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PARLIAMENTARY DEBATES

DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)

OFFICIAL REPORT

SECOND SESSION OF THE SECOND PARLIAMENT
OF MALAYSIA

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MALAYSIA

DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)

Official Report

Second Session of the Second Dewan Ra'ayat

Friday, 25th March, 1966

The House met at 9.30 o'clock a.m.

PRESENT:

- The Honourable Mr Speaker, DATO' CHIK MOHAMED YUSUF BIN SHEIKH ABDUL RAHMAN, S.P.M.P., J.P., Dato' Bendahara, Perak.
- „ the Prime Minister, Minister of Foreign Affairs and Minister of Culture, Youth and Sports, Y.T.M. TUNKU ABDUL RAHMAN PUTRA AL-HAJ, K.O.M. (Kuala Kedah).
- „ the Deputy Prime Minister, Minister of Defence, Minister of National and Rural Development, TUN HAJI ABDUL RAZAK BIN DATO' HUSSAIN, S.M.N. (Pekan).
- „ the Minister of Home Affairs and Minister of Justice, DATO' DR ISMAIL BIN DATO' HAJI ABDUL RAHMAN, P.M.N. (Johor Timor).
- „ the Minister of Finance, ENCHE' TAN SIEW SIN, J.P. (Melaka Tengah).
- „ the Minister of Works, Posts and Telecommunications, DATO' V. T. SAMBANTHAN, P.M.N. (Sungei Siput).
- „ the Minister of Transport, DATO' HAJI SARDON BIN HAJI JUBIR, P.M.N. (Pontian Utara).
- „ the Minister of Education, ENCHE' MOHAMED KHIR JOHARI (Kedah Tengah).
- „ the Minister of Health, ENCHE' BAHAMAN BIN SAMSUDIN (Kuala Pilah).
- „ the Minister for Welfare Services, TUAN HAJI ABDUL HAMID KHAN BIN HAJI SAKHAWAT ALI KHAN, J.M.N., J.P. (Batang Padang).
- „ the Minister for Local Government and Housing, ENCHE' KHAW KAI-BOH, P.J.K. (Ulu Selangor).
- „ the Minister for Sarawak Affairs, DATO' TEMENGGONG JUGAH ANAK BARIENG, P.M.N., P.D.K. (Sarawak).
- „ the Minister of Labour, ENCHE' V. MANICKAVASAGAM, J.M.N., P.J.K. (Klang).
- „ the Minister of Lands and Mines, ENCHE' ABDUL-RAHMAN BIN YA'KUB (Sarawak).
- „ the Assistant Minister of Culture, Youth and Sports, DATO' ENKGU MUHSEIN BIN ABDUL KADIR, P.M.N., S.M.T., P.J.K. (Trengganu Tengah).

- The Honourable the Assistant Minister of Education, ENCHE' LEE SIOK YEW, A.M.N., P.J.K. (Sepang).
- „ the Assistant Minister of Finance, DR NG KAM POH, J.P. (Telok Anson).
- „ the Parliamentary Secretary to the Minister of Health,
- „ ENCHE' IBRAHIM BIN ABDUL RAHMAN (Seberang Tengah).
- „ the Parliamentary Secretary to the Minister of Labour,
- „ ENCHE' LEE SAN CHOON, K.M.N. (Segamat Selatan).
- „ the Parliamentary Secretary to the Minister of Finance,
- „ ENCHE' ALI BIN HAJI AHMAD (Pontian Selatan).
- „ ENCHE' ABDUL GHANI BIN ISHAK, A.M.N. (Melaka Utara).
- „ ENCHE' ABDUL KARIM BIN ABU, A.M.N. (Melaka Selatan).
- „ WAN ABDUL KADIR BIN ISMAIL, P.P.T. (Kuala Trengganu Utara).
- „ WAN ABDUL RAHMAN BIN DATU TUANKU BUJANG (Sarawak).
- „ TUAN HAJI ABDUL RASHID BIN HAJI JAIS (Sabah).
- „ ENCHE' ABDUL RAZAK BIN HAJI HUSSIN (Lipis).
- „ ENCHE' ABDUL SAMAD BIN GUL AHMAD MIANJI (Pasar Mas Hulu).
- „ DATO' ABDULLAH BIN ABDULRAHMAN, Dato' Bijaya di-Raja (Kuala Trengganu Selatan).
- „ TUAN HAJI AHMAD BIN ABDULLAH (Kelantan Hilir).
- „ ENCHE' AHMAD BIN ARSHAD, A.M.N. (Muar Utara).
- „ TUAN HAJI AHMAD BIN SAAID, J.P. (Seberang Utara).
- „ CHE' AJIBAH BINTI ABOL (Sarawak).
- „ DR AWANG BIN HASSAN, S.M.J. (Muar Selatan).
- „ ENCHE' AZIZ BIN ISHAK (Muar Dalam).
- „ ENCHE' JONATHAN BANGAU ANAK RENANG, A.B.S. (Sarawak).
- „ PENGARAH BANYANG ANAK JANTING, P.B.S. (Sarawak).
- „ ENCHE' CHAN CHONG WEN, A.M.N. (Kluang Selatan).
- „ ENCHE' CHAN SIANG SUN (Bentong).
- „ ENCHE' CHIA CHIN SHIN, A.B.S. (Sarawak).
- „ ENCHE' FRANCIS CHIA NYUK TONG (Sabah).
- „ ENCHE' CHIN FOON (Ulu Kinta).
- „ ENCHE' C. V. DEVAN NAIR (Bungsar).
- „ ENCHE' D. A. DAGO ANAK RANDAN *alias* DAGOK ANAK RANDEN (Sarawak).
- „ ENCHE' EDWIN ANAK TANGKUN (Sarawak).
- „ TUAN SYED ESA BIN ALWEE, J.M.N., S.M.J., P.I.S. (Batu Pahat Dalam).
- „ DATIN HAJAH FATIMAH BINTI HAJI ABDUL MAJID (Johor Bahru Timor).
- „ DATIN FATIMAH BINTI HAJI HASHIM, P.M.N. (Jitra-Padang Terap).
- „ ENCHE' S. FAZUL RAHMAN, A.D.K. (Sabah).
- „ DATU GANIE GILONG, P.D.K., J.P. (Sabah).
- „ ENCHE' GANING BIN JANGKAT (Sabah).
- „ ENCHE' GEH CHONG KEAT, K.M.N. (Penang Utara).

- The Honourable ENCHE' HANAFI BIN MOHD. YUNUS, A.M.N., J.P. (Kulim Utara).
- „ ENCHE' HANAFIAH BIN HUSSAIN, J.M.N. (Jerai).
- „ ENCHE' HARUN BIN ABDULLAH, A.M.N. (Baling).
- „ WAN HASSAN BIN WAN DAUD (Tumpat).
- „ ENCHE' STANLEY HO NGUN KHIU, A.D.K. (Sabah).
- „ ENCHE' HUSSEIN BIN To' MUDA HASSAN, A.M.N. (Raub).
- „ ENCHE' HUSSEIN BIN MOHD. NOORDIN, A.M.N., P.J.K. (Parit).
- „ ENCHE' HUSSEIN BIN SULAIMAN (Ulu Kelantan).
- „ TUAN HAJI HUSSAIN RAHIMI BIN HAJI SAMAN (Kota Bharu Hulu).
- „ ENCHE' IKHWAN ZAINI (Sarawak).
- „ ENCHE' ISMAIL BIN IDRIS (Penang Selatan).
- „ PENGHULU JINGGUT ANAK ATTAN, Q.M.C., A.B.S. (Sarawak).
- „ ENCHE' THOMAS KANA (Sarawak).
- „ ENCHE' EDMUND LANGGU ANAK SAGA (Sarawak).
- „ ENCHE' AMADEUS MATHEW LEONG, A.D.K., J.P. (Sabah).
- „ DATO' LING BENG SIEW, P.N.B.S. (Sarawak).
- „ DR LIM CHONG EU (Tanjong).
- „ ENCHE' LIM KEAN SIEW (Dato Kramat).
- „ ENCHE' LIM PEE HUNG, P.J.K. (Alor Star).
- „ DR MAHATHIR BIN MOHAMAD (Kota Star Selatan).
- „ ENCHE' T. MAHIMA SINGH, J.P. (Port Dickson).
- „ ENCHE' JOSEPH DAVID MANJAJI (Sabah).
- „ DATO' DR HAJI MEGAT KHAS, D.P.M.P., J.P., P.J.K. (Kuala Kangsar).
- „ ENCHE' MOHD. ARIF SALLEH, A.D.K. (Sabah).
- „ ORANG TUA MOHAMMAD DARA BIN LANGPAD (Sabah).
- „ ENCHE' MOHD. DAUD BIN ABDUL SAMAD (Besut).
- „ ENCHE' MOHAMED IDRIS BIN MATSIL, J.M.N., P.J.K., J.P. (Jelebu-Jempol).
- „ ENCHE' MOHD. TAHIR BIN ABDUL MAJID, S.M.S., P.J.K. (Kuala Langat).
- „ WAN MOKHTAR BIN AHMAD (Kemaman).
- „ TUAN HAJI MOKHTAR BIN HAJI ISMAIL (Perlis Selatan).
- „ ENCHE' MUHAMMAD FAKHRUDDIN BIN HAJI ABDULLAH (Pasir Mas Hilir).
- „ TUAN HAJI MUHAMMAD SU'AUT BIN HAJI MUHD. TAHIR, A.B.S. (Sarawak).
- „ DATO' HAJI MUSTAPHA BIN HAJI ABDUL JABAR, D.P.M.S., A.M.N., J.P. (Sabak Bernam).
- „ ENCHE' MUSTAPHA BIN AHMAD (Tanah Merah).
- „ DATO' NIK AHMAD KAMIL, D.K., S.P.M.K., S.J.M.K., P.M.N., P.Y.G.P., Dato' Sri Setia Raja (Kota Bharu Hilir).
- „ ENCHE' NG FAH YAM (Batu Gajah).
- „ ENCHE' ONG KEE HUI (Sarawak).
- „ TUAN HAJI OTHMAN BIN ABDULLAH (Hilir Perak).

- The Honourable ENCHE' OTHMAN BIN ABDULLAH, A.M.N. (Perlis Utara).
- „ ENCHE' QUEK KAI DONG, J.P. (Seremban Timor).
- „ TUAN HAJI RAHMAT BIN HAJI DAUD, A.M.N. (Johor Bahru Barat).
- „ TUAN HAJI REDZA BIN HAJI MOHD. SAID, P.J.K., J.P. (Rembau-Tampin).
- „ RAJA ROME BIN RAJA MA'AMOR, P.J.K., J.P. (Kuala Selangor).
- „ ENCHE' SANDOM ANAK NYUAK (Sarawak).
- „ ENCHE' SEAH TENG NGIAB, P.I.S. (Muar Pantai).
- „ ENCHE' D. R. SEENIVASAGAM (Ipoh).
- „ DATO' S. P. SEENIVASAGAM, D.P.M.P., P.M.P., J.P. (Menglembu).
- „ ENCHE' SIM BOON LIANG (Sarawak).
- „ ENCHE' SENAWI BIN ISMAIL, P.J.K. (Seberang Selatan).
- „ ENCHE' SNG CHIN JOO (Sarawak).
- „ ENCHE' SULAIMAN BIN HAJI TAIB (Krian Laut).
- „ PENGIRAN TAHIR PETRA (Sabah).
- „ ENCHE' TAJUDIN BIN ALI, P.J.K. (Larut Utara).
- „ ENCHE' TAI KUAN YANG (Kulim-Bandar Bharu).
- „ ENCHE' TAMA WENG TINGGANG WAN (Sarawak).
- „ DR TAN CHEE KHOON (Batu).
- „ ENCHE' TAN CHENG BEE, J.P. (Bagan).
- „ ENCHE' TAN TOH HONG (Bukit Bintang).
- „ ENCHE' TAN TSAK YU (Sarawak).
- „ ENCHE' TIAH ENG BEE (Kluang Utara).
- „ ENCHE' YEH PAO TZE (Sabah).
- „ ENCHE' YEOH TAT BENG (Bruas).
- „ ENCHE' STEPHEN YONG KUET TZE (Sarawak).
- „ TUAN HAJI ZAKARIA BIN HAJI MOHD. TAIB, P.J.K. (Langat).

ABSENT:

- The Honourable the Minister of Commerce and Industry, DR LIM SWEE AUN, J.P. (Larut Selatan).
- „ the Minister of Information and Broadcasting, ENCHE' SENU BIN ABDUL RAHMAN (Kubang Pasu Barat).
- „ the Minister of Agriculture and Co-operatives, TUAN HAJI MOHD. GHAZALI BIN HAJI JAWI (Ulu Perak).
- „ TUAN HAJI ABDUL KHALID BIN AWANG OSMAN, Assistant Minister (Kota Star Utara).
- „ ENCHE' SULAIMAN BIN BULON, Assistant Minister (Bagan Datoh).
- „ ENCHE' ABDUL RAHMAN BIN HAJI TALIB, P.J.K. (Kuantan).
- „ Y.A.M. TUNKU ABDULLAH IBNI AL-MARHUM TUANKU ABDUL RAHMAN, P.P.T. (Rawang).
- „ TUAN HAJI ABDULLAH BIN HAJI MOHD. SALLEH, A.M.N., S.M.J., P.I.S. (Segamat Utara).
- „ ENCHE' ABU BAKAR BIN HAMZAH (Bachok).
- „ O. K. K. DATU ALIUDDIN BIN DATU HARUN, P.D.K. (Sabah).

- The Honourable ENCHE' CHAN SEONG YOON (Setapak).
- „ ENCHE' CHEN WING SUM (Damansara).
- „ TUAN HAJI HAMZAH BIN ALANG, A.M.N., P.J.K (Kapar).
- „ WAN HASSAN BIN WAN DAUD (Tumpat).
- „ DATO' SYED JA'AFAR BIN HASAN ALBAR, P.M.N. (Johor Tenggara).
- „ ENCHE' KADAM ANAK KIAI (Sarawak).
- „ ENCHE' KAM WOON WAH, J.P. (Sitiawan).
- „ ENCHE' KHOO PENG LOONG (Sarawak).
- „ DATO' KHOO SIAK CHIEW, P.D.K. (Sabah).
- „ ENCHE' LEE SECK FUN (Tanjong Malim).
- „ ENCHE' PETER LO SU YIN (Sabah).
- „ DATO' MOHAMED ASRI BIN HAJI MUDA, P.M.K. (Pasir Puteh).
- „ ENCHE' MOHAMED YUSOF BIN MAHMUD, A.M.N. (Temerloh).
- „ ENCHE' MOHD. ZAHIR BIN HAJI ISMAIL, J.M.N. (Sungai Patani).
- „ ENCHE' RAMLI BIN OMAR (Krian Darat).
- „ ENCHE' SIOW LOONG HIN, P.J.K. (Seremban Barat).
- „ ENCHE' SOH AH TECK (Batu Pahat).
- „ ENCHE' SULAIMAN BIN ALI (Dungun).
- „ ENCHE' TAN KEE GAK (Bandar Melaka).
- „ ENCHE' TOH THEAM HOCK (Kampar).

PRAYERS

(Mr Speaker *in the Chair*)

ORAL ANSWERS TO QUESTIONS

FOREIGN LOANS AND GRANTS TO MALAYSIA (FIRST MALAY-SIA FIVE-YEAR DEVELOPMENT PLAN, 1966/1970)

1. Dr Lim Chong Eu (Tanjong): (Under Standing Order 24 (2)) asks the Minister of Finance to state (a) whether the Government is in any position to indicate whether the amount of foreign loans and grants envisaged during the Five-Year Plan period, 1966-1967 will be forth-coming; and (b) what steps the Government will take to ensure that its expectations in respect of foreign loans and grants will be fulfilled.

The Minister of Finance (Enche' Tan Siew Sin): Mr Speaker, Sir, in October last year, I addressed a meeting of the Consultative Group on Aid to Malaysia, popularly known as "The Aid to Malaysia Club", on the

development needs of Malaysia based on the projects included in the First Malaysian Five-Year Development Plan 1966-1970. This meeting was attended by representatives of 12 countries, viz. Australia, Belgium, Canada, France, Germany, Japan, Netherland, New Zealand, Norway, Switzerland, the United Kingdom and the United States. The meeting which was sponsored by the World Bank, expressed general agreement with the Malaysian Government's approach to the task of economic development and agreed in principle that a Consultative Group for co-ordinating external assistance to Malaysia was desirable. The Consultative Group further agreed to meet again from time to time to devise appropriate ways of co-ordinating such aid to Malaysia. The very fact that soon after the first meeting of this Consultative Group, a number of countries present had actually discussed with the World Bank the venue for the next meeting, which they felt should be held in Europe, is an indication that the initial response from potential donor countries was encouraging.

It has now been decided that the next meeting of the Consultative Group will be held on 17th and 18th May in London. The decision to hold this meeting in May indicates that the Government's efforts to obtain the foreign loans and grants envisaged in the First Malaysia Plan are meeting with some measure of success.

