participating Governments that 18 months might not allow adequate time for all Governments to make satisfactory arrangements for the issue of their own currency and, therefore, Clause 18 provides that any Government may request the Board to continue issuing the present currency in its territory for a further period of 6 months. Similarly, sub-section (b) of this Clause provides that existing coins may, with the agreement of the participating Governments, be made available to any participating Government which makes a request therefor to the Board. This provision is necessary, as the minting of new coins is slow and expensive and interim arrangements are therefore desirable.

Consideration was given to the possibility of the Board remaining in existence after the withdrawal of any of the participating Governments, but it was agreed that this would raise insuperable problems and therefore Clause 19 provides that the Board

should in due course be placed in liquidation after a notice of replacement has been lodged under Clause 17 of the Agreement.

The assets of the Fund must be applied in the first instance to the redemption of the currency issued by the Board but experience shows that not all currency issued will be presented for redemption and therefore there will be residual assets which may prove to be substantial. Clause 19 (4) (a) therefore provides for the distribution of such residual assets to the participating Governments after proper provision has been made for a contingent liability in respect of the issued and unredeemed currency of the Board. The reserve so created must in accordance with Clause 19 (5) be transferred to the Principal Agent.

Clause 20 provides for further periodic distributions of the surplus assets of the Fund, but to ensure that funds are always available to meet the cost of redeeming the currency of the Board whenever presented for redemption, Clause 20 (2) makes the participating Governments liable to meet any deficiency which may arise in the reserve created to meet this liability. The Federation's share of any such deficiency is charged on the Consolidated Fund under Clause 4 of the Bill.

It is idle to pretend that this Agreement meets the complete requirements of a sovereign and independent nation. The only possible final objective must be to issue our own currency as soon as practicable through our own Central Bank. This we intend to do. It is, however, vitally important that in the process our financial stability must be maintained, and this is only possible if, among other things, public confidence in the Malayan dollar is also maintained. Hence, one cannot dispute the desirability of an orderly transition from our former dependent status into a fully-fledged sovereign nation in the monetary sphere and this has to be achieved in two stages. In other words, this Agreement is only a temporary arrangement pending the assumption by our

Central Bank of its proper function as a note-issuing authority.

I agree that it is possible for us to withdraw completely from the existing Agreement without providing for an interim arrangement such as this, but, in such circumstances, there might be chaos in our monetary system, and this, as Honourable Members will agree, is a very serious matter indeed, because confidence is a very delicate plant and once destroyed cannot easily be revived. An abrupt change could not possibly provide the time for elaborate and complicated arrangements needed for a smooth changeover. Further, it would also mean the loss of our share of the residual assets of the Currency Fund, and from what I have said already, it should be clear to Honourable Members that such a loss might amount to a substantial figure of many millions of dollars, a loss we can ill afford owing to our continuing need to find adequate finance for the future economic development of the Federation, particularly the Second Five Year Plan, a need which will by no means be covered by the present high prices of rubber. Such being the alternative, the Currency Agreement 1960 does represent a milestone of significant progress, and ensures that the next step which we shall take will not only be firm but will crown many years of patient and skilled endeavour by many people, and will enable us to build to greater and more enduring heights on a strong and stable foundation.

Sir, I beg to move. (*Applause*).

The Assistant Minister of Labour (Enche' V. Manickavasagam): Sir, I beg to second the motion.

Enche' Tan Phock Kin: Mr. Speaker, Sir, we have heard the Honourable Minister of Finance elaborating on the Agreement, and I think he has even admitted that the arrangement is by no means one which will satisfy a totally independent nation. He is endeavouring however, to convince this House that it is necessary, because he said that as an interim measure we must have some arrangement for withdrawal and also to avoid any loss of funds and all that.

I must say here that I do agree with him in that the Agreement should be an interim measure. But the important aspect of the whole issue is this—that even the Honourable Minister agrees that it is a regrettable fact that with a Central Bank of our own, we still find it at this stage undesirable that our Central Bank should assume all the powers of a note issuing authority. We have heard from the Minister all along expressions of regret, but I regret to note that he did not in the course of his speech give us reasons, exact reasons, as to why—apart from vague utterances that the time is not yet ripe—it would be disastrous if the Bank Negara were to assume, the power of a note issuing authority. Not being able to get the answer from the Minister, I tried to get the answer by reading the Report of the Bank Negara—the latest issue for 1959. But I still could not find an answer. The Report, I am afraid, is just as vague as the Minister, because in the words of the Report, it says here—

“ . . . it was thought desirable to have a ‘breathing space’ before the Bank issued its own currency to enable an opportunity for full consideration of matters connected with the Federation’s existing economic and financial ties with Singapore and the other adjacent territories.”

So I feel that the Minister should tell us exactly the reason, the difficulty that is confronting this Government in implementing this function of the Central Bank, because, as we know, when the Central Bank was established one of the primary objects of the Central Bank was stated in the Ordinance to be “to issue currency in the Federation and to keep reserves safeguarding the value of that currency”.

Mr. Speaker: Order, order. The time is up now.

Sitting suspended at 12 noon.

Sitting resumed at 2.30 p.m.

(Mr. Speaker in the Chair)

THE CURRENCY BILL

Debate resumed on Question, “That the Bill be now read a second time.”

Question again proposed.

Enche’ Tan Phock Kin: Mr. Speaker, when we stopped for lunch just now,

I was saying that the Minister concerned was rather vague when he put forward the case with regard to the implementation of the Currency Agreement. The reasons given by him were that in the interests of financial stability, public confidence and orderly transition, we must accept the Agreement and that the change should be in two phases. Apart from that, I cannot see any detailed explanation for his stand, and from the Report of the Bank Negara Tanah Melayu for 1959, we were told under the section on currency that the Central Bank of Malaya Ordinance, 1958, provides that the Bank shall have sole authority over the issue of currency in the Federation, but that under a further provision, its powers to issue currency have been withheld until the Board of Currency Commissioners, Malaya and British Borneo have ceased to have authority to issue legal tender in the Federation. The Report went on to say:

“It may seem strange that a central bank should be established without authority to implement its issuing powers but it was felt that it would be unwise for the Federation to issue its own currency immediately and thus possibly precipitate an irrevocable severance of monetary relationships with Singapore and the Borneo territories. In other words, it was thought desirable to have a ‘breathing space’ before the Bank issued its own currency to enable an opportunity for full consideration of the matters connected with the Federation’s existing economic and financial ties with Singapore and the other adjacent territories, including the possible participation of such territories in the Federation’s central bank.”

So it can be seen that though the explanation given in the Annual Report is by no means very clear, it is an improvement on the explanation given by the Minister. It brought forward two facts, and one important fact is awaiting the decision of territories like Borneo, Sarawak and Brunei to consider their position with regard to currency matters. But here again, looking at the Report on the establishment of a Central Bank in Malaya by Mr. G. N. Watson and Sir Sidney Caine, I come across a paragraph which says:

“In making our recommendations, we have taken account of the decision of the Governments of Sarawak, North Borneo and the State of Brunei to adopt a currency of their own, and have confined ourselves to

the problem of the currency of the Federation and Singapore."

So it seems to me, Sir, that there is an inconsistency in these two Reports. One Report says specifically that Borneo, Sarawak and Brunei are going to adopt a currency of their own, and as a result of that the Report was confined merely to the Federation of Malaya and Singapore; but, as far as the Report of the Central Bank is concerned, it goes further and puts this forward as one of its reasons. So, as Members of this House, I feel that we are entitled to know all the facts. The Minister, in presenting an important Bill of this nature, should tell us all about it. He should not merely tell us that it is in the interests of financial stability, public confidence and orderly transition, but he should go further and be more specific. I feel, Sir, that arguments with regard to resulting in chaos and loss of the share in the Currency Fund are by no means valid, because the Minister is assuming that we on this side of the House are advocating that the use of the Central Bank as a note-issuing authority should be abrupt, should take place immediately. But there is no reason to believe that we are advocating that, because it will be seen that as far as the Central Bank is concerned, it was established under the Central Bank Ordinance in 1958, and in January, 1959, both the Central Bank and the Central Bank Ordinance came into force. So, our view is that as far as the Central Bank's note-issuing authority is concerned, an action should have been taken more promptly. We do agree that it should be in two phases: there should be a phase in which this Agreement should be abrogated, but we regret that the abrogation of this Agreement should be delayed for so long. It is our belief that the Government should have gone into the task of amending the 1950 Agreement sooner than what they have done, and after doing that, they should take steps to see to it that the note-issuing authority should be the Central Bank, because, after all, when the Central Bank was established, the Legislature was asked to pass large sums of money for the establishment of the Bank, and after spending the

money for so many years, we expect to see results. At least we expect to see that the primary objective of the Bank is being carried out. But we don't, and to-day we are asked to approve a Bill which provides no time limit apart from the fact that it says that we can give 18 months' notice and, what is even more regrettable, is the fact that the Minister gave no indication whatsoever as to when the time will be. He merely says that the time is not yet ripe, and we will have to wait until such time when it can be done in a smooth manner. But surely the question of financial stability, the question of public confidence, are matters that depend solely on the Government, solely on the actions of the Government, on the conduct of affairs by the Government. It is not dependent on any other factors. If the Government is not confident of itself, then there is nothing to say. But if the Government has confidence in itself, there should be no cause at all over worrying about financial stability and public confidence. That confidence is bound to be there unless Government policy is such that will result in unnecessary expenditure of public funds, imprudent expenditure, and things of such nature.

Coming now to the features of the Bill itself, in the course of his speech, the Honourable the Minister of Finance took great pains to explain to us that it is an improvement. On that score I agree. But he went on to say further, he tried to convince us, that the Currency Board is now entirely independent of the Minister of State for the Colonies. He took great pains to show us that the former powers of the Minister approving various matters have been removed; and he also went on to say that it is now dependent on participating Governments.