As regards the second part of the Honourable Member's question, our officials are now preparing project briefs for the May meeting in London. The first phase of this exercise which involves the identification of projects has been completed. The second and third phases, which comprise the collation and analysis of material in justification of such projects, and the actual drafting of project briefs are under way. The fourth and final phase, which consists of the editing and finalisation of the project briefs is expected to be completed by the end of this month. It is expected that these briefs will be forwarded to the World Bank early in April. The Bank will in turn submit these project briefs together with its comments thereon to the member countries of the Consultative Group. It is estimated that approximately 100 development projects will be submitted for the consideration of the Consultative Group meeting.

Various officials of the World Bank, including a Vice-President and the Director of the Far East Department, have visited Malaysia recently in connection with the work of the Consultative Group. They have advised that it would be most desirable for the Minister of Finance to visit as many countries in the Consultative Group as possible prior to the meeting in May, with a view to securing support from such countries. I, therefore, propose to make a visit to Europe with a view to rallying support for the Consultative Group on Aid to Malaysia. The Consultative Group will meet from time to time and the Government will continue to submit to these meetings development projects with a view to achieving the targets for foreign financing envisaged in the Plan.

Dr Tan Chee Khoon: Mr Speaker, Sir, is the Honourable Minister of Finance aware that there are press reports, and these press reports have not been contradicted by the Minister of Finance, that this Government is seeking a 2,000 million dollar loan from abroad? Is that report true or is that report inconsistent with what is being laid down in the First Malaysia Plan?

Enche' Tan Siew Sin: Mr Speaker, Sir, the overall target figure of foreign financing is of the order of \$1,900 million, and that was the figure given in the First Malaysia Plan. That figure also consists of not only loans but grants, and I think the Honourable Member will appreciate that press reports of course have a tendency to round off these figures—I suppose that is how \$1,900 million became \$2,000 million. As I have tried to explain to the Honourable Members opposite, I am not responsible for press reports.

Dr Tan Chee Khoon: Mr Speaker, Sir, while we appreciated that Government is not responsible for press reports, nevertheless, if there are grave inconsistencies in press reports, one would hope that the Government would contradict such reports. What I am seeking for clarification is whether this \$1,900 million loan is all loan, or is it, as laid down in the First Malaysia Plan, \$1,000 million by way of loans and \$900 million by way of grants.

Enche' Tan Siew Sin: Mr Speaker, Sir, as I said about three minutes ago, this overall figure of \$1,900 million consists of both loans and grants, and the facts given in the last supplementary question by the Honourable Member for Batu are correct.

Dr Lim Chong Eu: Sir, it is quite clear that the Honourable Minister, in deciding to go abroad to Europe on the advice that was made to him, is fairly confident he is going to raise these loans and grants. But, should the total amount expected be not forthcoming, has the Government and the Honourable Minister any possible alternative plan?

Enche' Tan Siew Sin: Mr Speaker, Sir, I have never at any time used the word "confident" in any of my public pronouncements. In the answer, which I gave to the original question, I did say that our efforts have met with some measure of success, and that is as far as I am prepared to go. I should also like to explain to the House that this May meeting is not the kind of meeting where I present a demand and every country starts writing out cheques. It is not as simple as all that. What we will have to do at the May meeting is to present these project briefs—there must be specific project briefs—and then we should be able to get some indication from the member countries present whether there would be the possibility of them taking up particular projects. I think that is as far as we expect to get in London in May. \$1,900 million is a lot of money, even by international standard. We cannot at one meeting say, "A' country gives 500, another country gives 200" it is not as simple as that. But I, personally, feel that if the project briefs are properly processed we should, by the end of the Five-Year period, I think, be able to achieve the targets which we have set out to achieve. With regard to the second part of the Honourable Member's supplementary question, the answer is obvious. If we are not able to achieve the target which we have set out to do, then obviously we have to omit some projects from the Plan. As to what these projects will be, I think it is a matter for future consideration. We will cross the bridge when we come to it.

Dr Lim Chong Eu: Sir, the next question, which I would like to ask as a supplementary out of this may strike the core of the memory of the Honourable Minister of Finance, because some many, many years ago, when the question of loans was first raised, and his position vis-a-vis the Government benches was very much like my own at the present time, there was a suggestion that if these loans could not be raised from the countries in Europe, in London, and New York, one should go elsewhere—I mean, for

example, Moscow, Peking. Recently there was again a press report—I take it for what it is worth—emanating from the Government, that if these loans and grants were not to be obtained from the present group of countries we may even have to go to countries which are at present called the Communist bloc countries.

Enche' Tan Siew Sin: Mr Speaker, Sir, one must also remember that the Communist bloc countries giving aid, I think, have other motives, particularly political, apart from the desire to help developing countries. As I said previously, that is a bridge which we will cross when we come to it, but I think we will certainly make every effort possible to obtain all the assistance we need from every possible source.

ECONOMY DRIVE BY THE GOVERNMENT

2. Dr Lim Chong Eu (*under S.O. 24* (2)) asks the Minister of Finance to state whether any results had been achieved from the economy drive introduced by the Government last year with the view of ensuring that recurrent expenditures do no—unnecessarily, and to obtain maximum effectiveness from the money spent in the public services.

Enche' Tan Siew Sin: Mr Speaker, Sir, in so far as the 1965 accounts are concerned, I was hoping to give a definite indication of the success, or otherwise, of the economy drive launched last year, but regret to say that the 1965 accounts have not as yet been closed and, therefore, it is still a little premature to make a definite assessment at this stage. This House will recall, however, that when I made my Budget Speech in November last year and spoke of the expenditure proposals for 1966, I mentioned that while provisions to cover recurrent expenditure on Education, Defence, Public Debt and Grants to States for 1966 had increased by 13.1 per cent, the expenditure proposals of other services had been restricted to a modest increase of only 2.2 per cent over the original 1965 provisions.

This "reflects the deliberate policy decisions and the imperative need to exercise the most rigorous economy in less essential fields of public expenditure"—these are my words. Apart from these unavoidable increases, I also mentioned that the 1965 Budget could rightly be described as an "austerity budget and is the first fruit of the economy drive". I also added that a small team of consultants supplied by the Ford Foundation had undertaken a preliminary examination of the Government's structure with the objective of finding ways and means of achieving further economics and greater efficiency by re-organising the administrative structure and, generally, streamlining existing methods and procedures. This report, that is the Report on Development Administration, Malaysia, which has been approved by the Government in principle, has been tabled in this House.

I am sure the Honourable Member for Bungsar, who has just come in, will appreciate that the results from an exercise to curtail recurrent expenditure cannot be achieved overnight. It entails a host of examinations, which must necessarily be a time-consuming exercise. The efforts of the Government, it will be appreciated, can only bear fruit after a reasonable period of time. As an example, let me single out a specific recommendation in the Report on Development Administration concerning the need to establish a Central Purchasing Organisation so that such purchases, to meet the needs of Ministries and Departments, can be done by one authority, and not by a host of authorities as at present. The Report avers that the Government could save millions of dollars if it followed this method of purchase. While this recommendation will need detailed planning and organisation, as the question of manpower, storage, etc., will be involved, I am glad to say that in respect of the purchase of heavy equipment such as lorries, tractors, etc., the Ministry of Works, Posts and Telecommunications has already initiated action in calling for international tenders to cover the requirements of most Ministries and

Departments. Other measures which have been initiated by Government are as follows:

- (a) From a review undertaken towards the end of last year, officers travelling overseas on duty, leave, or study leave, by air are not permitted to travel first class, unless they are Superscale "D", salary \$1,670 per month, grading or above, or accompanying Ministers on overseas conferences, when they are Members of a Malaysian delegation. Before this rule was introduced officers drawing a salary of \$1,300 per month and above were eligible for first class travel by air.
- (b) The size of delegations attending international conferences has also been restricted. In addition, a review undertaken by the Treasury has curtailed the number of such conferences that would justify participation by the Government. Only those regarded as essential will be allowed.
- (c) Strict instructions have been issued on the use of official transport, particularly on the use of staff cars, so as to ensure that only essential travelling is done in them.
- (d) All Ministries and Departments have been instructed that the cheapest office stationery and other office equipment and supply should be procured for their use.
- (e) All the Ministries and Departments have also been asked to exercise the strictest economy in the use of electricity and water in Government Offices.
- (f) The Treasury, when considering the release of funds required for public functions, has consistently emphasised that this should be governed by the need for austerity.
- (g) A review of annual leave arrangements by expatriate officers both permanent and otherwise, as well as the review of the terms and conditions of engagement of experts under the Colombo Plan

and other auspices is being undertaken, with a view to ensuring that the cost of annual leave in terms of transport and lost time and non-essential privileges provided for such experts are curtailed.

- (h) Instead of obtaining advance for the purpose of buying motor cars once in every three years, the Treasury has introduced a rule that officers can only obtain an advance for the purpose after a period of 4 years from the time when they received the last advance.
- (i) Government has also staggered the leave of officers who have availed themselves of the grant of free passages overseas. This privilege is commonly known as a "once-in-a-life-time" passage. The staggering of such leave can help quite a bit, because a lesser number of officers will then be required for the establishment, all other things being equal.
- (j) A review of the minimum office space requirements for staff has also been undertaken; with the introduction of the air-conditioning in offices standards have been scaled downwards.

Dr Lim Chong Eu: Sir, there is no question that the Government's announcement of the austerity drive during the last Budget debate was one of the greatest stimulants to the rest of the nation; and this present recital of the ten of the items in respect of which the Government intends to exercise economy is very encouraging.

However, Sir, is the Honourable Minister aware that of these ten of which the priorities obviously are not very high, one other factor which the rest of the country is very deeply anxious about is this question of control of ministerial expenses—I mean Ministers' travelling to various parts of the world for reasons of improving their knowledge and this question of travelling to different parts of the country and giving out hand-outs. Sir, will not the Honourable Minister of Finance consider it necessary that, if Ministers

on their examination tours feel it necessary to give out hand-outs, they should first refer it to the Minister of Finance, and after consideration by the Cabinet, then so decide? Sir, the country at large well understand that when the Honourable Deputy Prime Minister goes out handing out money for rural development, he is probably doing it with a very great consideration, but the rest of the country cannot understand when after a game of golf \$30,000 is paid to a club to help the club. How that could possibly be in accordance with this spirit of the austerity drive?

Enche' Tan Siew Sin: Mr Speaker, Sir, I do not think "hand-out" is the happiest possible term the Honourable Member could have chosen. I can assure the Honourable Member that every member of the Cabinet is deeply conscious of the need for austerity, and even Ministers do not travel or give grants for rural development without, I think, the full consideration of all the factors involved.

Dr Tan Chee Khoon (Batu): Following on what the Honourable Member for Tanjong has said, is the Honourable Minister of Finance aware that at one time last year almost half the Cabinet was in orbit simultaneously, leaving so many Ministers doubling up. I think it was one Minister who went on a delegation for *Sepak Raga*, and I do not know whether it was at the taxpayers' expense. Are all these visits, all these flights into orbit, in consonance with this austerity drive?

Enche' Tan Siew Sin: Mr Speaker, Sir, the "orbiting", if I may borrow the Honourable Member's word, I think, was necessary in every case—also a few cases when Ministers went overseas, but not at the expense of the public purse. I think the Honourable Member has raised this question previously and got a fairly satisfactory answer or a completely satisfactory answer, but I suppose he has to raise this matter again for the sake of his Party.

Dr Lim Chong Eu: Mr Speaker, Sir, will the Honourable Minister of Finance give us a firm assurance that in the

exercise of austerity, he will do so with his well known absolute impartiality? We have never advocated dictatorship, or totalitarian systems, but from what the Honourable Minister has told us about our expectations from foreign loans, and from his own previous elucidation of the relationship between the Budget and our Five-Year Plan, this austerity is absolutely necessary. So, we would like to see that the Honourable Minister has real extensive powers in controlling and curbing unnecessary expenditure. Will the Honourable Minister give us this assurance?

Enche' Tan Siew Sin: Mr Speaker, Sir, I shall certainly try my best.

RESETTLEMENT IN NEW VILLAGE, KUCHING-SERIAN ROAD, SARAWAK

3. Dr Tan Chee Khoon asks the Minister of Home Affairs to state, why only the Chinese were resettled in the new village along the Kuching-Serian road, and whether there are other inhabitants in that region, and if so, why they were not resettled.

The Minister of Home Affairs (Dato' Dr Ismail): Mr Speaker, Sir, the resettlement exercise along the Kuching-Serian Road was conducted, in order to disrupt the communist grip in that area and to restore an atmosphere of confidence as a means of removing communist duress, so as to enable civilian co-operation to re-assert itself. Resettlement was only confined to the Chinese population along the Kuching-Serian Road, as they have for long been a community in which the communist organisation in Sarawak has thrived, although, I would like to emphasise, not all the members of the community have willingly assisted the communists, as was revealed by the information given by way of letter boxes, which were installed as a means of getting information from the people. It was not necessary to resettle the indigenous people long domiciled in that area, as they were not found to be the target of the Clandestine Communist Organisation.

Dr Tan Chee Khoon: Mr Speaker, Sir, can the Honourable Minister tell us, how many Chinese have been resettled in that area and how many indigenous people have settled in that area who are not resettled?

Dato' Dr Ismail: Sir, that is a separate question, if I may say so.

Dr Tan Chee Khoon: Mr Speaker, Sir, is the Honourable Minister absolutely sure, knowing the devious ways by which the communists operate, that this virus of communism has not spread to people other than Chinese who seem to be so susceptible to this virus?

Dato' Dr Ismail: Sir, I cannot be sure, but I can come to a logical conclusion from the facts given to me.

MALAYSIAN AIRWAYS FLIGHT S. 11—DELAY (BANGKOK-KUALA LUMPUR)

4. Dr Tan Chee Khoon asks the Minister of Transport the reason for the delay of two hours of flight S. 11, Malaysian Airways from Bangkok to Kuala Lumpur, on 20th February, 1966, and to state whether he is aware that the plane arrived three hours late and that although most of the passengers in the flight were furious at the two hours delay, none of the crew of that Malaysian Airways flight bothered to explain to the passengers the cause for the delay and almost adopted a could not-care-less attitude.

The Minister of Transport (Dato' Haji Sardon): Mr Speaker, Sir, on the 20th February, the take-off of ML. 512 for Bangkok was discontinued at Kuala Lumpur as one of the engines was only giving half power. The engineers at Kuala Lumpur set out to rectify the fault and completed this after three hours. The service, therefore, operated three hours behind schedule on the Kuala Lumpur/Bangkok sector.

At Bangkok, due to quick handling, the delay on the return flight was reduced to approximately 2½ hours.

There are standing instructions in Malaysian Airways that all passengers be fully informed of delays and the

cause of such delays. If it is true—and I believe that as the Honourable Member himself experienced it, it must be true—that the crew on flight ML 511 has failed to do this, instructions will be issued to those concerned to ensure that this attitude does not persist.

Dr Tan Chee Khoon: Is the Honourable Minister aware that on that day in question at the Bangkok airport, although it was stated that this flight would be delayed, there was no reason given for it at the airport itself. That may not be very serious, Mr Speaker, Sir. What was very serious was that: Is the Honourable Minister aware that there is no Malaysian Airways staff at the Bangkok airport. Consequently, when passengers made enquiries, they were directed to Thai International and the Thai International was completely in the dark even as to the expected time of arrival of the said aeroplane. Even half an hour before the arrival of the aeroplane at the airport, nobody at the airport knew about it. Does the Minister concerned not consider this a very unsatisfactory state of affairs and very damaging to the reputation of efficiency of the Malaysian Airways?

Dato' Haji Sardon: I will certainly communicate with the Chairman of the Malaysian Airways to see that they are always efficient; but, unfortunately, that day something must have gone wrong somewhere. The airport from Bangkok is about 18 or 17 miles, and it takes three quarters-of-an-hour to get there. Probably, the staff must have known that the plane was delayed and they came late to the airport—I do not know. Anyway, I would like to advise, particularly, Honourable Members of this House who are in orbit—the Honourable Member probably just came back from London, I think—that on reaching from London, I presume, at the Bangkok airport, kindly report to the Malaysian Airways officials, giving the numbers of the rooms where they are staying, the telephone number, so that in case of any delay or any inconvenience, they can be contacted quickly and efficiently. I do ask the co-operation of all the passengers, particularly our

Honourable Members who travel about as V.I.Ps. Thank you.

Dr Tan Chee Khoon: Those who travelled on that flight, they were not V.I.Ps. I wish to inform the Honourable Minister that those who travelled on that flight, who got on that flight, after the late arrival of the said aeroplane, not a single member of the staff of that aeroplane took the trouble to inform the passengers.

Dato' Haji Sardon: On a point of order, Sir, I think I have assured the Honourable Member that I will communicate with the Chairman of the Malaysian Airways. I am not the operator. I am just informing this Honourable House and the Honourable Member.

Dr Tan Chee Khoon: I do not see why the Honourable Minister should get so hot under the collar whenever I ask a few questions. I just wish to inform him of the very unsatisfactory state of affairs of passengers who, after an infuriating wait of four hours at the airport, when they boarded the aeroplane, there was not a single word as to why the plane was delayed and the attitude was “we could not care less”. Will the Honourable Minister investigate into this and see that the crew of this flight, wherever they may be, they will be, in future, a little more helpful to passengers.

Dato' Haji Sardon: Mr Speaker, Sir, I have already given the assurance that I will refer this to the Chairman of the Malaysian Airways.

WITHDRAWAL OF EMERGENCY REGULATIONS PROHIBITING STRIKES IN ESSENTIAL SERVICES

5. Enche' C. V. Devan Nair (Bungsar) asks the Minister of Labour to state whether he had re-examined the possibility of altogether withdrawing the Emergency Regulations prohibiting strikes in essential industries and the result of such re-examination, if any.

The Minister of Labour (Enche' V. Manickavasagam): Mr Speaker, Sir, the

Essential Regulations do not prohibit strikes, as is stated in the question, but merely restrict industrial action under certain circumstances in the essential services. These Regulations were promulgated specifically under the Emergency (Essential Powers) Act to meet the emergency situation in the country, and I do not propose withdrawing these Regulations as long as the emergency lasts.

Enche' C. V. Devan Nair: Is the Honourable Minister aware that internationally the impression has been given that all restrictions on industrial action have been withdrawn, and may I have an assurance from the Honourable Minister, when he goes to Geneva this year—if he does—that the truth will be told that there are restrictions under certain circumstances on industrial action in this country.

Enche' V. Manickavasagam: The International Organisations do appreciate the need for such restrictions in industrial actions, especially when we are having this emergency.

LEAVE FOR ADJOURNMENT OF HOUSE UNDER S.O. 18

(ALLEGED LEAKAGE OF INFORMATION FROM THE LORD PRESIDENT'S DEPARTMENT BY THE PRIME MINISTER)

Mr Speaker: Honourable Members, I have received a letter from the Honourable Member from Ipoh. It reads:

"Honourable Mr Speaker,

I hereby give notice that under Standing Order 18 (1) and (2) I will ask leave to move an adjournment of the House to discuss the following matters which are urgent, definite and of public importance.

A statement made in the House on 24-3-66 wherein the Prime Minister:

(a) falsely alleged that there had been a leakage of information from the Lord President's Department as to the successor to the Chief Justice;

(b) falsely alleged that the decision in the case of Rahman Talib *versus* Seenivasagam was known to the Member for Ipoh before it was delivered.

(Sd.) D. R. Seenivasagam,
Ipoh."

May I ask the Honourable Member to clarify this?

Enche' D. R. Seenivasagam (Ipoh): Mr Speaker, Sir, I think it is first my duty to move it, and in moving it I would not be justified, or morally right, in saying anything more than asking leave. Under Standing Order 18 (1), I ask leave of you, Mr Speaker, and the House, to discuss a matter of definite, urgent and public importance in relation to the statements made by the Honourable the Prime Minister in this House yesterday. The Honourable the Prime Minister made an absolutely unwarranted attack and wild allegations against the Lord President's Department. If nothing else, at least, good taste ought to have made him hold his tongue. He could have held an enquiry and, then, if there was anything in that enquiry, announced its result. As it is, he has let his imagination to go wild and made allegations against those, who cannot answer him here, from the Lord President's Department. Mr Speaker, Sir, there are two matters on which I ask leave as a matter of being definite, being urgent and of public importance and those two matters are:

- (1) that the Honourable the Prime Minister falsely alleged that there had been a leakage of information from the Lord President's Department as to the successor to the Chief Justice;
- (2) falsely alleged that the decision in the case of Rahman Talib *versus* Seenivasagam and Abu Bakar was known to the Member for Ipoh before it was delivered.

Those are the two matters which, I say, are of public importance, are urgent and should be debated in this House immediately for those reasons.

Mr Speaker: May I give my ruling now as to your request?

Enche' D. R. Seenivasagam: At this stage I am not entitled, I think, to say anything.

Mr Speaker: Under Standing Order 18, there must be three ingredients in what you have just now mentioned.

The subject matter must be definite, it must be *prima facie*, urgent and it must be of public importance. I am not satisfied that all the three elements are present. It may be of public importance, but it cannot be said to be urgent enough and definite enough. I, therefore, cannot allow the Honourable Member's claim to move the adjournment of the House under Standing Order 18. The Honourable Member could have brought the matter under the Judges' Remuneration Bill, when it was discussed yesterday.

BREACH OF PRIVILEGE BY THE HONOURABLE DATO' S. P. SEENIVASAGAM (MENGLEMBU)

COMPLAINT BY DATO' DR ISMAIL BIN DATO' HAJI ABDUL RAHMAN

The Minister of Home Affairs and Minister of Justice (Dato' Dr Ismail): Mr Speaker, Sir, I rise to make a complaint of breach of privilege against the Honourable Member for Menglembu. The circumstances in which the breach of privilege occurred were briefly as follows. During the proceedings in the Committee of Supply on the Supplementary Supply Bill, 1965

Dato' S. P. Seenivasagam: Mr Speaker, Sir, under what Standing Order?

Mr Speaker: I believe that the Minister is bringing the matter to the notice of the House to take it to the Committee of Privileges.

Dato' S. P. Seenivasagam: Mr Speaker, Sir, before a Member raises something, it must come under some Standing Order. If it is open to the Honourable Minister to say that, I could also get up and make a statement that I want somebody to be taken up to the Committee of Privileges. I do not say he cannot, but I am ignorant as to what Standing Order.

Dato' Dr Ismail: It has been the practice, if there is any complaint of breach of privilege, that any Honourable Member can bring it to the House

before the business of the day commences.

Mr Speaker: I rule that he can, because it had been done before.

Dato' S. P. Seenivasagam: That applies to the Opposition as well.

Dato' Dr Ismail: As I said, the circumstances were as follows. During the proceedings in the Committee of Supply on the Supplementary Supply (1965) Bill yesterday, the Honourable Member for Menglembu rose to speak on Head S. 45 of the Schedule to the Bill. When it became clear to me that the Member intended to speak on the policy and not on the details of expenditure set out under this Head, I rose to submit that under Standing Order 67 (5) it would not be in order for him to do so. Now, Sir, I said, "when it became clear to me", and now I would like to substantiate why I said it became clear to me by citing the speech given by the Honourable Member. He said, "I speak under Head S. 45, Ministry of Justice. The sum of money asked for obviously is intended to be spent, so that those concerned with the administration of justice could be sufficiently remunerated for the work done by them. It is important, therefore, that the persons to whom these salaries are paid must feel secure in their office and should not be", and then he was interrupted. From that, I have said, that it was clear to me at least that he was debating on the policy and not on the details. So, I rose on a point of order. Sir, when I rose on the point of order, the Honourable Member for Menglembu, instead of stopping, kept on speaking, saying this, and I quote him Sir, "I am giving my reasons"—that is addressing the Chairman—"I am giving my reasons and then it is up to you, Sir, to give your ruling". Then he continued, saying "I say I am able to speak and to say that if we are going to pay this money to these persons, they must be allowed to carry on their duties without intimidation from the Prime Minister or from anybody else." And then I interrupted him again, Sir, I said, "Mr Chairman, Sir, you should give your ruling right away. I do not

want that to be recorded in the Hansard at all". My point there, Sir, is that if we had allowed the Honourable Member to keep on continuing speaking as he started, then there is no point in my rising on a point of order, and that was why I said I wanted that thing to be struck off the record of the Hansard. Then, Sir, the Honourable Member said, "I want to know what the ruling is, Sir. Otherwise how can I know what I can speak and what I cannot speak". Then the Chairman said, "I have stated Standing Order 67 (5). You understand what I have said just now? Standing Order 67 (5)—you understand what I have said just now Standing Order 67 (5) applied. That is my ruling".

Now, Sir, my point in submitting that there is a breach of privilege by the Honourable Member for Menglembu is this. When I rose as a Member of this House to exercise my right as given under Standing Order to interrupt on a point of order, I have every right to exercise my right, whether I am right or wrong, it is for the Chairman to rule me, but it is stated in the Standing Order that a Member can rise on a point of order and that I did, and I quoted the relevant Standing Order as to why I have stood up asking for a point of order—that was my right, Sir. And then to accuse that I am practising dictatorship in doing so, as the Honourable Member for Menglembu did, I think that is very offensive and contrary to the spirit and the practice of any House of Parliament—i.e., to accuse a Member using his right to speak, quoting the Standing Order and to call him practising dictatorship, I think that is not parliamentary and it contravenes the privilege of a member of this House.

Now, Sir, I will quote him. First of all, I said, "Mr Speaker, Sir, you should give your ruling right away, Sir, I do not want that to be recorded in the Hansard at all"—that means that his continuation of his speech, which he began, because as I said just now, that if he kept on speaking, there is no point in my getting up on a point of order. Then the Honourable Member said, "Why not? That is another dictatorship. I am not to be heard but he

is to be heard". Then I said, Sir, "No. I am standing on a point of order. It is not a dictatorship". So, then I said, "I demand an apology again" from the Honourable Member. The Honourable Member said, "You can demand whatever you like". And Mr Chairman, said, "You are not allowed to point that one out"; and the Honourable Member said, "I did not hear the ruling, Sir"; and then Mr Chairman said, "I will not allow you to speak on this point", and then the Honourable Member said, "Which point, Sir?", and then the Chairman said, "The point I mentioned just now on 67 (5)".

Now, Sir, the point that I am going to make is this: I am raising this as a matter of principle in the interest of the dignity of this House. We are in Parliament; we belong to different political parties, and we have the right to disagree. But, we have Standing Orders in this House and every Member has a right, if he complies with Standing Order to say his speech in the House without any Member accusing him of practising dictatorship. So, I submit that there is a case to be submitted to the Privileges Committee, Sir.

Mr Speaker: You want to say something?

Dato' S. P. Seenivasagam: With your permission Sir, I submit with respect, that there has been no breach of any privilege, that every Member of this House is entitled to have his say, that all I said to the Honourable Minister was, when he said—he was dictating to Mr Chairman—"I do not want that to be recorded". "Give your ruling straight away". It is no business of any Member of this House to dictate to Mr Chairman. He should have allowed Mr Chairman to give his ruling instead of dictating to Mr Chairman, "I do not want this to go into Hansard." That I submit was dictating and that was what I had in mind when I said that he was practising dictatorship. He was trying to have his say but he was trying to prevent me saying it—and that is exactly what he was doing. I submit that this is a frivolous and

petty matter, which should never have been raised this morning. It does not contribute at all to the dignity of this House.

Mr Speaker: However, I will accede to the request made by the Honourable Minister that this be heard by the Committee of Privileges. Then the Committee of Privileges will go over the whole matter again and will make a ruling.

BREACH OF PRIVILEGE BY THE HONOURABLE PRIME MINISTER

COMPLAINT BY THE HONOUR- ABLE ENCHE' D. R. SEENI- VASAGAM (IPOH)

Enche' D. R. Seenivasagam: Mr Speaker, Sir, I take leave to report to this House and to you, Mr Speaker, Sir, a notice of breach of privilege made yesterday by the Honourable the Prime Minister of this House, and I ask that the matter be referred to the Committee of Privileges.

Mr Speaker: That is not in order, because it should have been made at the time and with a written notice to me. You did not give me any notice of this statement.

Enche' D. R. Seenivasagam: Then, Sir, under what Standing Order? Nobody else was able to tell me. But, anyway, I will give written notice that I want to bring up the matter of breach of privilege for false allegation by the Prime Minister in due course.

Mr Speaker: This matter will be taken to the Committee of Privileges.

EXEMPTED BUSINESS

(MOTION)

The Deputy Prime Minister (Tun Haji Abdul Razak): Mr Speaker, Sir, I beg to move,

That notwithstanding the provisions of Standing Order 12 (1) the House shall not be adjourned this day until the completion of all Government business set down in the Order Paper for today.

Enche' Tan Siew Sin: Sir, I beg to second the motion.

Dr Tan Chee Khoon: Mr Speaker, Sir, may I seek a clarification from the Honourable Deputy Prime Minister? On the Order Paper there is not only Government business, there is also Opposition business. I will be happier if he says, "all the business as laid down in the Order Paper be completed, this House shall not rise." Otherwise, is this House only to rubber-stamp Government business? The Honourable Member for Tanjong has business before this House. I have business before this House, as shown in the Order Paper.

Tun Haji Abdul Razak: Sir, it is laid down in the Standing Orders that the Government shall take precedence over Private Members' business. The time taken by this House depends largely on the length of speeches made by the Honourable Members of the Opposition. I am prepared to be fair to the Members of the Opposition, to give them time, but they must try and curtail their speeches, and do not try to talk too much and take too much time of this House. There is not much business at this sitting, Sir. However, we have taken so much time over the Supplementary Supply Bill that there is less time now left for other business. But if the Honourable Members of the Opposition would endeavour to curtail their speeches and speak to the point, it would still be possible, in the course of the day and this evening, to complete all the business of this House including the Private Members' business.

Dr Tan Chee Khoon: On a point of clarification, Mr Speaker, Sir, the Honourable Deputy Prime Minister seeks to lay the blame for taking up the time of this House on the Opposition Members. If an analysis is made of the speeches made in this House during the current sitting, I am sure that more time is taken in terms of parity of numbers by the Government Members than by us on this side of the House.

Mr Speaker: Perhaps, the time is taken up by the Honourable Member himself? *(Laughter)*.

Enche' Lim Kean Siew (Dato Kramat): Mr Speaker, can we debate this?

Mr Speaker: No. This is a motion proposed by the Deputy Prime Minister.

Enche' Lim Kean Siew: I am just asking you because you have allowed so many Members to speak.

Mr Speaker: That is how time is wasted (*Laughter*).

Question put, and agreed to.

Resolved,

That notwithstanding the provisions of Standing Order 12 (1) the House shall not be adjourned this day until the completion of all Government business set down in the Order Paper for today.

ADJOURNMENT *SINE DIE* (MOTION)

Tun Haji Abdul Razak: Mr Speaker, Sir, I beg to move,

That at its rising today, the House shall stand adjourned *sine die*.

Enche' Tan Siew Sin: Sir, I beg to second the motion.

Question put, and agreed to.

Resolved,

That at its rising today, the House shall stand adjourned *sine die*.

BILLS

THE EDUCATION (AMENDMENT) BILL

Second Reading

Order read for resumption of debate on motion, "That the Bill be now read a second time" (24th March, 1966).

Dr Tan Chee Khoon: Mr Speaker, Sir, may I resume where I left off yesterday?

Mr Speaker: You may.

Dr Tan Chee Khoon: I will be very brief, Sir. As I was saying yesterday, there has been a good deal of opposition by the various town councils. I have here a press cutting of the pro-

ceedings of the Municipality of Ipoh and, with your permission, Mr Speaker, Sir, I shall read a bit of it. It says here:

"Mr Seenivasagam was replying to a remark by Mr Chew Peng Loong, one of the two Alliance Members in the 18-Member Council, who had earlier said that he was not happy with an item in the budget. This was the decision by the Municipal Council to raise assessment rates on all holdings in the town to meet the council's contribution of \$370,000 to the Central Government towards education."

Then, it does say, that another Councillor would raise the matter on collection of education rates from local authorities at the appropriate time.

Mr Speaker, Sir, in this connection I wish also to read a protest by an Alliance Council member of the Kuantan Town Council. In talking about this, Enche' Tajuddin bin Haji Chik, Alliance Member for Telok Sisek Timor, made the accusation that the Alliance Councillors and Cabinet Ministers were suppressing the people. He said "The poor people are made to bear a lot already without heaping another tax on them. The introduction of the education rate would be too much for them to shoulder." Mr Speaker, Sir, there you are, you have an Alliance Councillor himself who says that this imposition is too much for them.

The *Straits Times* in its editorial of the 15th November, 1965, says that the \$5 million is a derisory sum measured against the education rates standing this year at \$320.3 million. It said that the odd thing is that the Government dropped the education rates after a previous trial on the argument that the anticipated yield of \$5 million was not worth the trouble. Mr Speaker, Sir, thus we can see that the imposition has been tried and been found wanting. Consequently, I am surprised that the Minister of Education has sought to reintroduce it again in this House. But Mr Speaker, Sir, the imposition, small as it is, raises a very important point of principle. The reason for the imposition of this education rate is that the expenditure on education is spiralling—it has gone up to \$320.3 million this year. Now, Mr Speaker, Sir, what

if other Ministries choose to adopt the same method of bolstering up their revenue? We know that expenditure on defence this year takes up \$260 million, I suppose. Supposing the Minister of Defence comes to this House and asked for a similar rate and imposes it on the various town councils and Municipal councils, city councils, and on the various States, and supposing the Minister of Health, whose expenditure is \$119 million for this year, comes to this House also for a similar imposition, I shudder to think of what the poor taxpayer in this country has to bear.

In conclusion, Mr Speaker, Sir, I must reiterate that education is a Federal matter, and the buck should not be passed on to the various town councils, municipalities and city councils to raise, or to the various States, to raise the money for them. The second thing is that while I agree that nothing is free in this world, that we must find money for education, but there are other means of raising revenue, and I have suggested to the Hon'ble Minister one method, whereby not just \$5 million, but perhaps \$50 million, can be raised by the method of levying a tax on all bills incurred at various hotels and restaurants in this country. Thank you, Sir.