The Honourable Minister further informed us of certain powers of the Board which must be exercised unanimously and after that he went on to say about our voting strength in the Board: we have three votes for one member while others have only one vote. But I must point out here that on the question of decision by the rule of unanimity, even one vote can stop

us in our move to do anything; and I would also like to mention that two of the territories are colonies. They are colonies in the true sense of the word and that we, as a former colonial country, are quite aware that decisions in a colonial country are directed from the Colonial Office, and thus the so-called participating Governments are by no means independent of the Minister of State for the Colonies. Therefore, in that respect there is absolutely no point whatsoever for the Minister to mislead this House as to the independence of the Currency Board from colonial domination.

It is my contention, Sir, that the arguments put forward by the Honourable the Minister with regard to the loss of shares in the Currency Fund, are by no means valid once we agree to adopt this Agreement, because the Agreement, as the Honourable the Minister has pointed out, has made ample provisions on that and also on the question of revision. My wish here is to urge the Government to take positive steps with regard to this matter and not merely to leave it with such a vague statement as "appropriate time", because we on this side of this House may think that now is the appropriate time and the Minister may not think so. His whole argument is based on the question of gradual transition and I feel, Sir, that gradualism to have any meaning, should relate to some specific time. I see no difficulty whatsoever for our Central Bank to take over in the very near future; and I do not know whether it is on the advice of our Central Bank that the Minister refrains from saying so or whether it is more from influence from other countries—particularly perhaps the former colonial masters! I must urge the Minister concerned to note that the people of this country expect the Central Bank to function as a central bank, and I believe that the people who are working in the Central Bank now are also quite confident that they will be able to take over such responsibility. I would very much like the Minister concerned to give us detailed facts on this matter and to tell us very clearly as to when he expects such a move would take place.

Enche' Zulkiflee bin Muhammad: Tuan Yang di-Pertua, Bill ini ada-lah Rang Undang² untuk melaksanakan sa-suatu Rang Undang² Negara Kerajaan Persekutuan Tanah Melayu, Singapura, Brunei dan Tanah Jajahan Sarawak dan North Borneo berhubung dengan mata wang. Sa-telah mendengar ucapan Menteri Kewangan bahawa Rang Undang² ini ada-lah satu susunan sementara bagi maksud pengeluaran mata wang bagi negeri ini, saya rasa tidak-lah salah Rang Undang² ini diluluskan, chuma ada beberapa perkara yang mana dalam ucapan Yang Berhormat Menteri Kewangan tadi yang saya rasa patut mendapat perhatian dari Dewan ini.

Kita tahu bahawa sa-bagai sa-buah negara yang merdeka amat-lah mustahak bagi kita mempunyai pengeluaran mata wang sendiri sa-bagai sa-buah negara yang merdeka, susunan yang di-bolehkan oleh perjanjian ini ada-lah mengandungi beberapa syarat yang termasuk di-dalam-nya negara² lain. Saya insaf dan faham tentang ada-nya beberapa kesulitan² sa-bagaimana yang telah di-sebutkan oleh Menteri Kewangan tadi dalam usaha hendak membolehkan Bank Negara mengeluarkan mata wang-nya sendiri, tetapi dalam sa-bagaimana yang telah di-sebutkan oleh Menteri itu, dengan chara perjanjian ini kita melangkah setapak kahadapan menuju tujuan yang demikian. Yang saya khuatirkan di-sini ia-lah selalu-nya memetrikkan perjanjian dan keadaan terikat yang ada di-dalam perjanjian ini yang mungkin akan melambatkan tujuan kita. Oleh itu, walau bagaimana pun, sa-bagai sa-buah negara yang merdeka yang mempunyai kedaulatan maka tentu-lah kita berkehendakan kapada Kerajaan Persekutuan Tanah Melayu supaya dapat membayangkan gambaran ia-itu bilakah agak-nya dapat soal ini di-jalankan oleh negeri ini sendiri dengan tidak mesti melalui kepayahan² dan akibat² yang di-katakan saperti menghilangkan keperchayaan orang kapada mata wang kita.

Saya perchaya sakira-nya Kerajaan Persekutuan Tanah Melayu dapat membuat satu target masa, ya'ani bilakah Kerajaan ini hendak melakukan pengeluaran-nya sendiri, ini ada-lah

lebih berguna daripada menyerahkan-nya kepada keadaan. Chara yang ada ini akan manis dan senang sahaja, sebab makin lama berjalan perjanjian ini makin mendalam kesan-nya dalam soal kewangan kita dan makin payah pula kita menanggalkan diri kita daripada ikatan yang kita telah terikat di-dalam-nya. Dan yang saya harapkan kepada Kerajaan ia-lah supaya membuat anggaran kerja atau masa berapa lama-kah benda itu dapat di-lakukan. Tentu-lah tiap² satu perkara yang hendak kita buat itu ada harga-nya yang mesti kita bayar dan saya tahu dalam membayar harga ini Kerajaan tentu-lah tidak sanggup terlalu mahal, umpama-nya kalau kita berkehendakan supaya perkara itu di-buat sekarang sahaja, maka harga-nya boleh jadi kita akan kehilangan confidence atau keperchayaan kepada mata wang kita atau dengan lain perkataan merendahkan mutu kewangan dalam negeri ini. Tetapi, Tuan Yang di-Pertua, menunggu terlalu lama, oleh kerana hendak memurahkan harga dan akibat penukaran mata wang yang di-kehendaki oleh negeri ini sendiri atau nama Persekutuan Tanah Melayu yang Merdeka, menunggu-nya itu mungkin banyak mengakibatkan kehilangan dalam kedudukan moral, kedaulatan bagi Tanah Melayu yang sudah Merdeka ini. Sungguh pun saya tidak keberatan menyetujui Perjanjian ini, tetapi saya kehendaki ia-lah tetap-kanlah masa-nya. Dengan ada-nya masa itu biar-lah sedikit ada pengorbanan dari pihak Kerajaan. Di-dalam soal mata wang kita tahu, Tuan Yang di-Pertua, England sendiri pada satu masa dahulu ia-itu lepas perang oleh kerana harga mata wang dan kedudukan ekonomi-nya telah tidak tegap, maka dia telah melakukan "devaluation". Saya tidak mengeshor-kan ini sama sa-kali dalam soal ini dan sekarang soal ini tidak berbangkit. Tetapi saya hendak membayangkan bahawa dalam soal kewangan negara—tiap² negara terpaksa membayar harga bagi membolehkan dia tegap sa-mula. Maka sekarang ini bila kita berjalan sa-chara lama boleh jadi harga kita tinggi tetapi kedaulatan kita kurang. Oleh sebab itu kalau kita jalankan chara baharu, harga kita boleh jadi

rendah tetapi kita dapat kedaulatan. Kemudian kita chari-lah jalan tengah dan untuk mendapatkan ini saya per-chaya jalan yang chepat-nya ia-lah menetapkan masa-nya bagi menghasil-kan tujuan ini.

Tuan Yang di-Pertua, ada pun isi² dalam Agreement ini ada-lah kebiasaan sahaja dan saya perchaya hal ini tidak-lah mustahak menjadi perbahathan yang panjang.

Enche' Liu Yoong Peng (Rawang): Mr. Speaker, Sir, I would like to speak on Clause 4 of the Currency Agree-ment. I think that we are all for the provision here that the Governments of the various States should have the sole right to issue currency. And we know that the issue of currency is very much a "State" matter. It is the function which the Government in power should perform in co-operation with all the other Governments involved. It is certainly not a political matter and that is why I hope that in the future, when the Board of Commissioners of Currency issue the currency, no political party would take advantage of this function. I have in mind the notes that were being issued by the Board of Commissioners and here (*the Honourable Member shows to the House a new one-dollar note*) we can see there is a *kapal layar* printed on both the front and back sides of the note, and we know that *kapal layar* is the party symbol of a political party, and, therefore, it may give the impression to the simple kampong folks all over the country that it is a certain political party that is giving out money to the people (*Laughter*)—this is what we do not like to see, Sir.

Enche' Othman bin Abdullah (Perlis Utara): Tuan Yang di-Pertua, saya berdiri menyokong penoh usul Per-janjian Kewangan antara Malaya, Singapura, Borneo dan Sarawak. Saya tidak hendak berchakap panjang hanya saya suka memberi tahu kepada pihak yang membangkang berkenaan bentok rupa wang itu. Sa-benar-nya bukan-lah menurut sa-bagaimana fahaman parti ia-itu menurut bentok "kapal layar" tetapi bentok wang ini ia-lah hasil perundingan di-antara 4 buah

negeri yang tersebut dalam Perjanjian ini. Memang-lah sudah kena pada tempat-nya kalau kita sebutkan wang ini bentok-nya “kapal layar” kerana perhubungan antara 4 buah negeri ini ia-lah dengan kapal, perahu, jadi bukan-lah berhubung dengan masa’alah parti politik yang memerintah sekarang ia-itu Parti Perikatan.

Dalam masa Pilehan Raya ada diantara parti politik yang menunjukkan wang “kapal layar” antara ahli²-nya memulaukan ia-itu jangan menggunakan wang itu kerana wang itu yang sa-benar-nya wang “kapal layar”, kempen ini berjalan dengan laju-nya bahkan bersama² kempen itu mengeluarkan pula wang yang di-sebutkan

Mr. Speaker: Perkara yang tuan chakapkan ini tidak kena-mengena . . .

Enche’ Othman bin Abdullah (Perlis Utara): yang di-gunakan oleh orang China pada masa

Mr. Speaker: Dengar dahulu saya chakap!

Enche’ Othman bin Abdullah (Perlis Utara): jadi itu-lah sebab-nya

Mr. Speaker: Di-bawah Standing Orders, bila saya berchakap, tuan hendak-lah dudok. Bukan saya suruh dudok langsung, apabila saya habis berchakap, tuan boleh berdiri balek (*Ketawa*)

Enche’ Othman bin Abdullah (Perlis Utara): Terima kaseh

Mr. Speaker: . . . tetapi saya belum berchakap lagi (*Ketawa*) yang saya hendak chakapkan ia-lah masa’alah yang di-hadapan Majlis ini ia-lah undang² ini di-bacha pada kali keduanya. Jadi, masa’alah note ini tidak ada tersebut dalam undang² ini. Pihak pembangkang chuma membayangkan sahaja ia-itu takut kalau ada influence daripada pihak siasah, jadi, jangan-lah perkara ini di-jadikan satu perbathatan; itu-lah yang saya minta.