Enche' Tiah Eng Bee (Kluang Utara): Mr Speaker, Sir, I rise to give my support to this amendment Bill, as the object of this Bill as explained by our Honourable Minister of Education is to remove defects in the existing law for the proper and fair imposition of the education rate and to improve the administrative machinery for its proper collection at the lowest possible rate.

If the Honourable Member for Batu has done sufficient homework before criticising this Bill yesterday and this morning, I am sure he would agree that this amendment Bill is necessary. The collection of this education rate is not new in this country, and the Hon'ble Member for Batu would recall that the properties in Municipal and Town Boards have been paying education rate from the early 1920s and this

rate then formed part of the revenue of the Government and collection of the education rate in its present form started in 1962 under the provisions of the Education Ordinance, 1961, and subsequently some of the provisions on education rate in the Education Ordinance, 1961, were amended by the Education (Amendment) Act, 1963 and due to imperfection in the present law the education rate was not, to my best knowledge, collected in some States in Malaya in 1962 and 1963, when the law relating to education rate was in force in Malaya. After studying the existing law on education rate and the amendments in the Bill before the House, I am of the opinion that these amendments are necessary and would remove the legal possibility that the rich and the poor may have to pay the same rate of education rate for lands outside local authorities.

The Hon'ble Member for Batu stated that the rich tin miners should have to pay more than the rubber smallholders and the padi planters. If we look at this Bill, we shall be able to see that this Bill would enable the Government to collect a higher education rate from mining lands and from valuable lands outside local authorities.

Under the existing law lands, which are not paying any rent, are exempted from paying education rate but in this Bill we can see that such lands will also have to pay education rate. So, the Hon'ble Member for Batu will see from this Bill that the allegation by him that education rate would be borne unfairly by the small landowners are unjustified.

From the press I also notice that any padi land under five acres is exempted from paying education rate. There is no doubt, Sir, that all of us would like to have anything for nothing. With the payment of expenditure for defence and a great demand for education. I am sure all will agree with me that it is necessary to tap additional revenue to meet part of the cost of education. Thank you, Sir.

Enche' Mohd. Daud bin Abdul Samad (Besut): Tuan Yang di-Pertua,

saya ingin berchakap sedikit di-dalam pindaan Rang Undang² berkenaan dengan Chukai Pelajaran ini. Tuan Yang di-Pertua, masalaah yang ada di-hadapan kita ia-lah beberapa chukai telah di-kenakan dan hasil daripada chukai² ini, sama ada di-napi atau pun tidak ia-lah bahawa barang² di-dalam negeri ini telah pun naik harga dan ra'ayat jelata terpaksa berbelanja lebih daripada dahulu. Tuan Yang di-Pertua, sekarang ini chukai pelajaran pula—sungguh pun, kalau tidak salah ingatan saya, bahawa perhubungan telah di-lakukan pada tahun 1963 untuk mengenakan chukai pelajaran ini tetapi telah gagal mungkin oleh kerana hampir dengan pilihan raya. Jadi sekarang ini sa-sudah lepas pilihan raya maka di-kemukakan kembali chukai pelajaran akan di-kenakan kepada ra'ayat yang menduduki di-dalam Municipality dan di-luar, ia-itu di-dalam Local Authority.

Tuan Yang di-Pertua, bila kita perhatikan kedudukan ra'ayat di-luar bandar, maka nyata-lah ra'ayat bumiputera yang lebih ramai sa-kali dan sedikit² sahaja ra'ayat bumiputera yang menduduki di-dalam Municipality ini. Jadi, apa yang saya ingin menarek perhatian di-dalam Rumah yang mulia ini bahawa ra'ayat bumiputera atau pun bangsa Melayu di-dalam negeri ini sa-sudah di-beri penerangan, di-buat cheramah² dan di-kejutkan di-dalam zaman pembangunan, tegas-nya di-dalam soal pelajaran ini maka bangsa Melayu telah mula ingin berlumba² atau pun chuba ikut beserta di-dalam memajukan anak² mereka di-dalam lapangan pelajaran rendah, menengah dan sa-terus-nya kepada universiti. Tuan Yang di-Pertua, di-tengah² perhubungan dan kesedaran ini, maka chukai pelajaran akan di-kenakan pula kepada tanah getah, lombong dan tanah padi kalau tidak salah, yang lebih daripada lima ekar. Jadi, Tuan Yang di-Pertua, nyata-lah bahawa bangsa Melayu atau pun bumiputera dalam negeri ini akan terkejut dan mereka ini akan terasa kesal dan patah hati oleh kerana mereka hidup dengan keadaan miskin dan tidak ada mempunyai pendapatan yang tetap dan

terpaksa pula membayar chukai pelajaran ini.

Jadi, saya harap-lah supaya Menteri Pelajaran mengkaji dan menimbang-kan chukai ini supaya ra'ayat bumiputera atau pun bangsa Melayu tidak akan terhalang daripada ikut serta dalam mendapatkan pelajaran tinggi bagi anak² mereka. Tuan Yang di-Pertua, apa yang kita fahamkan bahawa chukai pelajaran ini akan di-kenakan kepada tanah getah satu ringgit satu ekar dan kepada tanah lombong satu ringgit juga satu ekar. Sedangkan, Tuan Yang di-Pertua, saya rasa tanah getah, tanah padi yang perbezaan-nya amat jauh sa-kali dengan tanah lombong. Tuan Yang di-Pertua, sa-panjang yang saya fahamkan mital-nya, di-lombong bijeh Bukit Besi di-Dungun, Trengganu, sudah pun beberapa puluh tahun menjalankan kerjanya di-lombong itu tetapi kawasan itu yang sa-benar-nya, Tuan Yang di-Pertua, apa yang saya telah di-beritahukan tidak-lah luas hanya lebih kurang 750 ekar sahaja kawasan itu yang pada masa yang lampau pehak Kerajaan Negeri Trengganu mendapat hasil-nya daripada lombong 750 ekar itu lebih kurang 8 juta atau pun 9 juta sa-tahun. Jadi kalau di-kenakan kepada tanah lombong satu ringgit satu ekar, tanah padi yang lebih daripada lima ekar satu ringgit satu ekar, dan tanah getah di-kenakan satu ringgit satu ekar, maka nyata-lah kedudukan chukai pelajaran ini tidak memberi nafas atau pun tidak memberi pertolongan dan pertimbangan kepada ra'ayat yang pendapatan-nya kecil, tetapi di-beri pertimbangan dan ke-'adilan itu kepada tanah lombong atau pun tuan punya tanah lombong yang mempunyai pendapatan yang, kalau kata saya barangkali sa-ratus kali ganda, mungkin pehak Menteri Pelajaran akan mengatakan terlampau sangat, tetapi saya mengatakan berganda² lebih pendapatan dalam tiap² satu ekar itu.

Jadi ini-lah masalaah-nya, Tuan Yang di-Pertua, besar-lah harapan saya supaya soal mengenakan chukai pelajaran ini di-kaji dan di-beri pertimbangan yang sa-patut² dan sa-'adil²-nya mengikut pendapatan tiap² tuan punya

tanah getah, tanah padi dan tanah lombong itu.

Tuan Yang di-Pertua, masalah chukai ini saya yakin dan perchaya, sama ada di-bangkang atau pun tidak, Kerajaan akan mengenakan juga. Jadi, Tuan Yang di-Pertua, dalam tahun sudah pehak Kerajaan sendiri telah pun menghantar rombongan daripada Pejabat Kebajikan Masharakat bersama dengan Pegawai Pertanian dan Sharikat Kerjasama daripada Kementerian Pertanian dan Sharikat Kerjasama untuk menyiasat kedudokan banjir besar yang telah berlaku di-negeri Trengganu atau di-negeri Kelantan. Maka saya yakin dan perchaya walau bagaimana pun laporannya itu belum pun di-sampaikan kepada Rumah yang mulia ini atau pun kepada pehak Kerajaan, tetapi tidak dapat di-nafikan bahawa beberapa kawasan termasuk kawasan saya di-Besut; padi telah hanchor atau pun musnah daripada banjir besar ini, dan mereka di-sana sekarang ini, Tuan Yang di-Pertua, sudah puchat kuning sebab padi lama itu sudah tidak ada dan padi yang di-tanam-nya itu telah hanchor. Jadi ini pula akan di-kenakan chukai pelajaran kepada mereka itu.

Jadi saya harap-lah supaya sa-kurang²-nya di-mana tanah padi, walau pun lima ekar ka-atas, yang telah kena benchana 'alam banjir besar ini, di-tanggohkan buat sementara untuk ra'ayat bernafas sa-hingga mereka dapat memulehkan kehidupan mereka di-dalam soal menanam padi atau pun pendapatan padi ini. Tetapi kalau tidak di-tanggohkan, di-bebankan juga dengan chukai pelajaran ini, saya perchaya-lah petani² yang menanam padi itu walau pun mungkin pehak Kerajaan akan menyatakan bahawa kita telah menyediakan beberapa kawasan tali ayer dan mereka telah pun dapat membuat padi dua kali sa-tahun, saya ingin menyampaikan di-dalam Rumah yang mulia ini bahawa maseh banyak lagi di-negeri Trengganu atau di-Besut, di-tempat saya, tempat yang tidak ada tali ayer dan ra'ayat belum dapat membuat padi dua kali sa-tahun. Dan itu-lah yang saya merayu kepada Kerajaan dan, tegas-nya kepada Menteri Pelajaran, supaya di-timbang-

kan atau pun di-tanggohkan sa-kurang²-nya kepada mana² tuan punya tanah padi yang kena benchana 'alam banjir besar ini untuk ra'ayat bernafas buat sementara waktu untuk memulehkan kehidupan mereka itu.

Sa-lain daripada itu, Tuan Yang di-Pertua, ra'ayat telah tiga empat bulan di-dalam kesejukan, kesihatan mereka telah lumpoh dan banyak telah pergi ka-hospital kerana sakit. Saya tidak tahu sama ada Menteri Kesihatan yang ada di-hadapan saya ini telah mendapat report atau pun telah menghantar penyiasatan atau pun tidak. Tetapi sa-panjang apa yang saya tahu dan saya lihat bahawa kedudokan kesihatan ra'ayat di-mana yang kena banjir itu amat dahshat dan saya berseru kepada pehak Kerajaan supaya memberi peruntukan yang lebeh banyak pada Menteri Kesihatan ini untuk belanja menghantar penyiasat, kalau boleh, atau pun pakar atau bagaimana untuk membena balek kesihatan ibu bapa dan kanak² yang telah kena banjir itu. Sebab, Tuan Yang di-Pertua, soal kesihatan ini ada kait mengait-nya dalam soal pelajaran bagi anak² mereka. Kalau ibu bapa sudah tidak sehat maka anak² juga akan ikut sama tidak sehat oleh kerana mereka tidak akan dapat membelanjakan kepada anak² membeli makanan yang mempunyai zat² yang baik bagi membenakan kesihatan mereka itu untuk anak² mereka itu berlumba² di-dalam perlumbaan menuju kepada kemajuan pelajaran yang sedang menjadi perlumbaan dan kemajuan yang hebat di-Malaysia ini.

Tuan Yang di-Pertua, saya sukachita menarek perhatian kepada perkembangan pelajaran di-dalam negeri ini dan kenyataan yang akhir saya dapat di-dalam surat khabar yang bertarikh 25 haribulan ia-itu hari ini, dan saya memohon izin kepada Tuan Yang di-Pertua untuk membachakan sedikit sa-banyak chabutan daripada surat khabar Utusan Melayu yang bertarikh pada 25 haribulan

Mr Speaker: Saya suka hendak mengingatkan kepada Ahli Yang Berhormat masa kita suntok, jadi kalau boleh pendek²kan sedikit.

Enche' Mohd. Daud bin Abdul Samad: Terima kasih, Tuan Yang di-Pertua, dan saya harap saya dapat-lah peluang sedikit kerana hari ini sudah masuk hari yang kelima.

Mr Speaker: Hari yang kelima ada had-nya. Bila habis sekarang, kerja ta' habis lagi, terpaksa duduk lama. Bila duduk lama, saya tengok Ahli² ta' ada di-sini. Chuba pendekkan sedikit.

Enche' Mohd. Daud bin Abdul Samad: Saya chuba pendekkan, Tuan Yang di-Pertua. Tuan Yang di-Pertua, ini kenyataan yang telah di-buat oleh Yang Berhormat Menteri Pelajaran sendiri. Chabutan yang saya hendak bachakan bagini bunyi-nya: "Mengalahkan ucapan-nya kepada kejayaan pelajaran menengah kebangsaan negeri ini beliau berkata murid² menduduki tingkatan pelajaran itu telah meningkat ka-angka 609,000 orang di-bandingkan dengan 600 orang murid² pada tahun 1958 apabila sekolah menengah bahasa kebangsaan di-buka. Hasil daripada 600 murid² itu, kata Enche' Khir lagi, maka sa-ramai 31 orang telah memasoki University tahun lalu. Pada tahun ini sa-ramai 54 orang pelajar dari aliran bahasa kebangsaan akan memasoki University. Menteri Pelajaran itu juga telah mengumumkan akan membuka sa-buah darjah tingkatan enam di-Sekolah Menengah Kebangsaan Sultan Abdul Halim di-Jitra, Kedah, tidak lama lagi. Sa-takat ini hanya Sekolah Alam Shah sahaja yang mempunyai tingkatan enam di-dalam bahasa kebangsaan.

Tuan Yang di-Pertua, dengan kenyataan yang akhir, yang telah diterangkan oleh Yang Berhormat Menteri Pelajaran, maka nyata-lah bahawa, anak² bangsa Melayu atau pun bumiputera di-dalam negeri ini, walau pun Sekolah Menengah Bahasa Kebangsaan telah berjalan pada tahun 1958, dimulakan dengan 600 orang dan sekarang ini telah meningkat pada 609,000 orang, tetapi hasil daripada murid² itu yang dapat masuk ka-University yang menggunakan bahasa Kebangsaan tahun sudah 31 orang dan tahun ini akan masuk pula 54 orang. Dengan kedudukan yang sa-macham ini, Tuan Yang di-Pertua, kalau kita mengatakan

bahawa Sekolah Kebangsaan ini maseh lagi tidak di-lengkapkan dan di-dapati perhatian yang sunggoh² bagi mendapat lebih ramai lagi atau pun meninggikan lagi percentage murid² yang akan dapat duduk di-Sekolah Menengah Kebangsaan dan akan dapat masuk kepada University, mungkin pehak Menteri Pelajaran akan menjawab dan akan mengatakan bahawa, soal ini, ibu bapa bangsa Melayu atau pun bumiputera, belum, dengan sa-chara bersunggoh², mengawal anak² mereka itu.

Mungkin jawapan-nya akan begitu, tetapi biar-lah, Tuan Yang di-Pertua, saya ingin menarek perhatian Menteri Pelajaran dengan di-kenakan chukai pelajaran ini, maka ra'ayat akan terpaksa membayar lagi chukai, sedangkan kita tahu sekarang ini bangsa Melayu, atau pun ra'ayat bumiputera dalam negeri ini, hendak beli buku text pun tidak mampu, ada di-satengah² ibu bapa terpaksa merentikan anak-nya daripada sekolah, dan sa-tengah² itu pula, Tuan Yang di-Pertua, buku text-nya itu tidak cukup. Jadi ini juga saya harap, oleh kerana perangkaan di-Sekolah Kebangsaan atau pun sekolah di-jenis kebangsaan juga ada, soal tidak cukup buku text, ibu bapa yang mampu hendak beli pun tidak ada. Jadi, inilah saya harap supaya pehak Yang Berhormat Menteri Pelajaran berunding dengan sunggoh² dengan pehak Dewan Bahasa dan Pustaka, supaya dapat melengkapkan buku² alatan dan segala²-nya bagi membolehkan, bukan sahaja banyak sekolah yang di-diri, bukan sahaja banyak murid² yang kita banggakan, tetapi hasil kelulusan itu-lah patut di-ambil perhatian, dan di-siasat dan di-fikirkan di-ubati, di-manakah silap dan salah-nya yang mesti di-sempurnakan mana² yang belum sempurna. Sebab apa, Tuan Yang di-Pertua, kalau kita banding dengan Sekolah Jenis Kebangsaan tidak timbul soal tidak cukup guru, tidak cukup buku text, tidak cukup itu dan tidak cukup ini. Tetapi, mungkin pehak Menteri Pelajaran akan menjawab kepada saya, mengatakan bahawa Sekolah Jenis Kebangsaan ini tidak

banyak—sadikit, tetapi, Sekolah Kebangsaan ini banyak. Sunggoh pun bagitu saya rasa dan saya yakin bahawa usaha dan ikhtiar akan dapat ditumpukan dengan sunggoh²-nya supaya di-perlengkapkan apa² yang maseh kurang di-dalam soal, atau pun di-Sekolah Menengah Kebangsaan ini, dan saya suka menarek perhatian pula kepada soal murid² Melayu yang lulus F.M.C. di-Sekolah Menengah Jenis Kebangsaan.

Baharu² ini kita telah membacha di-dalam surat khabar Utusan Melayu, ia-itu pehak ibu bapa Negeri Trengganu telah menjemput Dr Ungku Raja Omar, membuat cheramah di-Trengganu, sa-hinggakan doktor itu memberi tahu kepada ibu bapa di-Trengganu mengatakan sa-patut-lah ibu bapa mengadakan sekolah sendiri membena dan membangun sekolah sendiri, untuk memberi pelajaran lanjut kepada murid² yang dapat Grade III, yang telah lulus di-Sekolah Inggeris atau pun Sekolah Jenis Kebangsaan ini. Jadi, ini juga saya harap supaya pehak Menteri Pelajaran mengambil perhatian, sebab-nya, saya tidak yakin bahawa pehak Kerajaan Perikatan dan pehak Menteri Pelajaran, yang akan dapat chukai banyak ini, sudah tidak dapat memikirkan soal kanak² yang lulus dan dapat Grade III itu tidak dapat meneruskan pelajaran-nya, di-ikhtiar dan di-fikirkan untuk sampai kepada University. Dan saya rasa bangga benar, walau pun dahulu, kelas Menengah Atas ini hanya ada satu, di-Sekolah Alam Shah sahaja dan mengikut kenyataan ini bahawa akan di-adakan lagi satu di-negeri Kedah di-Jitra. Tuan Yang di-Pertua, University College, pun akan di-buka di-Pulau Pinang, kalau ta' salah saya

Mr Speaker: Berapa lama lagi-kah Ahli Yang Berhormat hendak chakap?

Enche' Mohd. Daud bin Abdul Samad: Tuan Yang di-Pertua, ta' lama lagi.

Mr Speaker: Ini 40 minit sudah; jadi, kalau sa-saorang hendak chakap 40 minit ta' ada kita, tolong pendekkan sahaja-lah.

Enche' Mohd. Daud bin Abdul Samad: Terima kaseh, tuan. Tuan Yang di-Pertua, Sekolah Menengah Atas akan di-bangunkan lagi sa-buah di-Jitra, Kedah dan sa-bagaimana saya katakan tadi University College akan di-bangunkan di-Pulau Pinang, tetapi di-Pantai Timor tidak.

Wan Abdul Kadir bin Ismail (Kuala Trengganu Utara): Chukai pelajaran atau soal dasar pelajaran? Nampak-nya Ahli Yang Berhormat itu sudah menyeleweng jauh daripada dasar perkara yang di-binchangkan.

Enche' Mohd. Daud bin Abdul Samad: Tuan Yang di-Pertua, memang sudah menjadi tabi'at wakil daripada Kuala Trengganu Utara ini, tidak senang. Jikalau saya berchakap dia mesti ganggu sebab itu tugas yang tertentu telah di-terima oleh Kerajaan-nya dan itu-lah kerja-nya orang yang keluar daripada University Azhar yang balek ka-sini.

Tuan Yang di-Pertua, soal chukai pelajaran, ada kait mengait-nya dengan soal pelajaran, itu tidak dapat di-nafikan dan kita bahath ini bukan di-dalam Committee State, ini ada-lah di-dalam Rang Undang²—patut di-faham oleh wakil dari Kuala Trengganu Utara. Tuan Yang di-Pertua, saya harap-lah supaya pehak Menteri Pelajaran mengalehkan pandangan dan pemikiran-nya pula supaya mengadakan kelas menengah atas kebangsaan, kalau saya sebut, mithal di-Kelantan, ia-itu negeri yang di-perintah oleh PAS, tetapi di-Trengganu di-tengah² Pantai Timor, di-antara Kelantan dan Pahang itu sudah sa-patut-nya-lah mesti di-adakan kelas saperti itu. Dan sa-terus-nya, Tuan Yang di-Pertua, saya menyokong, walau pun di-uchapkan oleh pehak wakil Perikatan tetapi, apa yang baik saya menyokong, ia-itu pehak Kerajaan sendiri, ia-itu wakil Kuala Trengganu Selatan, telah pun merayu kepada pehak Menteri Pelajaran supaya dapat mengadakan University Kebangsaan dengan sa-berapa chepat yang boleh dan pehak Menteri Pelajaran, telah menjawab dalam surat khabar ini, mengatakan bahawa soal maha guru, soal itu, dan soal ini, banyak persoalan-nya, yang tidak

dapat kita hendak selesaikan dengan mudah. Jadi, itu-lah bagaimana yang saya katakan tadi ini ada-lah nasib pelajaran bahasa kebangsaan. Bila hendak sampai kepada masalaah bahasa kebangsaan, banyak-lah kekurangan-nya tetapi, kalau kepada Universiti, jenis kebangsaan itu tidak timbul masalah kerumitan ini.

Jadi, ini-lah masalaah yang sudah pun menjadi tanda tanya kepada pemikiran orang² Melayu dan bumiputera dalam negeri ini dan serba salah mereka itu hendak menghantar anak²-nya sekarang ini. Hendak hantar ka-Sekolah Kebangsaan, Universiti Kebangsaan belum ada lagi dan yang boleh masuk Universiti pun 54 champor 31 baharu 85 orang dan hantar pergi Sekolah Inggeris pula duduk jauh dengan bandar, belanja banyak—ta' mampu. Jadi, ini-lah masalaah yang patut di-fikir dan di-pertimbangkan.

Akhir-nya, Tuan Yang di-Pertua, berhubung dengan kanak² belajar ini saya harap mendapat perhatian daripada Menteri Pengangkutan walau pun dia tidak ada dalam Rumah yang mulia ini, bahawa di-Trengganu, saya harap di-perhatikan bahawa Trengganu Company Bus itu saya lihat bahawa bas-nya itu sudah burok dan selalu di-Besut, Tuan Yang di-Pertua, budak² yang daripada Jerteh, Kuala Besut yang pergi ka-Sekolah Tunku Mahmud yang letak-nya di-tengah² itu kadang² pukul 8 lebeh, baharu di-bawa-nya ka-sekolah dan kadang² di-tinggal-nya terus. Jadi, saya perchaya-lah bas itu tidak chukup dan bas itu mungkin telah lama sangat. Jadi, barangkali kadang² di-baiki. Jadi, saya harap dan saya berseru kepada Menteri Pengangkutan supaya di-perhatikan soal ini kalau mithal-nya Trengganu Bus Company itu sudah tidak mampu menjalankan dan menyempurnakan kehendak kanak² sekolah ini, lebeh baik dia serah sahaja, dan kita beri-lah peluang kepada MARA masuk ka-Trengganu pula di-dalam soal menjalankan bas ini supaya kanak² yang terpaksa belajar dari jauh itu dapat pergi ka-sekolah dengan masa yang betul dan tidak ketinggalan. Sekian-lah, Tuan Yang di-Pertua.

Wan Abdul Kadir bin Ismail: Tuan Yang di-Pertua, ada pepatah Melayu mengatakan sa-orang yang bodoh itu tidak ketara bodoh-nya melainkan sa-telah dia berchakap.

Enche' Mohd. Daud bin Abdul Samad: Tuan Yang di-Pertua, saya minta penjelasan

Mr Speaker: Apa ada kena-mengena dengan perkara itu.

Wan Abdul Kadir bin Ismail: Daripada perchakapan sa-saorang itu-lah, Tuan Yang di-Pertua, kita tahu dia itu orang yang ada pelajaran—orang yang lulus Universiti atau yang tidak ada satu apa pun—orang yang kosong sahaja. Dan sebab itu-lah, Tuan Yang di-Pertua, saya menegor Ahli Yang Berhormat daripada Besut tadi dalam membinchangkan perkara ini. Kita membinchangkan perkara chukai pelajaran

Enche' Mohd. Daud bin Abdul Samad: Untuk penjelasan

Wan Abdul Kadir bin Ismail: Saya tidak beri jalan, Tuan Yang di-Pertua. Sebab itu-lah maka saya menegor Ahli Yang Berhormat tadi bila dia menyeleweng jauh daripada pokok perbinchangan kita dalam soal pelajaran. Pada akhir tadi pun dia telah menyeleweng juga sampai kepada pengangkutan yang tidak ada sangkut-paut; saya tidak kuasa-lah hendak bangkit lagi, kita yang dalam Dewan ini pakai tahan telinga sahaja-lah.

Tuan Yang di-Pertua, chukai pelajaran ini yang nampak chuba hendak di-bangkang oleh Ahli Yang Berhormat dari PAS dari Besut dan Ahli daripada Parti Buroh, saya merasa satu perkara yang kita berhadapan dengan keadaan yang patut kita memberi jawapan yang tegas. Bahawa pelajaran satu perkara yang makin memakan belanja yang lebeh besar, bahawa daripada belanja \$90 juta 10 tahun yang lalu, sekarang menjadi \$300 juta atau dekat \$400 juta sudah tiga atau empat kali ganda. Dan keadaan pelajaran kita makin meningkat dan keadaan pelajaran kita telah membuka satu lapangan baharu dengan memberi pelajaran perchuma sa-hingga 9 tahun.

Maka kita berhadapan dengan keadaan, ada-kah kita hendak sanggup mengongkosi akan pelajaran ini atau tidak. Kalau ikut kehendak Ahli Yang Berhormat dari Besut tadi terutama sekali, kita ta' usah adakan chukai pelajaran tetapi pelajaran biar ada dengan keadaan yang sekarang. Erti-nya kita harus menaikkan chukai perkara yang lain—barang² sa-hari², keperluan hari² yang kelak akan di-pikul beban chukai-nya oleh orang ramai. Chukai pelajaran menghadkan pembayaran-nya atau chukai ini hanya di-tanggung oleh orang yang ada tanah 5 ekar ka-atas—orang yang agak lega sedikit. Tetapi kalau di-naikkan chukai atas barang yang lain, maka akan terpicul-lah semua sa-kali, orang yang hendak beli gula pun kena tanggung, orang yang hendak beli beras pun kena tanggung dan orang yang hendak beli garam pun kena tanggung. Ini ada-lah masalah yang ada pada kita, untuk menanggung beban pelajaran ini mahukah kita bebaskan chukai yang lebih banyak, hingga kepada orang yang tidak terdaya membayar chukai atau kita mengenakan chukai pelajaran macam sekarang ini yang terhad beban-nya kepada orang yang ada tanah lebih daripada 5 ekar ka-atas. Orang yang agak-nya bukan selalu miskin dan selalu berat tanggungan hidup-nya. Jadi dengan keadaan inilah maka tidak dapat tidak, sa-bagai sa-buah negara yang hendak bangun dan menchapai kedudukan yang saimbang, yang maju, yang jaya di-tengah² masyarakat, menggunakan pelajaran sa-bagai perkara yang tidak dapat hendak di-elakkan dan saya merasa memang perkara ini yang sudah pun biasa di-bayar oleh orang kita, sa-hingga masa kita sa-belum merdeka dahulu pun, dan bukan-lah menjadi perkara yang sangat berat. Maka oleh sebab itu-lah saya merasa walau macam mana pun pihak Pembangkang hendak mengatakan ini tidak bagus, tetapi dalam hati mereka sendiri mengaku, saya perchaya, perkara ini tidak dapat hendak di-elakkan daripada di-jalankan. Mereka, pihak Pembangkang memang-lah keadaan mereka itu menchari asal ada apa sahaja hendak menjadikan perkara itu

suatu propaganda sahaja bagi pihak mereka, terima kaseh.

The Minister of Education (Enche' Mohamed Khir Johari: Tuan Yang di-Pertua, saya terlebih dahulu mengucapkan terima kaseh kepada Ahli Yang Berhormat daripada Kuala Trengganu Utara yang telah menjawab sa-tengah² hujah yang telah di-bawa oleh Ahli Yang Berhormat daripada Besut. Sa-benar-nya tujuan kita mengadakan pindaan bagi Undang² Pelajaran ia-lah untuk membetulkan perkara² yang kita tidak puas hati berkenaan dengan kutipan chukai mengikut Undang² yang lama. Saperti mana yang saya telah sebutkan dalam ucapan saya waktu membawa Bill ini pada masa dahulu, kita menghadkan kutipan chukai pelajaran itu sa-banyak \$1. kepada tanah² ladang dan juga kepada tanah² yang mengeluarkan bijeh timah. Dengan ada-nya pindaan ini maka dapat-lah kita menaikkan chukai itu mengikut keadaan yang sesuai dengan pendapatan yang diperolehi daripada tanah itu. Jadi tujuan yang sa-benar-nya dengan ringkas-nya pindaan ini ia-lah untuk menchari lebih banyak wang daripada mereka yang sanggup dan boleh membayar daripada kita menchari wang daripada orang yang tidak dapat memberikan bayaran chukai itu kepada kita. Jadi, satu perkara lagi yang saya membetulkan ia-itu apa yang disebutkan oleh Ahli Yang Berhormat daripada Besut ia-itu chukai pelajaran itu telah di-tarek balek. Yang sa-benar-nya chukai pelajaran itu tidak di-tarek balek, apa yang telah berlaku ia-lah kutipan chukai itu di-gantong untuk sementara dengan sebab Kerajaan tidak puas hati dengan chara² Undang² yang ada pada masa itu. Dengan sebab itu-lah kita mengadakan pindaan pada hari ini.

Berkenaan dengan apa yang di-shorkan oleh Ahli Yang Berhormat dari Besut tadi berkenaan dengan tanggohan chukai—tanggohan kutipan cukai pada tempat² yang mendapat kemalangan bah, memang ini ada kuasa yang di-beri oleh Undang² yang ada pada hari ini kepada Menteri Pelajaran untuk mengechualikan mana²

tempat yang di-fikirkan sesuai daripada kutipan chukai pelajaran ini.

Kemudian, lagi satu perkara yang disebutkan oleh Ahli Yang Berhormat itu ia-lah berkenaan dengan murid² daripada aliran bahasa kebangsaan—sekolah menengah yang kata-nya daripada 600 orang yang masuk tahun 1958 sa-banyak 31 orang telah masuk University. Pada fikiran saya bilangan 31 orang daripada 600 orang yang telah masuk darjah² atau pun sekolah menengah kebangsaan pada tahun 1958 ia-lah satu angka yang cukup besar jika di-bandingkan pada masa dahulu yang mana kebanyakan daripada murid² kita yang berada di-sekolah² kebangsaan chuma dapat belajar sa-takat Darjah VI di-sekolah² rendah sahaja.

Berkenaan dengan chadangan-nya supaya kita mengadakan Tingkatan VI di-Sekolah² Menengah Kebangsaan di-Pantai Timor, tentu-lah Ahli Yang Berhormat tahu pada tahun ini saya telah pun memulakan, buat pertama kali-nya, satu Darjah Tingkatan VI di-Kuala Trengganu. Sungguh pun kita sudah ada Tingkatan VI di-Kota Bharu, tetapi dengan sebab permintaan daripada Kerajaan Trengganu dan juga daripada ibu bapa di-sana, maka kita telah dengan bersusah payah mengambil guru di-sana sini bagi memulakan satu Tingkatan VI di-Kuala Trengganu yang beraliran bahasa Inggeris. Tetapi soal dapat-kah atau tidak kita mengadakan Tingkatan VI dalam bahasa kebangsaan di-Pantai Timor, perkara itu akan di-timbangkan dan jika ada guru² yang sesuai untuk mengajar Tingkatan VI itu, saya mengaku perkara itu akan mendapat pertimbangan yang sesuai, yang sewajar-nya, daripada saya.

Berkenaan dengan perkara bas itu, perkara ini saya akan sampaikan kepada rakan saya Yang Berhormat Menteri Pengangkutan.

Sekarang ini saya suka menjawab Ahli Yang Berhormat daripada Batu.

First, I would like to thank the Honourable Member for Kluang Utara for having replied to some of the points that have been raised by the Honour-

able Member for Batu. I must at the outset tell the Honourable Member that his criticisms on the Bill have been based on incorrect facts. For example, he said that the education rate was introduced by the Honourable Dato Thuraisingham, when he was the Member for Education, and was subsequently withdrawn as a result of public protests. Similarly, he contends that this Bill should also be withdrawn. The education rate referred to was, in fact, business registration fees imposed at that time to meet part of the cost of education. This education tax was withdrawn as it was levied only on the business people. It must also be understood in this context that at that time there was no such thing as free primary education. The education rate was also imposed from pre-war on holdings in Town Board areas in some States.

The education rate in its present form was laid down in the Education Ordinance 1961 and was implemented from 1962. In fact, the principle of this education rate has already been accepted by this House. It was only the collection that was suspended for the time being, in order to enable us to re-examine the law.

Now, the object of this Bill is to remove anomalies in the present law so as to impose education rate more fairly in proportion to the income from the holdings and to improve the machinery for its collection. The Government is giving very careful consideration to all aspects before prescribing the education rate on each type of holding. This Bill is also intended to remove defects and possible injustice in the application of education rate.

The Honourable Member from Batu raised the point that rich people should be made to pay more. A careful study into the Bill, and the speech I made yesterday, would indicate that this is in fact the purpose of this Bill. The Honourable Member for Batu also suggested that we should rob Peter in order to pay Paul. I think in the days of Robin Hood this system, or this procedure, would have been all right

for a time, but you cannot be doing this all the time. You can go on robbing Peter, but at the same time we must take a little bit from Paul, in order to give back to both Peter and Paul.

Under the present law, a mining land is subject to the maximum education rate of \$1 per acre per annum, so does a rubber holding or padi holding. Any land which is not paying any rent is not liable under the existing law to pay education rate. If he studies this Bill, he will be able to see these anomalies being removed. The education rate for mining land is no longer subject to the maximum education rate of \$1 per acre per annum. The land not paying rent will also be subject to payments of education rate.