Enche’ Othman bin Abdullah (Perlis Utara): Terima kaseh, Tuan Speaker, saya berchakap tadi hanya membayangkan keraguan yang telah di-chakapkan

oleh pihak pembangkang itu, jadi, jangan-lah pula hendak-nya wang yang di-gunakan oleh Kerajaan di-empat² buah negeri itu di-jadikan sa-bagai alasan parti politik tetapi ia-lah menurut Perjanjian empat² buah negeri yang saya sebutkan tadi.

Enche’ Tan Siew Sin: Mr. Speaker, Sir, I am happy to note that, generally speaking, the House has supported this Bill. I shall deal with the minor points first before going on to the main point which has been raised by the Honourable Member for Tanjong and a few other Honourable Members.

I assure the House that the policy of the Government in this matter of the functions of the Central Bank and note issue is not necessarily based on the Caine-Watson Report. In fact, the Caine-Watson Report is now out of date, and I do not think we based our future course of action on the findings and recommendations of that Report. I took pains in the course of my speech on the second reading of this Bill to anticipate the points which were in fact made by the Honourable Member for Tanjong, but apparently what was simple to the majority of us was not so simple to him. Anyway, I will try to make it even simpler so that he will understand what we are trying to get at. I am grateful to the Honourable Member for Bachok for his support for this Bill and I agree with him that it is all a question of time. We do not want to do it too soon or delay it unnecessarily.

The Honourable Member for Rawang was rather upset, I think, at the appearance of a certain side of one particular issue of note. I can assure him that I myself thought it rather unfortunate that the Board did not think of the *kerbau* instead of the *kapal layar* for that particular issue. But I can assure him that it was a mere coincidence that that particular design was decided upon (*Laughter*).

The Honourable Member for Tanjong made the point that this Board is not one which is really compatible with the status of the Federation as a sovereign and independent nation. I cannot agree with him more, and I

took pains to explain in my speech that it cannot be otherwise. Obviously if we are to have a common currency, and as there are four other territories, the Federation cannot get its own way entirely. I, as Minister of Finance, would certainly be extremely happy if the Federation could have complete control of this Board, but I think even he would appreciate that when you are in partnership with four other persons you cannot have your own way all the time in everything. It is as simple as that. As I have said, this Agreement does not meet with our complete requirements, but under the circumstances this arrangement is unavoidable—I took care to use the word “unavoidable”. The Honourable Member for Tanjong took great pains to chastise the Government for being dilatory in this matter. Now, I do not think it is as easy as he appears to think it is. To begin with, our Central Bank was not established until January, 1959, and he himself confirmed that this was so by reading out from the Report of the Central Bank. That was only 16 or 17 months ago. Well, it is obviously impossible for the Central Bank, when it is just established, to begin with its note-issuing function and, as the Central Bank says in its report, we got to have a breathing space before we can do so. Then we have to amend the Agreement. We cannot amend an Agreement of this nature just to produce currency. You got to negotiate with various Governments, and in fact from the time we began serious work and the time we completed negotiations was a period of roughly six months, because you have got to correspond first and get the main points of negotiations settled before you have the physical meeting taking place. The Honourable Member for Bachok himself agrees that it has got to be done in two phases, because if we had withdrawn from the Agreement before this present Agreement was negotiated we would have lost a lot of money. He says that that point is not valid, but I think it has got some validity. For the information of Honourable Members, I shall demonstrate what would have happened if,

for example, we had withdrawn from the 1950 Agreement without this present Agreement. As I have made clear in my speech, there is no provision for withdrawal in the previous Agreement. If you withdraw, you have no rights whatsoever, and that means you lose your share of the residual assets of the Fund. Now, what do I mean by residual assets? I shall explain that point in case the Honourable Member does not understand what I mean. We all know that whenever you issue currency there is always a certain percentage of notes which will never come back—they are either lost, eaten by white ants, burned, stolen or something has happened to these notes—and it is conservatively estimated that that proportion is usually about 10 per cent. I do not think 10 per cent is a high figure. In fact, I think it is a fairly conservative figure. On 31st December, 1959, the assets of the Fund exceeded liabilities by roughly \$82 million. The currency circulation on that date was \$1,126 million. Well, assuming that 10 per cent of this will not come back, you get \$82 million plus \$113 million, a total of \$195 million. Our share of this would be roughly \$117 million. That means if we had withdrawn from the Agreement without this 1960 Agreement we would have lost \$117 million, and I think Honourable Members will agree with me that for the sake of a little waiting, it is worthwhile saving \$117 million.

The other point is the point about confusion in our monetary system. As I have pointed out already, if the Central Bank had started to issue currency even before it was properly established, there was a distinct risk of confusion, and, as the Central Bank even to-day is only 17 months old, I do not think we have waited too long, and even the Honourable Member for Tanjong admits that we must have this Agreement before we even consider the question of the Central Bank issuing our own currency. Now, what is the next step? We agree now that there should be no unnecessary delay. As far as this Government is concerned, the sooner we issue our own currency

the better. But, of course, we have got to be practical; we have got to be realistic; and we have got to take care that when the time comes everything will be orderly. And I can assure this House that as far as we are concerned, the sooner it is done the better, and that would also mean that we will issue our own currency as soon as is practicable (*Applause*).

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr. Speaker in the Chair)

Clauses 1 to 11 inclusive ordered to stand part of the Bill.

Schedule ordered to stand part of the Bill.

Bill reported without amendment: read the third time and passed.

Motion

Commendation to the Prime Minister

Enche' Ibrahim bin Abdul Rahman (Seberang Tengah): Tuan Yang di-Pertua, saya menhadangkan bahawa Majlis ini memuji dan mengucapkan sa-tinggi² tahniah kepada Y.T.M. Tunku Abdul Rahman Putra Al-Haj, Perdana Menteri di-atas sikap-nya yang berani dan tegas dalam masa'alah menentang dasar beda membeda warna kulit yang di-jalankan oleh Kerajaan Afrika Selatan di-dalam perundingan Perdana² Menteri Commonwealth.

Tuan Yang di-Pertua, sejak menchapai kemerdekaan, Persekutuan Tanah Melayu telah berhubung rapat dengan kumpulan negara² Asia Afrika di-Bangsa² Bersatu, dan dalam banyak soal² International, Persekutuan Tanah Melayu telah banyak memihak kepada golongan yang tersebut. Soal Apartheid ini telah pun banyak di-kemukakan oleh kumpulan negara² Asia Afrika termasuk tanah ayer kita sendiri.

Di-dalam meshuarat Parlimen yang lalu, sa-belum Y.T.M. Tunku, Perdana Menteri bertolak ka-London, kita telah

sa-bulat suara memberikan mandat yang penoh dan sokongan yang sa-penoh²-nya kepada sa-tiap tindakan yang akan di-ambil oleh Y.T.M. Tunku, Perdana Menteri dengan kezazaman dan ikhlar untuk memperjuangkan ka'adilan manusia yang telah di-chabul oleh Kerajaan kulit puteh di-Afrika Selatan.

Y.T.M. Tunku, Perdana Menteri telah berpegang kuat kepada mandat yang di-berikan kepada-nya. Beliau tiada menghampakan ra'ayat Persekutuan Tanah Melayu dan beliau tiada pula mengkhianati mandat dan kepercayaan yang telah di-berikan kepada-nya itu. Pendek kata, apa Y.T.M. Tunku, Perdana Menteri lakukan di-persidangan Perdana² Menteri Commonwealth itu, ada-lah apa yang di-kahendaki oleh mandat yang di-berikan kepada beliau oleh Parlimen ini.

Tuan Yang di-Pertua, keluarga Commonwealth, ada-lah sa-bagai satu ikatan persaudaraan tetapi pada kali ini telah ternyata-nya yang Kerajaan Afrika Selatan telah dengan sengaja-nya choba menghancurkan ikatan persaudaraan itu dengan sikap yang di-tunjokkan oleh Tuan Eric Low yang tiada sedikit pun menchoba hendak mengubah jeritan dan pekekan manusia dan saudara² keluarga Commonwealth atas kekejaman dasar Apartheid itu.

Pertengkaran Y.T.M. Tunku, Perdana Menteri dengan Tuan Eric Low, Menteri Luar Afrika Selatan dan kenyataan²-nya yang berani mengutok Kerajaan Afrika Selatan itu telah mengkagumkan seluroh dunia. Y.T.M. Tunku, Perdana Menteri telah mengegarkan negara² Commonwealth dan dunia seluroh-nya apabila beliau membawa soal Apartheid ini. Langkah yang di-ambil oleh Y.T.M. Tunku, Perdana Menteri ini sungguh pun konon-nya telah memecahkan tradisi dan peratoran biasa yang berjalan dalam sidang² Commonwealth tetapi soal Apartheid ini tidak boleh di-anggapkan sa-bagai soal rumah tangga. Apartheid telah mencheroboh hak² asasi manusia dan peri kemanusiaan yang di-lindongi oleh piagam Bangsa² Bersatu.

Perdana Menteri Afrika Selatan, Dr. Verwood, maseh lagi pada hari ini berani berchakap besar, bersikap degil, sombong dan bongkak yang tidak kena pada tempat-nya sunggoh pun Kerajaan Persekutuan Tanah Melayu mengambil tindakan membaikot barang² dagangan-nya. Sunggoh pun persidangan Commonwealth kali ini tidak berjaya memecahkan masa'alah Apartheid yang di-amalkan oleh Tuan Eric Low dan Kerajaan-nya, tetapi tindakan sa-orang pemimpin negara yang sa-demikian rupa terhadap sa-sama anggota yang lain yang menjadi anggota Commonwealth itu tentu-lah menjadi satu sejarah dalam perhubungan negara² Commonwealth.

Sunggoh pun tindakan Y.T.M. Tunku, Perdana Menteri di-dalam persidangan Perdana² Menteri Commonwealth dan tindakan Persekutuan Tanah Melayu membaikot barang² Afrika Selatan baharu sahaja dimulakan tetapi tidak shak lagi bahawa tindakan Y.T.M. Tunku, Perdana Menteri itu telah menggemparkan dunia. Dengan tindakan ini maka Y.T.M. Tunku, telah mengembeling sa-tiap tenaga Asia Afrika bagi mengembalikan hak² asasi manusia di-Afrika Selatan yang telah di-chabulkan oleh segelintar bangsa kulit putih yang tamak dan kejam itu.