I would also like to inform the House that the Government does not impose education rate without considering the income from the land. There is sufficient flexibility in the Bill to enable the Government to impose different rates for different types of land. For instance, a padi land of under five acres is exempted from education rate. The education rate for rubber small-holdings is now at ten per cent of the quit rent, that is between about 30 to 60 cents per acre, whereas the education rate for padi land, which normally concerns the bumiputras, of 5 acres or more is between about 10 to 20 cents per acre. The various education rates read by the Honourable Member for Batu from the press, refers to the existing education rates under the existing law.

The Honourable Member also criticised the Government for imposing education rate whereas its policy is to give free primary education. Now, the provision of education, as the Honourable Member himself has admitted, must be paid for and cannot be obtained free. In view of the current deficit budget of the Federal Government, the levying of education rate is necessary, if the progress and developments of education in the country is to proceed according to the present pace. As I said in my speech in introducing this Bill, the estimated total

education rate to be collected this year is about \$5.7 million, which is equivalent to only about 1.4 per cent of the total annually recurrent expenditure on education for the States of Malaya alone for 1966. We talk of National Insurance, Unemployment Insurance, and also School of Dentistry and so on. The money to finance all these projects must come from the people and although what is meant to be collected in the form of education rate is only a token amount, I think it is a good thing for us to try to educate our people, so that they fully realise that they have also to pay something in order to get back something else. Thank you, Sir.

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 3 inclusive ordered to stand part of the Bill.

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

THE MEDICAL REGISTRATION (AMENDMENT) BILL

Second Reading

The Minister of Health (Enche' Bahaman bin Samsudin): Mr Speaker, Sir, I beg to move that the Bill intituled, "an Act to amend The Medical Registration Ordinance, 1952," be now read a second time. Sir, the purpose of this Bill is to enable Malaysian doctors with foreign medical degrees to practise in Malaya. Doctors who wish to practise in Malaya have to be registered under Section 9 and 10 of the Medical Registration Ordinance, 1952. Under this Ordinance doctors can be registered either, (i) provisionally in order to serve a period of housemanship, or (ii) fully with or without conditions. The Ordinance allows those, who have qualified from the University of Singapore and certain

Commonwealth countries and who have served the full period of housemanship to be registered without any condition. Doctors who come outside the province of this category can be granted registration, subject to certain conditions, and these conditions are normally that they work with the Government or with missionary bodies.

In recent years there are Malaysians, who have gone to medical schools abroad whose qualifications would only be registrable with conditions, which means that they cannot go into private practice. There is a general shortage of doctors in Malaya, particularly in Government service. The proposed amendment to the Medical Registration Ordinance will enable a citizen of the Federation, who comes within that category that is with foreign qualification other than those from certain Commonwealth countries to be registered in two ways: first, by passing an examination set by the Medical Council; or second after serving satisfactorily for at least three years with the Ministry of Health. This will give a choice to a doctor with a foreign medical degree to go immediately into private practice after the examination—of course, in case he passes it—or to serve the Government for a period after which he can go into private practice. It is hoped that with this amendment many Malaysian doctors with foreign medical degrees from unrecognised institutions will come back and join Government Service. Sabah and Sarawak, have their own Medical Registration Ordinances. Action will be taken to have one uniform Ordinance for Malaysia in due course. Sir, I beg to move.

Dr Mahathir bin Mohamad (Kota Star Selatan): Mr Speaker, Sir, may I, firstly, congratulate the Government for finally taking this step which is long overdue. I am quite sure that with the passing of this Bill, we will have more doctors available to us. I cannot say how satisfactory this new method of registration will work, and I think time will tell, but I do hope that the provision under (i) where it

says, “satisfactorily served for at least three years” will not be a sort of mechanical barrier in which a doctor may serve three years and be automatically registered, but that his service should be carefully scrutinised before registration is given to him.

Sir, I believe the purpose of this Ordinance is to see that the public as well as the profession is protected from people who might profess to be doctors, but who are not really doctors. Unfortunately, Sir, at the moment there are a lot of people in this country who, are practising as doctors but who are not registered, simply because we have overlooked this problem. This is a matter which I would commend to the attention of the Minister for Health, because I feel that if the public must be protected from quacks and from people who at least have some form of medical degree, this protection should be extended to cover the whole field.

We know, Sir, that the term “dispensary”, for example, is a term which may not be used by any shop selling medicines simply because it is felt that a dispensary should be connected with proper sale of medicines under the direction of qualified people like pharmacists. Unfortunately, Sir, there are terms which are frequently associated with doctors but which are not so covered by any ordinance. In other words, there are terms which, if used, would imply that the user is a doctor—but these terms may be used by just anybody. In Kedah, for example, the term, “clinic” has become very familiar and we have now various clinics, like midwife clinics, eye clinics, and various other clinics, and everytime one uses the word “clinic”, one usually associates it with the medical profession—apart from midwife clinic, any other clinic is usually used by doctors to show the place of consultation. Sir, we find in Kedah, for example, that there are now enrouting a number of clinics, which are not owned or operated by doctors; but because the term “clinic” has been used, the public has accepted that the people who practise in these so-called clinics are doctors. The public in

Kedah, I am afraid, are very gullible and may be less sophisticated than those in Kuala Lumpur and, because of this lack of sophistication, the people who practise in these so-called clinics have got away, I would say, with murder, because there have been instances, I am told, where these quacks, who practise at these clinics have given injections—and in one instance, at least, the patient died after the injection. I am afraid I will not be able to substantiate it, if I am asked by the Minister, but this is the story that goes round, and I feel that it is a story which has many things which should be known to the public in general. This patient died, and when the relatives threaten to report the matter to the police, the quack doctor said that “If you do that, they will take the body to the hospital, where the doctors will not cut it up to pieces because that is the practice.” And under this threat the relatives preferred to accept a small settlement of a sum of money rather than to report to the police. Operating from these clinics that are to be found in most of the smaller towns in Kedah are many people, mainly of Indian extraction, who not only stay in the clinics, but who travel into the kampongs on motor cycles and profess to cure anybody for an agreed sum of money. There was one instance, where I happened to visit one of my constituents, and I was just in time to see the daughter of my friend dying after having been administered to by these quacks, but unfortunately I cannot persuade them to take the matter up because they had placed some faith in these quack doctors.

Sir, I would like the Government to consider that various terms which might give the impression that the user of these terms are professional doctors should be made exclusively for the use of doctors alone—just as the term “dispensary” can only be used by a qualified pharmacist or a doctor, the term “clinic” too should be used only by qualified doctors.

There are also various other things which make it very easy for people to

give the impression that they are qualified doctors. For example, one can buy a stethoscope—just about anybody can buy a stethoscope—and may swing this stethoscope like any other doctor or hang it round his neck, and in so doing he may convince quite a lot of people that he is a doctor. We have in this country a ruling that only you may not put up a board saying that you are a doctor, but you may use a stethoscope, or even with a syringe, and if you do that the public is quite willing to accept you as a doctor and quite willing to pay. The fact that the public may lose money is unimportant, but these quacks are potentially dangerous and, as I have said, there have been instances where they have caused death, and what other damages they have done to the public, I will not be able to say. So, I feel that the time is come when we must try and consider these various other things which are related to the question of protecting the public as well as the medical profession from people who have no right and no business to use terms which will make them more acceptable to the public. Thank you, Mr Chairman.

Dr Tan Chee Khoon: Mr Speaker, Sir, if I heard the Minister rightly, he has stated that in Sabah and in Sarawak there are different Medical Registration Ordinances, and that he would take steps to see that there is uniform registration. Now, Mr Speaker, Sir, the Medical Registration Ordinance, as this Bill puts it, was first enacted in 1952. Since then, I believe, there has been two amendments, and I myself in this House by way of a question for written answer has asked the Minister to re-write the whole Medical Registration Ordinance in consonance with our independent status and in consonance with the changed medical conditions prevailing in this country. None other than the Member for Kota Star Selatan has pointed out the abuses of the word “doctor”, or “clinic”, or “dispensary”, and of people who should not use medical instruments, but have been flagrantly using such instruments and posing as doctors, and I need not

reiterate what he has stated before about the hazards to the patients concerned where unqualified people are allowed to use such instruments, or to call themselves doctors. Consequently, the need for a new Medical Registration Ordinance is long overdue, and I do hope that the Minister—I see he nods his head in agreement—will bring to this House a brand new Medical Registration Ordinance. Mr Speaker, Sir, I say this because the existing legislation has many unsatisfactory features, and I say this as a member of the Malayan Medical Council.

Now, we know that in this country there are nine hundred plus private practitioners and there are about five hundred plus Government doctors, and yet if you look at the composition of the Malayan Medical Council, it has a predominance of Government representatives, or of representatives from quasi-government bodies, like the University of Malaya—not that I am saying that they should not be represented or that the Government should not be represented—and I believe I am right in saying that none other than the Minister himself was belabouring under the mistaken impression, and whether it was wilfully done, or not I don't know, by officials of his Ministry, that the Malayan Medical Association has a representation in the Malayan Medical Council, where in effect the Malayan Medical Association has, as it is proper, no representation on the Malayan Medical Association. Now, Mr Speaker, Sir, as I said before, this Malayan Medical Council has a preponderance of Government representation where Government doctors are far less than the private medical practitioners. Now, in any future re-writing of the Medical Registration Ordinance, I would hope that the Minister will see to it that this preponderance of Government representation should be rectified, that a certain number of seats in the Medical Council should be set aside for election from amongst the private practitioners themselves. This is as it should be, because for one thing there is a preponderance, almost a two to one repre-

sentation as between private practitioners and Government medical doctors. Another thing is that the Medical Council deals with a good number of cases arising from infractions of medical ethics by the medical profession, some of them from the private practitioners; and as such, I do not see why the private medical practitioners should not have representation *pre se* in the Malayan Medical Council.

Now, Mr Speaker, Sir, the other thing that I wish to take up is the question of consultation.

Now, Mr Speaker, Sir, I do recognise that the Government is not in duty bound when it brings this Bill or any other Bill, into this House to consult anyone, but I would have hoped that in the interest of harmony, that in the interest of better relations between the Government and medical profession—and here I include the Government doctors also—that there should be consultation between the Government and the medical profession before a Bill of this nature is brought up. Now, I had already pointed this out to the Minister when the Minister introduced the Estate Hospitals Assistants Bill. There I lamented on the fact that the Minister had not thought it fit to consult the medical profession, and the Minister then possibly was on a very good wicket, when he said that the Bill was drawn up by his predecessor, he did not know anything about it, and there was no time for consultation. But in this instance, Mr Speaker, Sir, I fail to comprehend, as I understand and I shall detail very shortly, why there has been no consultation between the Ministry and the medical profession.

Now, Mr Speaker, Sir, there is what is known as the Medical Advisory Council. This was established by the predecessor to the present Minister as a hope of establishing better relations between the profession and the Ministry. I believe that the Minister himself has addressed this Medical Advisory Council once and he had expressed the hope then that this Council would bring the profession into closer relationship with the Government. I regret to say, and here I am reliably

informed that it is correct, that this council has only met once when the Minister addressed it, and it has not met at all since. An offshoot of this Medical Advisory Council is what is known as the Medical Legislative Committee of the Medical Advisory Council. Mr Speaker, Sir, there is instrument for consultation between the Government and the medical profession in the medical Legislative Committee of the Medical Advisory Council. Why has the Minister not thought it fit to consult the Medical Advisory Council, or the Medical Legislative Committee of the Medical Advisory Council? It is incomprehensible to me, as a member of the medical profession, that while the Minister goes trumpeting up and down the country that he wants the co-operation of the profession, yet he has done nothing to consult the profession on an important matter like the amendment to the Medical Registration Ordinance now before the House. Now, Mr Speaker, Sir, I say without fear of contradiction that the medical profession as represented by the Malayan Medical Association has not been consulted and here I will make very clear to the Minister that the only representative body of the medical profession, is the Malayan Medical Association and nobody else. Now, why has the Minister not thought it fit to consult the Malayan Medical Association. I can say without fear of contradiction that the Malayan Medical Association has not been consulted, and on an important matter like this, it is regrettable that the Minister has not done so. Again I reiterate it, Mr Speaker, Sir, that it is not mandatory on the part of the Government to consult the Malayan Medical Association, nor if it did consult the Malayan Medical Association should it accept the advice of the Malayan Medical Association; the prerogative of what the Government should do lies entirely in the hands of the Minister, but I would call, I reiterate it again that the Minister in the interest of harmony as between the Ministry of Health and the medical profession should in all cases, when it wants to bring legislation pertaining to the medical profession, consult the representatives of the pro-

fession, in this case the Malayan Medical Association. Here, I think I am right in saying that the Minister has been misled into believing that the medical profession has been consulted. I am told that the Minister has been led to believe that the Malayan Medical Association has representatives on the Malayan Medical Council. Now, these are two different bodies, Mr Speaker, Sir. One has a judicial powers almost that is the Malayan Medical Council, the other is the Malayan Medical Association formed merely to protect the interests of the profession, and I can say and tell the Minister today—I know he has been misled—that the Malayan Medical Association is not represented on the Malayan Medical Council.

As for consultation with the Malayan Medical Council Mr Speaker, Sir, as a member of the Malayan Medical Council I can say that this legislation that is before this House was mentioned *en passant* in the Malayan Medical Council. If there is to be true consultation, then an item should be placed on the agenda and discussed. It is true it has been discussed *en passant* or in passing down there, and I for one who was present at that meeting did not know that discussing it *en passant* would mean giving approval to the Government to enact such a piece of legislation.

I do hope that, I reiterate again, Mr Speaker, Sir, that if the Minister wants the co-operation of the medical profession, the Government must not antagonise the profession and it should as far as possible consult the medical profession as represented by the Malayan Medical Association.

Now, Mr Speaker, Sir, having stated all these things, I now wish to come to the amendment itself, and like my medical colleague, the Member for Kota Star Selatan, I wish to associate myself with him that this piece of legislation is long overdue. I have nothing against the Amendment that is now before this House. I fully support it and I think the medical profession fully supports it. The only regret is that it has taken the Government such a long time to bring this

before this House. I remember, perhaps, about eight years ago, when I was a member of the Singapore Medical Council, both the Singapore and Malayan Medical Council did discuss this piece of legislation, but the Government in its wisdom has taken such a long time to come to a decision.

Finally Mr Speaker, Sir, I close with a plea to the Minister "Tolonglah berhubung dengan Persatuan Perubatan Malaya, kalau—tuan Menteri hendak membawa perkara² atau Rang Undang² tentang Doktor² di-Tanah Malaysia.

Mr Speaker: The sitting suspended till 4 p.m. today.

Sitting suspended at 12 noon.

Sitting resumed at 4.35 p.m.

(Mr Deputy Speaker in the Chair)

THE MEDICAL REGISTRATION (AMENDMENT) BILL

Second Reading

Debate resumed.

Mr (Deputy) Speaker: Meshuarat disambong sa-mula.

Dr Lim Chong Eu: Mr Speaker, Sir, at the time when the House recessed, we heard two speeches from Members in this House, who belong to the medical profession, and I hope, by participating in this particular Bill, I do not give the impression that the medical members in the House are now attempting to have a jam session over this Bill. Sir, we can well understand much of the sentiments that were expressed by these two earlier speakers, because for so many years the Government has studiously and has cleverly avoided the responsibility of putting forward any type of medical legislation, which we could debate at all. So, the long suppressed frustration that has been felt has naturally caused much of the views that were brought up earlier today by the Honourable Member for Kota Star Selatan and the Honourable Member for Batu.

Sir, first of all, I would like to say that the Bill *per se* as it stands is very necessary, and the Bill *per se* as it stands is timely, and from that point of view I would like to commend the Honourable Minister for having introduced this Bill at this time. He has at long last managed, since his inheritance of the portfolio of the Ministry of Health, to put into action things that were promised to the medical profession for well over ten years—actually from 1952 till today, it is well over fourteen years.

Sir, the intention of this particular Bill is clearly laid out, and I think every Member in this House will support the particular intention of this Bill. The considerations, which led to the preparation of the Bill, however, were such that I feel it necessary for me to add a few statements to that made by the Honourable Member for Batu, because certainly the recommendations that were made by the Medical Council, which eventually were transmitted to the august office of the Ministry and to the august personage of the Minister of Health, which have led to the formulation of this Bill, were not discussed *en passant*, but in actual fact had been discussed for very, many years.

The difficulties arising out of the situation are due to the fact that the Government, ever since it inherited the medical administration from the former colonial masters, has not felt it very necessary to define what the Alliance medical policy is. So, as it has already been stated both by the Members of the Alliance bench as well as the Member from the Opposition bench, this lack of policy has naturally created many administrative and interpretative difficulties with regard to the major Bill on the major Act itself, namely, the Medical Registration Ordinance of 1952.

Sir, I wish first to deal with the reasons of this particular Bill, not because I wish to assume the position where I absolutely support the Honourable the Minister, but in order to make it quite clear to the Members of the House what the purposes and

intentions of this Bill are, and why although we support it we feel its limitation—and there are limitations—and why we feel that this Bill is only a temporary solution to a very big problem—even on this question of registration of citizens who have qualified in institutions which are not at the present moment recognised by us.

The other factor, Sir, is the question of the out-dated and outmoded Medical Registration Ordinance, 1952. The Honourable Member for Kota Star Selatan has given us examples of how the Medical Registration Ordinance, 1952, at the present moment as it stands can lead to much abuse and the Honourable Member for Batu has indicated how the Medical Registration Ordinance is outmoded. Therefore, I would like Sir, as the debate progresses, to indicate that I consider that not only should we set up a committee to review the Medical Registration Ordinance, but in actual fact we should urge the Alliance Government to redeem its promises made ever since it came into power in 1955 to establish an advisory committee and a committee to look into the change of medical policy for an independent nation.

Sir, for quite some time in this country, there had been a great amount of controversy over the question of recognition of foreign degrees and a number of people in this country have either, under misapprehension, misinterpreted this question of recognition of foreign degrees, and they have on many occasions also specifically brought up this question of our non-recognition particularly of American degrees in relation to the medical profession.

The immediate stimulus for this controversy was due to the fact that several of our students, or citizens, who have gone over to the United States and similarly to other countries whose institutions are not recognised by us and have qualified; and having qualified, they find that they are unable to return to Malaysia and receive registration as other citizens, who have been to institutions with

which we have either reciprocal recognition, or which we ourselves recognise. So, I feel, Sir, it is an opportune occasion to state that the function of the Medical Council is limited by the powers laid down in the Ordinance with regard to the establishment of the Medical Council, and as such the one important point the members of the public should understand, and the Honourable Members of the House should understand, is that we have no power at the present moment to institute mutual recognition of foreign degrees—and this applies in particular to the medical profession. However, there can be an exchange of acceptance of the standards and the qualification that are accorded by medical institutions from other countries, and I have raised the question of the medical degrees from the United States with a special reason, because in the United States recognition of their degrees that are conferred to doctors, who qualify from different institutions, do not necessarily mean that a person get registered throughout the whole of the States itself. So, the doctors will have first to get through their essential primary education, professional education, and then they have to sit for a State qualifying examination and then they also have to sit for a national qualifying examination, before they can be registered, and a doctor qualified in one State need not necessarily find himself able to practise in another State. Now, if this happens in the State of America itself, I do not think that the controversy, which has been raised here, should lead to a situation where we should blame the Government for not having taken action to allow for mutual recognition of qualifications from other countries. Hence, this provision in Clause 3—section 10 and the amendment to sub-clause (d) (i) and (ii)—is an attempt really to set up some kind of mechanics, whereby we can allow doctors from other countries, or graduates in the medical profession from other countries, to come into Malaysia and practise on the basis of free equal registration as other members of the medical profession.

It is true that it would have been much more salutary, and it would have been a greater indication of Governments desire always to consult the medical profession, if the Honourable Minister or his Ministry had directly and openly conducted consultations panels with the Malaysian Medical Association. Sir, not only would that have been professionally and academically wise, it would also have been a definite indication that the Government is keenly aware in sponsoring the dignity and the cultural development of an important organisation such as the Malaysian Medical Association. However, Sir, the Medical Council is the body in our country, which determines the minimum academic qualifications and the ethical principles whereby medical practitioners shall carry out their profession in this country. And as such, we are very happy that the recommendations that were made by the Medical Council have in actual fact been accepted *in toto* by the Honourable Minister and by the Government—hence, its presentation with the Bill. However, I do hope that in his reply the Honourable Minister will affirm that the Medical Council did indicate that if its powers were different, and if it had been given a greater latitude to solve this particular problem, our recommendations would have been wider. So, this is a sort of very limited solution to a very difficult problem; and the limitations are not due to the incapacity of the Medical Council to put forward a better solution but is largely due to the fact that the guardians of the patients namely the Government—are reluctant for the Medical profession to advance a proper treatment for the case. So, I do hope that the Minister will assure this House, that he will give us an assurance, that this Bill will only be a precursor to a much more extensive and much more radical reform.

Sir, there are two objections to Section 9 of the Medical Registration Ordinance, and this Bill really solves only one of the objections. The two major objections have been due to the fact that our own citizens who, because

of the shortage of facilities for medical training in our country, have to go abroad for study, and frequently such students have been selected and are chosen to go to other countries on scholarships for medical studies; and if they do go to those countries whose institutions are not recognised by us after they have qualified, our own citizens find it difficult to be registered on the same basis as other Federal citizens.

The other factor Sir, has been due to the fact that since the Emergency, not the present Emergency, but the Emergency of the colonial period, the Government felt a great need to find assistance from other countries to assist us in solving the problem of the shortage of trained medical personnel in this country and hence it was a clause in section 9, Clause 9 (c) of the Medical Ordinance, which limited that such members of the medical profession, such doctors, who come from foreign institutions, who are not Malaysians, to serve in our country should be limited in their terms of service and that their registration should be renewed every year. Sir, these were two factors that have caused a great discontent amongst the members of the medical profession as a whole.

This Bill solves the first part of the problem, namely, our own citizens who have been abroad to study on return, with the passage of this Bill, now will find it possible to be registered and, therefore, find themselves in a position where they are much more equitably placed in relation to their other fellow citizens. However, the other issue, namely, the question of doctors who come into this country and who are registered under Clause 9 (c), working under a temporary basis, usually under the Government, whose registration has to be renewed every year, has created another major controversy and that, I feel, is the area where the medical profession feels most strongly about, because the only reasons that Government has administratively advanced for the prolongation of the life of section 9 (c) of the Medical Registration Ordinance has been, (i) shortage of doctors; (ii) the Emergency conditions

require immediate solution to this shortage.

Sir, I remember that the first incumbent on the Ministry of Health was the late Tun Leong Yew Koh, and that name must take a lot of the members in the Alliance Government back many years, and the present Honourable Minister who is holding this portfolio to his happier and easier and younger days; and Tun Leong Yew Koh has departed from this earth, and yet nothing has been done positively to solve this question of the shortage of doctors. I remember, Sir, at that time when the Alliance Government was full of the fervour of independence, and the Alliance Government felt that it could really establish something model and something new, as a challenge against the British colonial administration, it was suggested that we could bridge this gap in our medical need by having crash programmes in training, so that large numbers of doctors could be produced to fill up the anticipated need for members in the medical profession to serve in our country. That was well over ten years ago. Now, if ten years ago the Alliance Government had adopted such a crash programme, and a positive programme of solving this question of the shortage of doctors, today we would have had more than three academic generations of qualified medical students. As it is, because the Alliance Government could never take this decision of having a positive measure of solving this question of the gap in our medical need, to this day our solutions are temporary and our solutions have got to be found elsewhere. I do not know what the real reason for the Alliance's lack of positive action is. It may be because they had never had the real dynamism really to establish a truly Malayan national medical system and we are still working under a perpetuation of a medical policy which I have previously called and have repeatedly called "nothing better than a vestige of the colonial medical administration." We have never in all these years actually established our own medical system, whether it be socialised medicine, nationalised medicine, or otherwise. At the present moment, the

best way we can call it is the "Alliance's system of medicine"; and the Alliance system of medicine, unfortunately, is only a vestige of the colonial administration system. Sir, whether it is just due to this lack, or whether it is due to the fact that successions of Ministers to this portfolio of Health have always found it pleasant to go for trips abroad, in order to visit countries who wish to export doctors to us—they had been to India, and the recent trip took them to Korea—and whether it is so or not, it has definitely contributed to the difficulties which has led to the promulgation of this Bill. Whether because the Alliance Ministers going abroad are so well entertained that their choice of doctors to serve us is only a measure of the pleasure, they derived from the trip abroad or otherwise, the invidious situation is that every single doctor that has been brought into this country under section 9 (c) has been a doctor who does not qualify for straight and direct registration under section 9 (a) of our Medical Registration Ordinance. It may be that if we go to Britain, whose medical institutions are all recognised by ours, if we went to India, most of whose medical institutions are recognised by ours, or if you went to any of the other Commonwealth countries, whose medical institutions are recognised by us, we will be immediately turned down, because we will be told first that they themselves have a shortage of doctors, not in terms of numbers, but shortage in terms of what they consider necessary to maintain adequate standard of health, and they will not allow their doctors to go out. At the same time, doctors with these qualifications would not wish to come and serve here, because the conditions of our service are not conducive, are not attractive enough to them. Therefore, we have to go to other countries where entertainments for the Ministers might be very good, but the qualifications of the doctors do not meet our requirements.

Sir, the terrible thing about section 9 (c) is that we have a hotchpoch; and then from the academic point of view, if we turn round and say to the Ministry, "Well you are just bringing any

kind of doctors under 9 (c)", that is not correct, because they can say, "We bring men who come in under the Peace Corps and who come in under special training programmes and they are internationally recognised figures; they come here to work for one year in medical research programmes". We agree that we bring in men of such high professional qualifications, but the abuse is that under section 9 (c), we really do bring in a great number of medical personnel from other countries who do not meet our own requirements, and far more important, Sir, we do bring in members from outside this country whose qualifications are definitely no better than the qualifications of our own citizens and products from our own university, and there is no protective clause, and the Government has shown no interest to protect the position of the local medical practitioners from those who have come from abroad under 9 (c). A simple example, Sir, is a charitable institution, and I am not going into the legal definition of "charitable institution"; a charitable institution which is interested in the question of medical services and the provision of health services can, under Article 9 (c), bring in a doctor from abroad under 9 (c) to serve in this country; and it is only lately that the Ministry, by administrative action through the recommendation of the Medical Council, had insisted that such institutions before they bring in doctors from abroad under 9 (c), should first advertise their posts with an attempt to fill these posts by our own citizens that we have a beginning of some kind of protection of the interests of the local doctors.

Mr (Deputy) Speaker: Time is very limited. How long you are going to take? You have taken more than half an hour. There are so many Bills to be finished today.

Dr Lim Chong Eu: I will try to finish as soon as I can. I thought it is best for me to explain this, because I want to congratulate the Government for this Bill, and I want the people to understand why I want to congratulate the Government. At the same time, I

want to say to the Government, "Do not rest on our laurels".

Sir, it is because of this potential abuse of 9 (c), that the members of the medical profession find themselves greatly at variance with the Ministry over this question of the Medical Registration Ordinance, and I sincerely hope that the Minister will accept the advice which has been put forward by the Honourable Member for Kota Star Selatan and the Honourable Member for Batu, and immediately institute a committee with wide powers of review in an advisory capacity to look into the question of desirability of amending the Medical Registration Ordinance. Sir, how important that is was brought out by the fact that some of the allegations that were brought up by the Honourable Member for Kota Star Selatan although quite awesome, I feel are quite legitimate. However, it did indicate that the Medical Registration Ordinance is so old, so antiquated, that younger members of the profession are not entirely quite aware of its implications. The strange thing is that, under the laws of our country, there is nothing to prevent anybody calling himself a doctor, and nothing to prevent anybody setting himself up in a healing practice. Sir, that is the actual situation. The Honourable Minister can call himself a doctor and set up a practice, but under the Registration Ordinance he is not entitled to do certain things, and the case that was brought up as an illustration by the Honourable Member for Kota Star Selatan is very interesting, because if the death was indeed caused by a man administering a drug through a hypodermic syringe, then that man is liable to criminal action and criminal prosecution under this particular Ordinance.

Sir, it is because of this vagueness of the Medical Registration Ordinance, that so many things can go wrong and no action is taken. It is all very well for a layman to administer pills and recommend pills to prevent premature ageing or to make older men feel young, but there are definite stipulations as to what can be done by the

qualified, professional medical practitioner as opposed to those, who establish themselves into the art of healing. From that point of view, I have a slightly more liberal attitude than the Honourable Member for Kota Star Selatan because, for example, we have a shortage of doctors—at the present moment, we certainly have a shortage of doctors in the specialities, and one of the specialities that we suffer from a great shortage is in the psychiatric field; and in spite of the affluent society which the Alliance Government is providing us, a lot of people are meeting with tensions of our present society, and more and more there is an increase in mental illness and increase in anxiety state and the local *bomohs* for all there worth have a place and, therefore, I do feel that we should try and understand what the objectives of the Medical Registration Ordinance should be. I urge the Honourable Minister in his reply—there is no further procrastination as after all 1952 to 1966 is a long time—to tell us that the Government has a definite intention to establish a committee of review to look into the question of the medical policy in this country, not only as it prevails in Malaya, but also to integrate the differences in the different territories in Malaysia today, and the Government will also establish a committee to look into the question of reviewing the Medical Registration Ordinance, so that a new Ordinance can be promulgated as soon as possible. However, Sir, let me reiterate that even with the best Ordinance, it cannot function unless there is a definite policy, and it is in view of the fact that there is no policy, we are suffering all our difficulties. Sir, under these circumstances, this Bill, meritorious as it is with regard to the provisions of the Bill, suffers from the fact that it is like attaching a good skin graft on an incompatible host—some time or other it must die. Sir, let us hope that the Honourable Minister for Health will assure us that this is only the beginning of things to come.

Enche' Ahmad bin Arshad (Muar Utara): Yang Berhormat Tuan Yang di-Pertua, saya bangun menyokong

Bill ini dengan masa yang sangat pendek oleh sebab masa berhubung dengan hal ini telah di-borong oleh Ahli Yang Berhormat daripada Tanjong tadi.

Saya menyokong Rang Undang-2 Pendaftaran Perubatan ini. Ini ia-lah satu ikhtiar, saya fikir, boleh mengatasi kekurangan doktor dalam negeri kita ini. Saya chuma hendak membangkitkan satu perkara dalam Bill ini dan meminta perhatian Yang Berhormat Menteri Kesihatan ia-itu berhubung dengan mayat yang mati di-sebabkan oleh suatu kemalangan yang tidak ada pergantungan dengan Police Case dan tidak pula di-shak oleh warith²-nya bahawa mayat² yang mati dengan sebab sa-suatu yang di-fikirkan boleh menaruh shak kepada warith²-nya. Perkara ini

Enche' Bahaman bin Samsudin: Tuan Yang di-Pertua, Yang Berhormat berchakap dalam perkara ini tidak kena-mengena dengan Undang² ini—tidak kena pada tempat-nya dia berchakap.

Enche' Ahmad bin Arshad: Tuan Yang di-Pertua, saya chuma hendak berchakap dalam hal doktor ini sahaja—kuat kuasa doktor.

Jadi saya meminta mayat yang sampama itu, jikalau boleh, jangan dibelah dan berikan kemudahan di-bebaskan daripada di-belah mayat ini dan boleh warith²-nya itu membawa mayat itu dengan segera balek ka-tempat-nya. Saya bukan membantah pehak doktor hendak membelah mayat² yang mati di-sebabkan kemalangan tetapi jikalau mayat yang tidak ada kaitan dengan Police Case dan warith² tidak ada shak, saya fikir lebih baik di-layan supaya dapat dibawa balek di-kebumikan dengan sa-berapa segera-nya yang boleh. Itu-lah sahaja, terima kaseh.

Enche' Bahaman bin Samsudin: Mr Speaker, Sir, I wish to thank the Honourable Member for Kota Star Selatan, the Honourable Member for Batu, and the Honourable Member for Tanjong for their support of this legislation and of the useful suggestions made with regard to the necessity

of re-writing the whole Medical Registration Ordinance, scrutiny of doctors after three years service with Government, controlling quack doctors, controlling the use of certain medical terms, and the setting up of a Committee to revise the Ordinance. All these suggestions, Sir, will be borne in mind when consideration is given to the revision of the Ordinance.

Dr Tan Chee Khoon: Mr Speaker, Sir, on a point of clarification, may we also have an assurance from the Honourable Minister that when this legislation is re-written, the medical profession as represented by the Malayan Medical Association will be consulted all the way through.

Enche' Bahaman bin Samsudin: I have not finished my reply, Sir, (*Laughter*)—he is trying to jump the gun. I agree, Sir, that this legislation is overdue and that it is outmoded, but this is mainly due to the frequent changes in the senior staff and the Ministers themselves in the Health Ministry, and no one could think clearly of the several problems prevailing in this Ministry.

With regard to the question of the Malayan Medical Association, or the Medical Advisory Council, not being consulted regarding this amendment, I would like to explain that as the Honourable Member for Batu himself admitted, there was some form of consultation made of the Malayan Medical Council, but I wish to inform the House that the Ministry of Health is under no obligation to consult any of these bodies. The Malayan Medical Council which we first consulted is a statutory body with elected representatives of all medical practitioners in the country sitting on it. It is not strictly true that there are a preponderance of Government doctors in the Malayan Medical Council. There are 19 members, and out of these, 4 are Government *ex-officio* members, 3 are representatives from the University, and the remaining are elected by the practitioners themselves and among them, perhaps, a few Government doctors also were elected. However, I

wish to assure the Honourable Member for Batu that in future the Malayan Medical Association will be consulted, if it is thought necessary to do so for the sake of good relationship and co-operation.

The issue here, Sir, is that this legislation has the full support of the Members who have spoken just now, and I am glad and thank them for their kind support. I can assure the Honourable Member for Tanjong—he is not here now—that my trip abroad has given me knowledge of the medical facilities in the countries and this has given me ideas how to tackle problems in this country (*Laughter*), one of which, Sir, is this legislation today (*Laughter*).