Tindakan Y.T.M. Tunku, Perdana Menteri kita itu, tidak shak lagi akan menjadi titek permulaan yang paling penting dan berkesan sakali bagi pembasmian dasar Apartheid dan kekejaman terhadap bangsa kulit hitam di-Afrika Selatan dan di-benua Afrika seluroh-nya. Saya perchaya, langkah Perdana Menteri hendak mengembalikan tenaga Asia Afrika akan di-sambut dengan girang-nya oleh ra'ayat kedua² benua ini untuk menghapuskan kekejaman, ketidak 'adilan dan penindasan terhadap ra'ayat yang malang di-Afrika Selatan itu.

Y.T.M. Tunku, Perdana Menteri, telah membuka satu lambaran baharu yang istimewa dalam sejarah keluarga negara² Commonwealth dengan keberanian dan ketegasan-nya membawa soal membeza²kan warna kulit dan kekejaman Kerajaan kulit putih

Afrika Selatan di-dalam persidangan Perdana² Menteri Commonwealth itu.

Oleh sebab sikap-nya yang berani dan tegas itu maka nyata-lah kedudukan Y.T.M. Tunku, Perdana Menteri, telah pun bertambah kokoh. Nama Malaya atau Persekutuan Tanah Melayu makin bertambah harum menjadi sebutan ra'ayat seluroh dunia. Y.T.M. Tunku, Perdana Menteri kita ini, memang sedar ia-itu Kerajaan Perikatan yang di-pimpin-nya tetap akan bangkit menentang ketidak 'adilan di-mana² sahaja, baik pun di-Afrika Selatan, Algeria, Tibet, Hungary dan di-lain² tempat lagi.

Sambutan yang meriah kapada Y.T.M. Tunku, Perdana Menteri, waktu tiba-nya di-lapangan terbang itu telah menunjukkan kapada dunia betapa benchi-nya ra'ayat Persekutuan Tanah Melayu terhadap Apartheid itu. Alhamdullillah, chita² ra'ayat negeri ini telah terchapai dan mandat yang di-amanahkan kapada Tunku, Perdana Menteri, oleh Dewan Ra'ayat ini telah terlaksana. Sa-sunggoh-nya, Y.T.M. Tunku, Perdana Menteri, bukan sahaja mendapat sokongan dan pujian² daripada ra'ayat Persekutuan Tanah Melayu tetapi juga daripada ra'ayat seluroh dunia yang chintakan ka-'adilan.

Tidak lama dahulu Y.T.M. Tunku, Perdana Menteri, telah di-gelar "bapa kemerdekaan" kerana peranan yang besar dalam membebaskan tanah ayer kita dari penjajah. Surat khabar Le Mende dari Francis menggelar Tunku, Perdana Menteri, sa-bagai "tetamu yang istimewa", dan baharu² ini Y.T.M. Tunku telah pula mendapat gelaran sa-bagai "jagoh ka-'adilan" (*Tepok*) kerana perjuangan-nya yang berani menentang dasar Apartheid itu.

Oleh yang demikian, Tuan Yang di-Pertua, saya perchaya sakali lagi wakil² ra'ayat di-dalam Dewan ini yang telah memberi mandat dan sokongan penoh di-tempoh hari kapada Y.T.M. Tunku, Perdana Menteri, dengan tidak ragu² lagi akan menyokong chadangan saya dengan sa-bulat suara (*Tepok*).

Enche' Hamzah bin Alang (Kapar): Tuan Yang di-Pertua, saya menyokong chadangan tersebut. Ada-lah masa'alah

yang ada di-hadapan kita pada petang ini ia-lah satu usul untuk menguchapkan sa-tinggi² tahniah kepada Yang Teramat Mulia Tunku Perdana Menteri, Persekutuan Tanah Melayu, kerana dengan pendirian-nya yang tegas bagi mempertahankan mandat yang di-bawa dari Persekutuan Tanah Melayu dalam persidangan Perdana² Menteri Commonwealth di-London itu. Tentu-lah Ahli² Yang Berhormat dalam Dewan ini terutama dari pehak² pembangkang akan mengatakan apa-kah yang boleh kita buat dengan hanya menguchapkan tahniah kepada Tunku Abdul Rahman terhadap orang² Afrika Selatan, dan boleh-kah dia tundok dengan keputusan ini, atau ada-kah boleh jadi dengan ucapan tahniah kita ini terhadap orang² Afrika Selatan yang menyebabkan mereka mati ta' makan. Perkara yang semacham ini tentu-lah Ahli² dalam Dewan ini tertanya² ia-itu apa-kah langkah yang akan di-ambil bagi menentang keganasan Kerajaan Afrika Selatan itu. Saya berpendapat dalam perkara ini, kalau umpama-nya kita sekarang akan mengadakan satu peperangan, maka segala langkah untuk menghadapi peperangan itu ta' harus bagi orang lain mengetahu²-nya, kerana orang akan tahu nanti jalan-nya atau dari sudut mana kita hendak pergi maka langkah yang semacham ini boleh jadi terkorban di-tengah jalan, atau pun terhenti di-tengah jalan.

Dari itu, saya berpendapat bahawa dalam perkara ini ucapan tahniah kepada Yang Teramat Mulia Tunku Abdul Rahman, Perdana Menteri, tentu-lah Ahli² Yang Berhormat akan mendatangkan buah fikiran-nya di-mana dari situ-lah Kerajaan akan mengadakan satu tindakan balas sa-bagaimana yang di-buat oleh Kerajaan Afrika Selatan itu yang sangat kejam apa yang telah di-lakukan oleh Kerajaan Afrika Selatan itu. Dan saya perchaya Kerajaan belum lagi mengishtiharkan apa-kah langkah yang akan di-ambil dalam perkara membezakan warna kulit, di-samping itu mengapa kita mengambil berat dalam Dewan ini, sebab-nya, saya perchaya bahawa orang² di-Persekutuan Tanah Melayu ini ada-lah sa-bahagian besar-nya terdiri dari orang² yang berwarna kulit

dan orang² di-sini pula kebanyakan-nya berkulit langsung dan hitam manis. (*Ketawa*). Tetapi, yang puteh betul ta' ada. (*Ketawa*). Jadi, kebanyakan-nya orang² Persekutuan Tanah Melayu ini berkulit langsung dan hitam manis, dan orang² yang di-tentang oleh Kerajaan Afrika Selatan itu ia-lah orang² yang semacham kita ini. Dari itu, saya berpendapat bahawa Tuhan menjadikan manusia itu bermacam² rupa jenis kulit, ada yang kulit merah, kuning, hitam, dan ada yang seputeh²-nya, tetapi tiap² manusia itu ada mempunyai kemahuan yang sama—dia mahu makan, mahu senang, mahu pakaian dan bermacam² lagi yang dia hendak. Tetapi di-sebalek-nya Kerajaan Afrika Selatan ada-lah memandang yang manusia kulit hitam itu terlalu jijik sehingga dia sanggup membunuh orang beramai², dan apabila anak² mereka itu mengadakan hal di-mana bapa-nya yang di-tembak dari belakang itu, maka pada fikiran saya bahawa orang yang semacham itu sudah melanggar hak asasi peri kemanusiaan.

Dengan sebab itu, kita penduduk Persekutuan Tanah Melayu ta' harus berdiam diri, kerana kita ada-lah sa-bahagian daripada itu dan boleh jadi apabila kita pergi ka-negeri-nya maka boleh jadi mereka menganggap yang kita ini ada-lah semacham orang² itu juga, dan harus kita di-tembak-nya. Oleh yang demikian, ini ada-lah satu langkah yang saya rasa dalam menguchapkan tahniah kepada Yang Teramat Mulia Tunku Perdana Menteri, maka sudah sa-harus-nya kita tetapkan supaya Ahli² Yang Berhormat dalam Dewan ini menentukan pendapat²-nya dengan tegas supaya Kerajaan Persekutuan dapat mengambil satu langkah yang betul² tepat serta berkesan di-mana dapat di-rasai oleh Kerajaan Afrika Selatan.

Enche' Othman bin Abdullah (Perlis Utara): Tuan Yang di-Pertua, saya bangun di-sini ada-lah menyokong dengan penoh-nya usul yang di-bawa oleh saudara saya ia-itu memberi setinggi² tahniah dan terima kaseh kepada khidmat Yang Teramat Mulia Tunku Abdul Rahman di-atas jasa-nya yang chemerlang yang memperjuangkan kerana menghapuskan dan mengikis dasar warna kulit dalam dunia ini yang

mana saya rasa dasar apartheid atau warna kulit itu berhubung dengan pertentangan dengan hak² manusia dan hak² peri kemanusiaan. Dan juga dengan dasar ini ia-itu dasar apartheid yang di-amalkan oleh bangsa kulit putih itu yang menunjukkan betapa rendah-nya budi dan akhlak bangsa kulit putih yang merasa diri-nya sendiri kerana melakukan dasar yang tidak berperikemanusiaan yang di-sifatkan orang² itu sa-bagai orang² yang berkulit hitam yang sa-olah² di-sifatkan sa-bagai binatang² kuda, unta dan binatang² yang besar di-sana.

Sejarah menunjukkan bahawa dasar membezakan kulit, dasar menghina-kan kulit ia-itu kulit hitam di-Afrika Selatan sana yang di-amalkan oleh bangsa² kulit putih sejak kurun masehi yang kelima belas dahulu yang mana kalau saya ta' silap bahawa biasa-nya bangsa² kulit putih pada abad yang kesepuluh telah menangkap hidup² bangsa kulit hitam itu untuk di-jual di-benua Amerika untuk di-jadikan 'abdi. Penindasan itu berjalan terus-menerus dari sa-tahun ka-satahun, dari satu abad ka-satu abad menindas bangsa kulit hitam itu dengan tidak berperikemanusiaan. Pada dasar-nya kita mengetahui bahawa bangsa kulit putih itu ingin membasmi-kan langsung bangsa kulit hitam dalam dunia ini dan bangsa kulit putih itu sa-umum-nya berchita² hendak menegakkan diri-nya yang tinggi sa-bagai sa-buah negara dengan mana menchiptakan satu bangsa kulit putih bagi keseluruhan-nya dalam dunia ini.

Kapada mereka itu patut di-beri ingatan bahawa mereka itu di-jadikan oleh Tuhan berbagai² bangsa dan berbagai² keturunan dalam negeri yang diperintah-kan oleh Tuhan untuk ber-baik² sangka antara satu sama lain dengan mengadakan perhubungan diplomatik bangsa² yang lain yang bebas dan merdeka dalam dunia ini. Kalau sa-kira-nya bangsa kulit putih ingin juga menegakkan satu bangsa yang hanya terdiri dari satu bangsa kulit putih sahaja, maka tidak-lah salah-nya mereka itu di-hapuskan untuk menegakkan satu negara kulit putih di-sana. Dari itu, saya tidak-lah hendak berchakap panjang dalam Majlis ini hanya menunaikan ucapan tahniah

dan terima kasih di-atas perjuangan kerana menganjorkan ke'adilan bagi hak asasi manusia dalam dunia ini, dan kita mengalu²kan perjuangan puchok pemimpin kita yang mana pada tahun 1960 ini berdiri satu pemimpin yang ta' asing lagi yang akan bergerak lagi maju sa-bagaimana pemimpin² yang maju dalam dunia ini.

Dato' Onn bin Ja'afar: Mr. Speaker, Sir, I beg to move an amendment to this motion by the deletion of the words "and positive" in line 3 and add the following words after the word "Conference" in line 5, that is to delete the full stop and substitute a comma therefor, and then add "but regrets that he has nothing constructive or positive to commend to this House on how he now proposes to implement the mandate given to him by this House."

During the meeting in April, Sir, this House gave the Prime Minister a mandate, a full and unrestricted mandate, to raise at the Conference of Commonwealth Prime Ministers the question of the apartheid policy. This House gave him full and unstinted support to take whatever positive action or actions he saw fit. He went to the Conference like a pouncing lion, he roared in the official conferences of the Prime Ministers, he roared in the unofficial conferences, he roared to the Press in Great Britain, he roared to the world. I admit that it was a brilliant performance, and we in the Opposition Benches commend him for his firm stand. In the course of some of those unofficial discussions, the Prime Minister found out that the representative of South Africa was not only a senseless individual, but he was also cold, calculating and thoroughly unfair, obstinate, resentful, uncompromising and non-co-operative. In all honesty, Sir, what did our Prime Minister expect from the representative of South Africa? Did our Prime Minister expect the South African representative to bow down to him, to give way on a policy which his Government is committed to stand or fall, to submit tamely to what our Prime Minister demanded of him? In all fairness to our Prime Minister, I would like to mention that I did have the

opportunity of a brief chat with him before he left for London, and I put to him my doubts that he would be permitted to raise this question of apartheid at official level of the Commonwealth Prime Ministers' Conference. He entirely agreed with me, but he said that he would try.

Well, he has tried, he has now come back and told this House what happened. Before, however, he came back to this country, according to the newspaper reports emanating from London, our Prime Minister said that on his return he would lay the full facts of the Conference of the Commonwealth Prime Ministers before this House and also the other measures which he proposed to take on this apartheid policy. We in this House, the people of this country, and the world at large, awaited with breathless suspense his very important announcements and pronouncements. But what was this House told on Monday morning? He gave us a recital of events at the Commonwealth Prime Ministers' Conference, both at the official and the unofficial levels. He pointed out to us the senselessness, the obstinacy, the uncompromising stand, the resentment, the cold and calculating nature, of the South African representative. All that he has pictured of the South African representative may be correct and true, and we are prepared to take his word for it, but has he gone any further on this apartheid question for us to treat him as a conquering hero, as a man who has solved, or even partially solved, this apartheid question in South Africa?

Let us face facts. The Prime Minister went to the Commonwealth Prime Ministers' Conference, as I said, like a pouncing lion, roaring his demand, but he came back to this House bleating—I say bleating—an apology for his failure. The question now, he said, was how the matter should be pursued. In spite of the resolution passed by this House, giving him full powers, it was difficult for him, he said, at this stage to know what he should do. "My feeling in this matter", he said, "is that I should be given a mandate to carry on and to take

what steps I think are correct". Now, what are those steps which he proposes to take? In his own words he said, "All I propose to do is to write to all the Prime Ministers of all countries in this democratic world and ask them what I should do in this matter, and how they propose to contribute to whatever action we take." That is the sum total of the positive action which he now proposes to take! This attitude, in my view, is an admission of defeat and failure—not of success. The Alliance Benches may consider this admission, this defeat and failure, as an occasion for hypocritical commendations and congratulations; but to us on the Opposition side, we are far from satisfied and do not wish to associate ourselves with such defeatist sentiments. Having failed in his mission, apart from roaring loudly in the lion's den, he now asks this House for another mandate. What further mandate does he need? The resolution of this House in April still stands, and it is a good resolution. He has the full support of this House on that resolution. He has the full backing of this House on any positive action he proposes to take. What more does he want? It is not for him or his Cabinet to say, "What should I do now?". It is for him to tell this House what positive action he proposes to take from now onwards.

As a compromise, which is not a compromise in my view, the Prime Minister is stated to have said in London that in his view the South African Government should concede three seats to the African people; this was later modified to ten seats. Does our Prime Minister honestly believe that such an offer would be acceptable to the African people—three or ten seats out of one hundred or more? This should be obvious to the Prime Minister. I do not know whether he has the full backing of his Cabinet; he is in a dilemma; and in his eagerness and anxiety to contribute to the solution of world affairs he is now nonplussed and does not know what to do.

Is the Federation Government prepared to impose an embargo on all

goods coming in from and going to South Africa from this country? He has made no mention of this in his statement to this House on Monday. What is the attitude of the Alliance Government on this embargo question? Is the Government prepared to officially declare a boycott of South African goods, is the Alliance Government prepared to take positive measures to show to the South African Government our abhorrence to the apartheid policy? I do not expect the mover of the original motion to answer this question, because I do not think he is capable of doing so. (*Laughter*). As a Member of the Alliance Benches he is only doing what he is told to do. (*Laughter*). I may, however, hasten to say that the Members of the Opposition—and I think I can speak for every Member on the Opposition Benches here—will be prepared at all times to support the Prime Minister and the Federation Government in his fight against this apartheid policy. Of that there is no gainsaying. The onus to take positive action is on the Government, and the Opposition is waiting with some anxiety to know what the Government, apart from the Prime Minister himself, now proposes to do.

I now beg to move the amendment as proposed.

Enche' Chan Swee Ho (Ulu Kinta): Mr. Speaker, Sir, I beg to second the amendment. The reason why I second the amendment is that, although the Honourable the Prime Minister has spoken much about the apartheid policy, nothing positive has come out of it. The coloured people in South Africa are still living in the same miserable situation. Sir, unless positive actions are taken, further talks on apartheid policy will be a waste of time.

Mr. Speaker: The Honourable Member for Kuala Trengganu Selatan has moved an amendment to the original motion before the House reading as follows:

- (i) Delete the words "and positive" in line 3;

- (ii) Delete the fullstop after the word "Conference" in line 5 and substitute a comma therefor, and add the following words—

"but regrets that he has nothing constructive or positive to commend to this House on how he now proposes to implement the mandate given to him by this House."

The amendment is now open to debate.

Enche' D. R. Seenivasagam: Mr. Speaker, Sir, I support the amendment and in doing so let us look at the facts in this matter. Let us put aside all the shouting, all the flag-waving and all the heroic welcome. Let us look at the facts and see where the attempt to get something done about apartheid has landed the prestige of the Federation of Malaya.

Let us look at all the facts one by one. One fine day our Prime Minister landed in England, carrying with him a mandate from this House, a mandate to raise the matter of apartheid, a mandate to do something about it. Sir, when the Honourable the Prime Minister asked for that mandate, the impression he gave to this House was that he would try to get it raised formally—I emphasise, formally—at the Prime Ministers' Conference. The Honourable the Prime Minister, being a Prime Minister, I assume knows whether he could or could not properly raise it officially at the Prime Ministers' Conference. Therefore, when the meeting of the Prime Ministers took place, the first thing that our Prime Minister did was to try to place it on the agenda. No support appeared to have come from any other Prime Minister at that Conference—either a coloured Prime Minister or a white Prime Minister. Nobody seemed to have supported that. Therefore, the first fact is that the Prime Minister failed to get it placed officially on the agenda of the Prime Ministers' Conference.

The next day there was the question raised—since we could not get it discussed formally, let us try to get it done informally. Under the Rules of the Prime Ministers' Conference, if one says, "No", it is "No", and the Representative from South Africa said

"No". However, he was prepared to discuss it in bits and pieces with some of the Prime Ministers and not all the Prime Ministers at one time. Accordingly a discussion took place, and from the statement issued to this House, I say again that it did not appear that any other Prime Ministers, either coloured or white, supported our Prime Minister at that Conference in a formal talk between the Prime Ministers. Then the Representative of South Africa made a statement to the Press saying, what it amounted to in substance, "I am not here to be questioned; this is an internal matter, let nobody interfere with South Africa's internal affairs." There was another meeting of the Prime Ministers or of some of the Prime Ministers, where the Federation Prime Minister raised the question, "Why should the South African Representative go and issue a press statement?" Again, as I can read from the report given, no Prime Ministers, either coloured or white, supported the Prime Minister of the Federation of Malaya in his attempt to condemn the Representative of South Africa for issuing the statement. Whereupon our Prime Minister, losing his afternoon sleep, wrote out a statement and sent it to the press—probably thinking that, as somebody had done something, therefore, he would hit back with a press statement. The next day the Prime Minister of the Federation of Malaya said to the Representative of South Africa, both of them in a heated atmosphere, "If you want to discuss it, why should you issue a press statement like this?". Again, no Prime Ministers, coloured or white, supported the Prime Minister of the Federation of Malaya in his objection to the press statement. Thereupon everything broke down. Nothing further happened. But in an attempt to save face perhaps by the Federation of Malaya Prime Minister or perhaps by all the Prime Ministers together, an attempt was made to issue a communiqué a statement, to the Press which was drawn up and which would have suggested, if issued, that something at least might come of it, that the Representative of South Africa

may go back to Africa and tell the Prime Minister of Africa, "Well, the other Prime Ministers are not satisfied with what is happening here, you better look into this matter." However, the Representative of South Africa said, "No, you cannot issue that statement to the Press", and that was the end of the communiqué. A communiqué was then drawn up which, in fact, conveyed nothing and which only gave a headache to the Press of England.

In substance, according to our Prime Minister, that was all what happened in England about the Federation of Malaya's attempt to put a stop to apartheid in South Africa. Those are plain facts on record and those are facts on which we are asked to say, "Hail hero, congratulations and good wishes."

Mr. Speaker, Sir, if the message had said, "We congratulate the Prime Minister for trying to bring up the question of apartheid, but regret that he failed because he did not get sufficient support", then perhaps there might have been unanimous support from all sides. But if we are asked to congratulate the Prime Minister for the firm stand and positive action which he took, then we cannot associate ourselves, and that is why this amendment has been put in.

Mr. Speaker, Sir, the problem of South Africa has been spoken of not only among Prime Ministers; it has been spoken of amongst labourers, amongst every class of persons from every walk of life in almost every country. It is a story which has been going on year in and year out—the white man trying to suppress the coloured man—and all our Prime Minister did was to repeat that in England. But it has brought, I say, loss of face to the Federation of Malaya. Why did I say loss of face? For this reason: when the Prime Minister asked for this mandate from this House, the Prime Minister said—I do not have the actual words but I am giving the substance as I remember it—to this effect: that if we cannot do anything about apartheid, then we must think what is the use of

the Commonwealth; what is the use of being a member of the Commonwealth? Mr. Speaker, Sir, it has happened—we were unable to do anything within the Commonwealth. The Prime Ministers who were there are the top men. Not one of them has said “Yes, South Africa, stop your nonsense.” No, not one of them has said it. And we are still within the Commonwealth. Was it a threat issued to the Commonwealth? Was there any attempt to say, “Louw, if you don’t agree to us, we are going to walk out”. They have not agreed. And what has happened in South Africa now? According to the *Straits Times* of yesterday, people have to prove that they are white. That is the result of the Prime Ministers’ Conference—they have to prove that they are white. It has gone to that extent.

Mr. Speaker, Sir, on the return of the Prime Minister from England, there were a lot of newspaper articles: “Tengku—Asia waits”; “Diplomats keen to hear him”; “Prime Minister receives Afro-Asian envoy”; and so on. And many other things were expected. Some of the things said were that the Federation would take positive steps—embargo, boycott. Nothing has happened yet. Statements, yet more statements; welcome, yet more welcome; and congratulations, yet more congratulations. People of South Africa still wait. Nothing seems to be happening. Mr. Speaker, Sir, what is the difficulty in saying that we want to place an embargo on South African goods? What is the difficulty in saying that the Government of the Federation would not buy South African goods? If there were any difficulties, then, I say, for the dignity of this nation, there should not have been any observations made that, in the event of a failure, a boycott or an embargo would have been carried out. If we cannot do it, then let us not say and then withdraw our own words.

Mr. Speaker, Sir, recently in Parliament questions were asked, I think, by the Honourable Member for Bungsar, whether there are any South African whites in the Federation Government service and the answer

given was: well, we cannot say right now because it requires a lot of investigations. Has any step being taken to investigate? Are there any South African whites in this Government? If there are, why have they not been sent out of this country? Why should the Government be unable to tell us whether there are South African whites employed by the Federation Government, taking Federation money which belongs to coloured people? Mr. Speaker, Sir, are there any South African whites living in Malaya, leave alone the question of employment in the Government service? If there are, what are we going to do about it? Are we going to keep quiet? Are the coloured people of Malaya going to allow them to stay, as they are staying, when the coloured people in South Africa are not being given a fair deal? Or is it suggested, as the Honourable mover of the amendment said, 3 seats or 6 seats in a Legislature of 100 will be a compromise on which we can sit back? Is that the equality for which, according to the Honourable the Prime Minister, the Federation stands? And I quote: “For us the Commonwealth organisation stands for equality of men, be they white, red or yellow”. Was it suggested in England that just 3 seats or 6 seats out of 100 would treat the South African coloured people as equals to the white people?

Mr. Speaker, Sir, the Commonwealth as an organisation has failed, and we want to know the reason why it has failed. The reason has been given by Lord Casey in the *Straits Times* of 15th June. Speaking to the Press, he said that with the addition of new members, the Commonwealth has failed, and that there is trouble within the Commonwealth because the new members who have come into the Commonwealth are of different racial origins. What does all that mean? Does it mean that the white people of this world still want to remain a superior race, which they think they are? Why should a statement of that nature be made by an Australian? Is that no indication of the value of the Commonwealth? Is that not a clear indication that South

Africa's apartheid policy is not only being upheld but it is being looked on with no uneasy conscience at all by other white nations of this world? Are we not now falling into the same thing—talk, talk, talk and do nothing else? Is that what Members of this House either from the Alliance or any other group are satisfied with? Is not that what we are being asked to do—to stand up here to congratulate? Didn't we expect the Prime Minister to tell us: "I am going to take positive action in this matter—1, 2, 3, 4 and 5, and that is what I am going to do. Do you agree?" In fact, he need not have to ask us, because he has got a 100 per cent mandate. Instead of which, we are told: "Now the time has come when, as Prime Minister of this country, I think it is best that I write to all the other Prime Ministers and ask them what I should do". Mr. Speaker, Sir, the Prime Ministers of other important countries met at London and we were represented there by our Prime Minister. What is there now to write back and ask "what shall I do now?". We should do something and tell them: "We are doing this. You will be doing a service to humanity if you will help us and kindly follow our lead." Are we going to wait for them to tell us: "You do this, and then we will follow you."

Mr. Speaker, Sir, when India was a dependent nation—India is now an independent nation—the struggle in South Africa was quite in the forefront in Indian political life. We have read, and we have known, how leaders of India, when they went to South Africa, were prepared even to meet loss of liberty by being put into jail. Why? Because they chose deliberately to break the white man's barrier; they chose deliberately to go into the areas reserved for white men, because they knew that in breaking that law they were not becoming criminals, but they were breaking the law to re-establish freedom and decency for human beings. Mr. Speaker, Sir, from the Government side, I ask, is there any leader here who is prepared to go to South Africa to break that law and get locked up in jail for South Africa? If there is, then this House will vote

him any money he wants to go there and do it for the world to see. Is there such a person? I say there is none. There is none because the whole talk of apartheid in this country is a hypocritical talk by the Alliance Government as a propaganda stunt. The Alliance Government did not come into existence only now; the Alliance Government came into existence, in fact, since 1955, when the first elections were held. They became a fully-elected Government in 1957. Apartheid was still there; the problem of apartheid was still there, in the same severity as it is now. It is just because there was some shooting, just because the conscience of the world was once again rekindled, and Malaya as an Asian nation had to do something and could not keep quiet, and that is why the Alliance Government had begun to think "We will send our Tengku to the Prime Ministers' Conference where we know he cannot do much; where we know he cannot even raise it formally. Let us say bluntly, 'we do not like apartheid. South Africa, please stop your apartheid policy!'". That won't do. Although we regret it very, very much, we could not support the original motion because it would have been, as the Honourable mover of the amendment said, hypocrisy in its worst form. It would have been to lie not only to the rest of the world but to lie to the South African people, from whom I understand the Honourable Prime Minister received communications thanking him for the steps he was thinking of taking on the question of apartheid. Let us not let down those people; let us continue these steps; let us take at least one positive step. Let that one positive step be a dynamic step to show South Africa that if the whites do not want the coloureds, the coloureds do not want the whites of South Africa. The sooner we say that the better it is for the world.

Enche' Chin See Yin (Seremban Timor): Mr. Speaker, Sir, the South African Government is a member of the United Nations Organisation. South Africa subscribed to the Universal Declaration of Human Rights which was adopted in Paris on

the 10th December, 1948, and this is what is stated in Article 2: "All human beings are born free and equal in dignity and rights." There are no doubt reasons as to why they should act towards one another in a spirit of brotherhood. And we went on saying so much about human rights. In fact, Sir, the South African apartheid policy is a direct violation of the Declaration which I referred to.

Mr. Speaker, Sir, after the Commonwealth Prime Ministers' Conference, the Prime Minister of South Africa addressed his Nationalist Party and said that he simply did not believe that the rumour of positive action against South Africa would ever materialise—the world would talk a lot but would do nothing. This was said soon after the Commonwealth Prime Ministers' Conference.

Mr. Speaker, Sir, it is surprising that this move, this condemnation of its policy should first come from this country, when we have so many other countries who believe in democracy and who have subscribed to the Universal Declaration of Human Rights. The members of the Commonwealth countries—why are they not doing anything about it? Why are they not supporting our Prime Minister when he raised this matter at the Conference of the Commonwealth Prime Ministers? Why should they remain silent? I agree that whatever the South Africans do in this case it is their own internal matter. But then it is a direct violation of the Universal Declaration of Human Rights. Sir, this is a disgraceful policy and I think expulsion will certainly ruin the economic position of the South African Government, and this will bring them to their senses. But are we able to get the members of the Commonwealth nations and such nations as those who have subscribed to the Universal Declaration of Human Rights to join us? In fact, there was a newspaper report stating that the South African Minister of Transport had warned the South African Government that the boycott movement was, in fact, gathering momentum and that they would have to tighten their belt. From this you can see that people

like us and the small nations in this area of the world are beginning to act on this boycott movement, and they are feeling it. If the whole world will join in, then I say this disgraceful policy of the South African Government will eventually be changed to something better and in conformity with the Universal Declaration of Human Rights.

Therefore, Sir, I say that we have to take positive action and that positive action—if we have any—should be revealed to this House, because there is already a mandate for the Honourable Prime Minister to act. We are in full agreement with him; we are giving him 100 per cent support. I therefore suggest that we should now officially boycott all African goods and to request all the members of the Commonwealth nations to join us; and if possible, the world to join us to boycott African goods. And I think we should request the members of the Commonwealth nations to consider expelling the South African Government from the Commonwealth. This then, I say, is positive action. Without it, Sir, I think the Prime Minister has not carried out the mandate fully, and I think in doing so, it is only right that we should know what is proposed to be done.

Enche' Tan Siew Sin: Mr. Speaker, Sir, listening to the Members of the Opposition and to their very brave words, one has the impression that this problem of apartheid is so easy, so easy in fact that with a little wave of the wand, a really great hero could settle the problem. But I would suggest that this problem is so nearly insoluble, is such an intractable problem, that no one person, no single person, can solve this problem on his own. Now, let us look at the background to this problem. As the Honourable Member for Ipoh has so rightly pointed out, this is not a new problem, it has existed in South Africa for many, many years. I have no doubt at all that most if not all the members of the Commonwealth disapprove, and have in the past disapproved, the policies of the South African Government in this respect; yet this matter has never yet been discussed—even discussed—in the Commonwealth Prime Ministers' Conference. Time after time, every few

years, the Commonwealth Prime Ministers have met, and year after year, we hear of this thing happening in South Africa, of that atrocity being committed in South Africa; but, so far, no one has yet seen fit to raise this problem in the meeting of the Commonwealth Prime Ministers. So much so that, when our Prime Minister first arrived in London, there was a newspaper cartoon which showed our Tunku holding aloft a banner with the words "Action on South Africa", and, in the background, a number of the other Commonwealth Prime Ministers looking with scepticism and cynicism on our Prime Minister and saying to themselves: "Obviously a new boy!" (*Laughter*). The implication of this cartoon is quite clear: it is that this problem is such an impossible problem, it is such an insoluble problem, it is such an intractable problem, that it is perfectly useless even to try to raise it at such an august assembly. So, it will be appreciated, and Honourable Members will appreciate it, that when our Prime Minister set out on his mission, it was not only an arduous mission even if you judged by what had happened before, it was very nearly an impossible mission, so much so that other Commonwealth Prime Ministers, especially those of the Asian countries, had not even seen fit to try to raise this problem, even though they had been attending this Conference several times. And in our case, we attended this Conference for the first time since independence. It will, therefore, be seen that the problem was not only arduous, I think it was almost awe-inspiring, and I suggest any man with lesser courage than the Prime Minister would probably not even have thought of raising this problem at all. (*Applause*). The Opposition asked the Alliance why it has not done this, that, and the other. I wonder, if any of them had gone to London, what they themselves would have done in the circumstances (*Applause*). It is all very well to criticise: "Why didn't you do this, why didn't you do that?" But what would you yourselves have done if you were placed in the position in which our Prime Minister was placed at the

recent Conference? Would you have carried a pistol and shot Mr. Eric Louw?

Enche' D. R. Seenivasagam: Mr. Speaker, on a point of clarification!

Enche' Tan Siew Sin: Certainly not! I suggest this is a very mean trick, it is just a device really, to detract from the exceptional performance of the Prime Minister in order to gain a political advantage. It is really a very petty and vindictive attempt to . . .

Mr. Speaker: You are not to impute improper motives—that is laid down under the Standing Orders.

Enche' Tan Siew Sin: I withdraw that statement.

The Opposition suggest that there were a number of things we could have done. For example, it was suggested that we could expel every South African white in this country. Personally, I do not think that is a fair thing to do. Not every South African white is against us. That is evidenced by the fact that the South African Prime Minister was very nearly assassinated by a South African white, and I am sure that there are a number of South African whites, even in South Africa to-day, who do not approve of their Government's policy, and I do not see why we should take vengeance on a few individuals in this country for the sins of their Government. Anyway, this is a personal view I hold—it may or may not represent the view of the Government—I think it is very silly to suggest this sort of thing.

The point I wish to make is this: that for the first time in the history of the Commonwealth Prime Ministers, our Prime Minister broke precedent, and this matter was not only discussed, it was discussed thoroughly. It is of course not possible for our Prime Minister to divulge the exact words used by the other Prime Ministers, because that would have amounted to a breach of faith. But, speaking in this instance as a Member of the Government, I do know that the Tunku received general support from the majority if not all of the remaining Prime Ministers; obviously we can't

quote the exact words, because I am not at liberty to do so. That, I suggest, is a tremendous advance. For the first time in the history of the Commonwealth, a very major precedent has been broken in the sense that the first time in the history of this august assembly, Malaya has been able to get the internal affairs of another country discussed informally. Even though it was discussed informally, I think that was a very major advance, because, even before we started, it was made quite clear that this thing could not be done at all, no matter who the person might be.

I therefore think that, far from having put forward this amendment, the Opposition should have supported this motion, because the Prime Minister has succeeded in doing what no other Commonwealth Prime Minister has succeeded in doing in all these years of the Conference, and that, I think, is a remarkable achievement even in itself.

The Opposition ask us why cannot we go further. Again, I say we have done remarkably well. Honourable Members will have read that the Federation Government has in fact already issued instructions to all tenders boards to discontinue the purchase of South African goods. In fact, the directive came from the Treasury (*Applause*) on the instructions of the Cabinet, and this in itself, I think, is a very major advance. As has been pointed out already, Malaya is the first country in the world to have done this (*Applause*)—and to think that we achieved independence only two and a half years ago! I think this is a tremendous advance, because other countries with far longer history of independence have not even dreamt of it, let alone thought of doing it!

Dato' Onn bin Ja'afar: What about Sweden!

Enche' Tan Siew Sin: Came after us, as far as I know.

Dato' Onn bin Ja'afar: Not according to Press reports!

Mr. Speaker (to Dato' Onn bin Ja'afar): You should have at least

addressed your remarks to the chair! (*Laughter*).

Enche' Tan Siew Sin: I agree that it would be possible to do other things, but you should also remember one other thing. If to-day you want to make a stubborn person change, I do not think it is, as a matter of tactics or even as a matter of expediency, wise to show all your cards. But that does not mean that the Government has not got further cards up its sleeve. I can assure this House that there are other things we can do, but I think it is wise to give South Africa a chance, in the hope that it may not be necessary to take further drastic action. After all, I think everybody would agree, once you start carrying out all your threats, there is nothing more you can do; but if to-day you hold a few things back, there is always a chance what you hold back may eventually prove a very strong bargaining lever.

I therefore think that not only has our Prime Minister performed extremely well in London, but I think he has done what no other Prime Minister has ever succeeded in doing, and I think he deserves not only our congratulations but our heartfelt gratitude.

The Minister of Agriculture and Co-operatives (Enche' Abdul Aziz bin Ishak): Mr. Speaker, Sir, I would like to correct the allegation made by the Honourable Member for Ipoh. In fact, the history of apartheid, about which Malaya is concerned, was started long before the alleged publicity campaign for which he said we were responsible.

As early as 1949, I was in a company of two others attending a world pacifist meeting in India lasting for two months. As a result of my association with our Prime Minister I personally discussed the matter of apartheid at length with him, and his sympathy was there all the time. After that the Prime Minister and I went to Hiroshima for a conference where the apartheid question was raised and was one of the major subjects under discussion. Actually, during the Human Rights Days of 1958, he also asked me to organise, and with his permission we organised an anti-apartheid policy campaign which was

held at UMNO House where several UMNO Members of the former Legislative Council were present. I am saying this to rebut the allegation that it was a publicity stunt and was started just before the Prime Minister went to London. Further, I am prepared actually, if the Prime Minister would give permission, to go to South Africa, but I would like the Honourable Member for Ipoh to come along with me. *(Applause)*.

The Minister of Health and Social Welfare (Dato' Ong Yoke Lin): Mr. Speaker, Sir, it is too much to expect Honourable Members of the Opposition, who have spoken, not to play politics, to try to take advantage of this resolution, to prove that they can do more than we on this side of this House can. Sir, without responsibility it is easy to criticise and to say what the others have not done. The Honourable the seconder of the motion expects us to club the South Africans or to declare war on them to force them to abandon their apartheid policy. The Honourable Member for Ipoh, I think, made an indictment on the other Commonwealth countries, including India, Ceylon and Ghana. I think that is very unfair. We, the Alliance, and particularly our respected Prime Minister, do not rush madly into schemes and actions. We consider everything carefully and then take effective action.

Sir, I had the privilege of attending the last three sessions of the Commonwealth Prime Ministers' Conference as a member of our Prime Minister's delegation immediately after I attended the World Health Assembly in Geneva. No doubt all Honourable Members had been reading and following the reports in the newspapers and over the radio of the progress of that Conference, particularly the question of apartheid. The rousing welcome which our Prime Minister received on his return home by all sections of community is very well known. Sir, as an observer there, I can say that our Prime Minister so outstandingly carried out the mandate from this House, and so unrelentingly proceeded against this evil policy of apartheid, that all of us in this House and all true Malaysians outside, can justly be proud of him. *(Applause)*.

Sir, even in that short time that I had the privilege to be at the Conference, I noticed the impact of the apartheid question on that Conference. As the Honourable the Prime Minister pointed out, this Conference of Commonwealth Prime Ministers had established a convention. There were personalities like Mr. Jawaharlal Nehru—no one is going to say that Mr. Nehru supports or does not condemn apartheid or that he has not got any moral courage! There had been many Prime Ministers' Conferences and there had been apartheid for so many years, but that question had never been brought up before. It might have been talked about in private, that we are not in a position to know. But this time, thanks to our Prime Minister, this subject dominated the Conference. We all know of this convention of not discussing matters that are within the boundaries of a particular country, and we all have heard of the unanimity rule. Nevertheless, because of the determination, the sincerity and the popularity of our Prime Minister, this subject, in fact, became very much discussed informally or formally, indirectly or directly. As a result, greater publicity was given to this vexed question and world interest and feeling was aroused and fully expressed. Our Prime Minister has, without doubt, championed the cause of justice and humanity at that Conference. *(Applause)*.

I think it is fair to say that had it not been for our Prime Minister and, with a little "help" from the South African Representative, perhaps the apartheid question would not have caught the public imagination and world attention to the extent that it did—and all this is to the good of the cause of justice and humanity which we all cherish. It is significant the way the British Press and the World Press reacted to the final communique of that Conference. In fact, the absence of specific mention of apartheid caused the subject to be discussed more in the Press. It is not true, as alleged by the Honourable Member for Ipoh, to say or to jump to the conclusion that no Prime Ministers of the Commonwealth supported our Prime Minister. He must understand that it is not cricket to start revealing

the Conference secrets or Conference discussions, but I can say that no Prime Ministers there supported this apartheid policy. In fact, many openly condemned it when it was discussed. I had the opportunity to notice the consideration, attention and the support of the other Prime Ministers given to our Tunku at that Conference. (*Applause*). They, I think, appreciated his sincerity and the genial manner in which he brought up the subject—and many other important subjects—and his firmness in dealing with this Representative of South Africa.

Sir, during our subsequent visits to four European countries—Western Germany, Belgium, Holland and France—our Prime Minister was given a right royal welcome in all those countries, not only by the Government but noticeably by the common people. Our Tunku was something more than the Prime Minister of a remote and small Asian country—although he is in fact an outstanding leader by any standard. But the matter of apartheid at the Commonwealth Prime Ministers'

Conference had been so widely publicised in all those countries, that the Tunku became associated with apartheid (*Laughter*)—I am sorry, with the condemnation of apartheid. Sir, if our Prime Minister had been considered an outstanding politician in the past, the world has now considered him a Statesman.

Sir, as a gracious host in London to several Prime Ministers including Mr. Jawaharlal Nehru, and as a genial and popular guest of honour on the Continent, our Prime Minister has done a great credit not only to himself but to our country. Sir, at the end of the Commonwealth Prime Ministers' Conference, when all the farewells were said by the Prime Ministers, I noticed that Mr. Nehru, who always wears a red rose in his buttonhole, took it out and ceremoniously handed that rose to our Tunku. (*Applause*).

Mr. Speaker: The House is adjourned to Monday at 10.00 o'clock a.m.

House adjourned at 4.30 p.m. o'clock.

WRITTEN ANSWERS TO QUESTIONS

MINISTRY OF COMMERCE AND INDUSTRY

Malayan Delegate on the International Tin Council

1. Enche' V. David asks the Minister of Commerce and Industry why a British Officer is still employed as a tin expert and whether the Ministry is unable to find a Malayan to replace him.

The Minister of Commerce and Industry (Enche' Mohamed Khir Johari): For the sake of continuity, and because it seemed inadvisable to change the representation of Malaya on the International Tin Council at a time when the present Agreement was coming to an end and a new Agreement was being drafted, Government decided to extend the contract of Sir Vincent del Tufo as the Malayan Delegate on the International Tin Council until the end of 1961. By this time there will either be a new International Tin Agreement or it will have been decided for one reason or another that a new Agreement is not necessary. It was the original intention that the Trade Commissioner in London should understudy and eventually take over from Sir Vincent del Tufo, but because a suitable Malayan officer has not yet been recruited, nor could one be spared for secondment from another branch of the Government service, that post has not been filled and the Head of Chancery in London continues to fulfil the duties of Trade Commissioner in addition to his own work. This Ministry is still trying to fill the vacant post in London failing which we shall probably have to resort to secondment of a serving officer.

Controller of the Industrial Development

2. Enche' V. David asks the Minister of Commerce and Industry why a qualified Malayan Economist is not appointed as Controller of the Federation Development Division and what is the experience and qualification of the present Controller regarding economic or industrial planning.

Enche' Mohamed Khir Johari: There, is no particular reason why the Controller of the Industrial Development Division of the Ministry of Commerce and Industry should be a qualified economist. The work of the Division requires practical experience of industry, the workings of the Federation tariff, an understanding of the law relating to pioneer industries, the anti-dumping and subsidies legislation, and an understanding of commercial accounting. The main requirements of an officer are that he should be a good administrator and that he should have common sense and abundant energy. At the time when the Division was first started no local officers were available with wide experience of either economic or industrial planning. However, the Ministry is fully aware of the need to provide for Malayanisation of the post of Controller and has taken the necessary steps to see that this is done.

Industrial Advisory Committee

3. Enche' V. David asks the Minister of Commerce and Industry why there is a delay in establishing an Industrial Advisory Committee consisting of Malaysians.

Enche' Mohamed Khir Johari: One of the proposals recommended in the White Paper on Industrial Development was that an Industrial Advisory Committee should be formed. The proposal has been very carefully examined within the Ministry, and I would remind the Honourable Member that very considerable progress has been made in industrialisation in this country during a very short time and that it is not possible to do everything at once. It is my intention to set up an Industrial Advisory Committee in due course, but I have not yet decided in my own mind what is the ideal composition of such a Committee. The main complication is that there is such a diversity of interest that in order to give full representation we shall find ourselves with a Committee of unworkable proportions.

Appointments in the Rubber Research Institute

4. Enche' V. David asks the Minister of Commerce and Industry what

authority he has over appointments in the Rubber Research Institute.

Enche' Mohamed Khir Johari: Under the Rubber Research Institute Enactment (No. 14 of 1934 as amended by the Federal Constitution (Modification of Laws) (Federated Malay States) Order, 1959, L.N. 233 dated 9th July, 1959), the Minister of Commerce and Industry makes the appointment of members representing the Rubber Industry to the Board of the Rubber Research Institute of Malaya and three members of the Rubber Industry on the Permanent Committee of the Board of the Rubber Research Institute of Malaya. The appointment of the Director of the Institute is made by His Majesty the Yang di-Pertuan Agong. Appointments to posts in Divisions A and B of the Rubber Research Institute are made by the Permanent Committee of the Board of the Rubber Research Institute. Appointments to posts lower than Division B are made by the Director, Rubber Research Institute of Malaya.

MINISTRY OF DEFENCE

Civilians and Soldiers Killed in the Emergency

5. Enche' V. David asks the Minister of Defence to give the following statistics in relation to the emergency:

Number of British Civilians killed
 Number of British Soldiers killed
 Number of Malayan Civilians killed
 Number of Malayan Soldiers killed.

The Minister of Defence (Tun Abdul Razak):

Number of British civilians killed	...	...	...	106
Number of Malayan civilians killed	...	...	...	2,473
(This total excludes 1,346 Police and Home Guard personnel killed)				
Number of British soldiers killed	...	...	...	250
Number of Malayan soldiers killed	...	...	...	128

M.C.P. Members and Communists Killed

6. Enche' V. David asks the Minister of Defence to state the number of M.C.P. members killed in active warfare until end of 31st August, 1957, and the number of Communists killed after 1957.

Tun Abdul Razak: 6,462 Communist terrorists were killed before 31st August, 1957 and 248 after that date.

Malayan Paratroop Regiment and Helicopter Squadron

7. Enche' V. David asks the Minister of Defence if the Government will consider the formation of Malayan Paratroop Regiment, and also a Helicopter squadron.

Tun Abdul Razak: The organisation of the Armed Forces is kept under constant review in the light of requirements and of the funds available.

Salaries of Rank and File Police and Armed Forces

8. Enche' V. David asks the Minister of Defence whether there is any intention to increase the salaries of the rank and file of the police and armed forces of the Federation.

Tun Abdul Razak: The salaries of the rank and file of the Police and Armed Forces are related to those in the Public Service generally and there is no intention to review them separately. The terms of service of the rank and file of the Armed Forces, as already announced, have recently been improved.

Federation Army and Rural Development

9. Enche' V. David asks the Minister of Defence what part has the Federation Army played in rural development and whether it is to be given an assigned part to play in the current rural development plans.

Tun Abdul Razak: The Federation Army has already played a conspicuous part in rural development by the construction of roads and bridges notably on the Kedah roads scheme, including the NAMI Bridge, and on the access road to Bilut Valley. Assistance of this

nature, including engineering reconnaissance, is continuing.

Military representatives have recently been appointed to State Rural Development Committees and, subject to normal service commitments, the Army will render all possible assistance to rural development.

Territorial Army

10. Enche' V. David asks the Minister of Defence what is the part of the Territorial Army in the Malayan National Defence set up.

Tun Abdul Razak: The Territorial Army which is still in the process of being established will be trained to act as a reserve to, and a reinforcement for the Regular Army.

Expatriate Typists, Stenographers in Defence Ministry

11. Enche' V. David asks the Minister of Defence whether the Defence Ministry employs any expatriate typists, stenographers, private secretaries or other female expatriates.

Tun Abdul Razak: There are no expatriate typists, stenographers, private secretaries or other women expatriate staff employed in the Ministry of Defence.

MINISTRY OF TRANSPORT

Railway Quarters, Bungsar Road

12. Enche' V. David asks the Minister of Transport whether he is aware that Health Inspectors had not visited the Railway Quarters at Bungsar Road and the health conditions are deteriorating such as latrine and drains are not cleaned for weeks and if he will take appropriate steps to improve the situation.

Enche' Sardon bin Haji Jubir: The Health Inspectors have visited these quarters regularly and health conditions have not deteriorated, but it is agreed that improvements are necessary. I have paid a personal visit to the areas and, with the Railway Administration, I am looking into what can be done forthwith, to effect certain improvements to the present facilities, in advance of the scheduled renovation. The installation of waterborne sanitation has of course already started, and the work is being speeded up.

13. Enche' V. David asks the Minister of Transport to state when the Class XI Railway Quarters at Bungsar Road will be renovated.

Enche' Sardon bin Haji Jubir: Renovation of the Class XI Railway Quarters at Bungsar Road will start early next year, their priority in the Railway's all-line programme of renovation of quarters having been advanced.

MINISTRY OF EDUCATION

Cadet Corps and Scouts in National Construction Scheme

14. Enche' V. David asks the Minister of Education whether the Government will consider the use of school cadet corps, scouts and other similar detachments in national construction schemes.

Enche' Abdul Rahman bin Haji Talib: All voluntary and volunteer organisations have a part to play in national construction schemes notably in the field of community development. The organisations mentioned in the question are already performing useful public service.