Sir, in reply to the Member of Parliament for Muar Utara, that has nothing to do with this Ordinance, but as that Member wants to speak, I would like to take the opportunity to reply to him that a circular is being issued by my Ministry to all Members of Parliament as well as to the Members of the State Assemblies with regard to the question of post-mortem of Muslim bodies—I think he knows it, but if he still wants to say his bit, I cannot help it (*Laughter*).

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 (Deputy Speaker) *in the Chair*)

Clauses 1 to 3 inclusive ordered to stand part of the Bill.

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

THE COMPANIES (AMENDMENT) BILL

Second Reading

The Acting Minister of Commerce and Industry (Enche' Khaw Kai-Boh): Mr Speaker, Sir, I move that a Bill

intituled "an Act to amend the Companies Act, 1965" be now read a second time.

Honourable Members will recall that the new Companies Act, 1965, was passed by the Dewan Ra'ayat in its session of the 9th August, 1965. The Act was subsequently passed by the Senate on the 16th August, 1965, and assented to by His Majesty The Yang di-Pertuan Agong on the 5th November, 1965. When I introduced the new Companies Bill in Parliament, I assured the House that if there were any practical difficulties encountered in the Companies Law, I would come to the House again to move any amendment considered necessary and justified. Although the Companies Act, 1965, is yet to come into force, representations have been made by members of the public concerning the high rate of fees charged for registration of new companies under the new Act. As an example, it was pointed out that a new company with an authorised capital of \$100,000,000 would have to pay a fee of \$201,200 compared with \$1,500 under the existing Ordinance, \$5,350 in England and \$26,270 in Australia. In the light of the representations, the Government has reviewed the registration fees chargeable and under the new Act, whilst it could not consider reverting to the very low rates, charged under the existing Companies Ordinance prescribed 20 years ago in 1946, the Government has agreed to revise substantially the rates of registration fees of Companies with authorised capital exceeding \$1,000,000. As proposed in the Bill, subject to a maximum of \$35,000, the new rates are comparable to those obtainable in Australia which have been cited as comparison. You may ask, Sir, why rates for companies with an authorised capital of \$1 million and less has not been reduced. Having regard to the present circumstances, the rates as prescribed under the new Companies Act in respect of those companies are considered reasonable. They represent very modest increases over the existing rates which have been prescribed, as I have said earlier, in circumstances prevailing twenty years ago. As I promised, I now seek for the agree-

ment of the House to move an amendment to the scale of fees now prescribed under the new Companies Act for the registration of companies in the light of the representations of difficulties by the public. I beg to move, Sir.

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

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 (Deputy Speaker) *in the Chair*)

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

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

THE FEDERATION OF MALAYA RUBBER EXCHANGE (INCORPORATION) (AMENDMENT) BILL

Second Reading

Enche' Khaw Kai-Boh: Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to amend the Federation of Malaya Rubber Exchange (Incorporation) Act, 1962" be now read a second time. Mr Speaker, Sir, Honourable Members will recall that the Federation of Malaya Rubber Exchange (Incorporation) Act was passed by this House in 1962, following which the Federation of Malaya Rubber Exchange was established in Kuala Lumpur. The establishment of a Rubber Exchange in the country was motivated by a desire to have an organised rubber market which would regulate the trading of rubber in this country through a set of rules of conduct to ensure stability and discipline, and which would provide all the facilities of trading and the safeguards necessary to traders and thereby ensure international confidence. But since its inception in 1962, the Federation of Malaya Rubber Exchange, despite the persevering and diligent efforts of its Board of Directors and

Government financial support, has only met with a limited success. This is because the amount of business transacted through the Exchange has not been up to expectation, due mainly to the development towards direct trading between producers and consumers without going through an organised market. This development, however, is a healthy one and should not be discouraged, especially in this era, when we are progressively developing technically to specify the rubber and when we have to meet the challenge of the aggressive sales techniques of synthetic rubber which are conducted direct between the producers and consumers. As a result of this development, the volume of business passing through the Exchange has not yielded the revenue required to make it financially self-supporting, so that at the end of 1965 it was necessary for the Government to grant it a loan of \$250,000 to enable the Exchange to meet its annual administrative expenditure. At the end of 1965 the Government set up a committee of officials and representatives of the rubber trade and industry to review the operation of the Exchange. This committee recommended that in spite of the trend towards direct selling of rubber, the Exchange should continue to exist. As Malaysia is the biggest natural rubber producer in the world, it is in the national interest, as well as in the interest of the rubber trade and industry, that there should be an organised rubber market in this country. Such a market would ensure the availability of reliable information on prices, provide safeguards to producers, traders and consumers, in the form of contracts, brokers, guarantee arrangements, sampling, and arbitration procedures, which are essential in creating confidence in international trade, and enable operation of various trading facilities such as auction, hedging arbitration and other transactions. However, the committee recommended that measures should be taken to improve the organisation and operation of the Exchange in order to make it more effective and to achieve this, it is necessary that the Board of Directors of the Exchange be enlarged from the

present number of eleven members to a maximum of twenty-five, so that the Board could have on it a wider representation of persons with knowledge on international rubber trade.

It is also proposed to amend the rules and by-laws of the Exchange so as to enable inter-linking of its contracts with those of overseas markets and to admit the participation of overseas members in its activities. While it is neither the Government's intention to interfere with the operations of the Federation of Malaya Rubber Exchange, nor to hamper trade, Government considers it necessary that, as the Exchange is incorporated by an act of Parliament and will derive additional revenue from the fees on registration of rubber exports enforced by Government, the legislative provisions of which are set out in a separate bill which I will move later, It is appropriate that the Chairman and the Deputy Chairman should be appointed by the Government which should also have power to give to the Exchange directions not inconsistent with the provisions of the existing Act. The Federation of Malaya Rubber Exchange began its operation prior to the formation of Malaysia. Now, that we are a new nation, it is only right that we restyle the Federation of Malaya Exchange as the Malaysian Rubber Exchange, although at this stage its operations will be confined only to the States of Malaya. Sir, the Federation of Malaya Rubber Exchange has, since its inception, performed an essential function in the development of the country's rubber trade. With the proposed re-organisation, we are confident that the Exchange will become an effective international market.

Sir, I beg to move.

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

Enche' Tan Toh Hong (Bukit Bintang): Mr Speaker, Sir, I rise to give my full support to this Bill. As our economy is still very much dependent on rubber, any amendment that aims at making the Malaysian Rubber

Exchange more effective and more functional deserves the full support of this House. However, Sir, I am alarmed to know that certain sections of the rubber industry are not giving full support to the Exchange despite the fact that the Rubber Exchange ensures orderly and organised marketing which are beneficial to the industry as a whole. I am alarmed to know that a substantial majority of contracts and sales have bypassed our local centralised market. Sir, among others, this has the effect of denying our rubber industry and our Government the knowledge of export particulars and the movements of foreign exchanges. How are we to know, Sir, that the net proceeds of sale of rubber overseas, handled by some middlemen of some other countries in London or elsewhere, are being re-invested in Malaysia for the betterment of our people and our nation? Rubber is our lifeblood. While London and other international traders regard rubber trading as a matter of dollars and cents—to us, Malaysians, this is one of the means of economic survival, and it is a matter of national life and death.

Sir, in 1965, the revenue derived from rubber alone is \$78,392,000. This is the second largest revenue item next of tin. In addition, the approximate value of rubber exports in 1965 amounts to \$1,454,000,000 which is Malaysia's largest export item; yet, unless such exports are dealt through our rubber exchange, or their movements are registered with it, what guarantee have we got that all these proceeds are being re-invested here and not in London or elsewhere? They could very well use a substantial part of our foreign exchange to develop their economy at our expense without anyone being the wiser.

In this connection, Sir, I am alarmed to understand that a large number of foreign-owned rubber estates in Malaysia purposely consign their rubber to their United Kingdom headquarters or agencies for sale in the London market. By this device, they bypass our Malaysian Rubber Exchange and conceal the remittances of our foreign exchanges. Under this

device, there is no means of guaranteeing that their sales proceeds are being sent back here for re-investment in our country. To a developing economy like ours in great need of more foreign exchanges and of more investments, this device certainly works against national interest.

Sir, lest it be misunderstood, I am not advocating the banning of direct sales between producers and consumers but rather that this type of sales, which I have mentioned just now, intentionally bypassing our local market should be controlled and wiped out. From our national point of view, Sir, national interest demands that the activities of vital channels of rubber distribution should be either based on our soil, or at least being carried out with our knowledge. This is only logical, Sir, since we are the largest producers in the world.

In 1964, of the total planted acreage in the States of Malaya, rubber accounts for 64 per cent or 4,103,000 acres. Any ups-and-downs of the industry, Sir, will intrude upon the activities of our economy and influence the livelihood of our people. In this respect, Sir, I would like to congratulate our Government for having the wisdom to re-examine the operations of rubber marketing. As the Honourable the Acting Minister has so clearly explained, the proposed re-organisation will ensure a better international rubber market whereby trading becomes more organised and orderly to bring about confidence in the industry. It is to be hoped that the re-organised Malaysian Rubber Exchange, together with the operations of the Rubber Export Registration Bill, will serve as incentives for London and other foreign dealers to take a positive interest in our local market activities.

In conclusion, Sir, I am sure that we all would like to see that vigorous attempts would be made to promote the name and the activities of the Malaysian Rubber Exchange, so that this organisation could, perhaps, one day serve as a model for all commodity markets in this part of the world. Thank you, Sir. *(Applause)*.

Enche' Khaw Kai-Boh: Mr Speaker, Sir, I would like to thank the Member for Bukit Bintang for supporting this Bill. For the information of the Honourable Member, the various points raised by him are very constructive points and have been considered by the Government. In fact, I think, the Honourable Member has jumped the gun, because in introducing my next Bill to the House, I shall be dealing with the various points raised by the Honourable Member. But, nevertheless, I must congratulate the Honourable Member for Bukit Bintang for his very intimate knowledge of the trade, and I am quite sure the substantive Minister should open his eyes when he starts thinking of who should be appointed to the Board of Directors. (*Laughter*). I think that is about all I would like to reply to the Honourable Member.

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 (Deputy) Speaker *in the Chair*

Clauses 1 to 8 inclusive ordered to stand part of the Bill.

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

THE RUBBER EXPORT REGISTRATION BILL

Second Reading

Enche' Khaw Kai-Boh: Mr Speaker, Sir, I beg to move that the Rubber Export Registration Bill be now read a second time.

Mr Speaker, Sir, in the course of my speech in moving the second reading of the Federation of Malaysia Rubber Exchange (Incorporation) (Amendment) Bill, I stated that the Federation of Malaya Rubber Exchange, which was established early in 1962, has met with limited success, partly because of the amount of business transacted through

the Exchange had not been up to expectations as a result of the development towards direct trading between producers and consumers without going through an organised market. I also stated that this development was a healthy one, which should not be discouraged in the face of aggressive sales technique of synthetic rubber which are conducted direct between the producers and consumers.

Mr Speaker, Sir, apart from this direct sale, there is also a good percentage of our rubber which is consigned from this country to overseas market and sold at prices below those ruling in the Malaysian market. Thus this type of sale which is different from that of direct sale between the producers and consumers I mentioned earlier and also mentioned by the Honourable Member for Bukit Bintang, not only bypasses the local market but deprives this country of foreign exchange. The committee of officials and representatives of the rubber trade and industry which I mentioned in my previous speech, Sir, had examined this type of sale and had recommended that such practice be discouraged. This recommendation has been accepted by Government, and it has been decided that a legislation be introduced to require all rubber shipped, or exported, overseas to be registered with the Federation of Malaysia Rubber Exchange, and rubber shall only be exported on the issue of a certificate by the Exchange. Through this method, it will be possible to obtain particulars of rubber export particularly in respect of the price. This, Mr Speaker, Sir, is the main intention behind the Bill now before this House.

Under the Bill, fees will have to be paid for the registration at such rates as the Minister of Commerce and Industry may fix from time to time and such fees will be credited to the revenue of the Exchange. It is hoped that these fees, which will be fixed at a very low rate, will provide the Exchange with adequate revenue for it to meet its expenditure, so that it will

not continue to depend on the Government financially. In order to avoid any difficulty and unnecessary burden on the part of the trade, it has been decided that applications for certificates for rubber exports will be issued in denominations from one ton (every part of a ton to be regarded as one ton) to 50 tons, and that application for such certificates and their uses can be made in advance. Thus the trader, who has obtained a certificate in advance, can export his rubber without any further delay and without further difficulty.

The Bill also provides for the Minister of Commerce and Industry to make regulations for the proper carrying out of these provisions, and this will enable the Government to introduce from time to time measures which will be to the interest of the rubber trade.

Mr Speaker, Sir, these are the main features of the Bill which is aimed in straightening the rubber market in this country and making it viable and effective. With the measures, which it is proposed to take under the Bill for the reorganisation of the Exchange, we can look forward to increased activities in the local rubber market which will benefit the national economy. All sectors of the rubber trade and industry have been consulted on this Bill and they have supported it unanimously. Sir, I beg to move.

Enche' V. Manickavasagam: I beg to second the motion.

Enche' Ong Kee Hui (Sarawak): Mr Speaker, Sir, I have only two very brief comments to make on the Bill; as the Bill as stated in paragraph 1 only applies to the States of Malaya and do not concern the Borneo States.

The first comment, Sir, is that under the definition of rubber, it appears that this Bill will be applicable to a wide range of products other than the rubber as is generally known, namely, para rubber, because under paragraph 2, the definition "rubber" includes not only para rubber but the whole range of other rubber products, and I just

wonder whether this is necessary for the purpose for which the Bill is designed.

The other point which I wish to make, Sir, is that under Clause 6 of the Bill provision is made for fees for registration. As we know, Sir, any kind of imposition on a product generally works back to the producer and Clause 6 gives power for the Corporation, with the approval of the Minister, to prescribe fees. I hope that, in exercise of this power, the Minister will take due regard to the needs for imposition which are reasonable, because the rubber industry is facing very keen competition from synthetic rubber, and also natural rubber from other producing countries; and if we put too much burden on the industry by additional imposition however small, it works back eventually on the producer and would in the long run not benefit the industry. If some sort of control over the industry is obviously necessary, I think it should be exercised with due care as the rubber industry is facing very strong competition not only from synthetic rubber but also from rubber producers in other countries.

Dr Lim Chong Eu: Mr Speaker, Sir, my comments arise from the fact that earlier on the Honourable Minister, when he was moving the earlier Bill on the Federation of Malaya Rubber Exchange (Incorporation) Act, indicated that one of the necessities was due to the fact that with Malaysia it was necessary to revise this concept of the Exchange to include the whole of Malaysia, and that in actual fact that particular Bill has some reference to this present Bill which we are now discussing. Sir, under those circumstances I wonder whether the Honourable Minister can elucidate whether the Government has subsequent intention to try and incorporate similar type of legislation, so that it is applicable to the territories of Sabah and Sarawak. Sir, this is a subject which we have constantly repeated and I feel, Sir, that wherever possible, in so long as it does not contravene the existing Constitution,

legislation should be on the basis of the Malaysian nation rather than on a part of the Malaysian nation.

Sir, the other point which I would like to touch on is this question of penalty that is provided for in Clause 12. Sir, I am not contesting the amount of the time, but I would like to suggest to Government that for the very purpose which has been stated by the Honourable Minister, namely, the question of preserving the good name of the rubber Industry with regard to the export of standard grades of rubber, so that consumers will not feel in any way cheated or disappointed with the packing, would the Government not consider it necessary to provide for power of revocation or annulment of certificates of persons who have habitually contravened the purposes of this Act, or who have been reported on several occasions by different consumers to have not complied with the standards that are required.

Sir, this Bill as I understand it provides for control by ourselves. To some extent, Sir, I feel that, if exporters do manage to circumvent the examining authorities which the Bill provides for, and rubber of different quality reaches the consumers, the consumers' protests should be recorded; and such protest; if they constantly refer to any one particular exporter, he should come under penalty and, therefore, it might be worthwhile under those circumstances to provide for the Minister with the power of revocation of certificates.

Enche' Khaw Kai-Boh: Mr Speaker, Sir, I would like to reply to the identical point raised by both Members of Sarawak and Member for Tanjong, that is the applicability of these two Acts to the Borneo territories. Now, I must repeat to this House again, that both the present Rubber Export Registration Bill and the previous amendment Bill to the Federation Rubber Exchange do not apply at present to the Borneo States. They only apply to the States of Malaya for two obvious reasons. One is, of course, that before we can make any of our Federal

laws applicable to the Borneo States—there are reservations in the IGC Report—we have to consult the two Borneo States before we extend the provisions to these two States. Furthermore, of course, there is the question of physical limitation of this Exchange, and until the Exchange can be extended physically there, that is, to constitute a body there, it will be difficult at this moment to extend it to the Borneo territories.

Next, I would like to deal with the question of definition of rubber. There is nothing special in the definition of rubber adopted in this Bill. The term adopted is the same as adopted in other legislation concerning rubber and it is necessary to be consistent in the definition of "rubber".

Next, I come to the third point raised by the Honourable Member for Sarawak with regard to Clause 6 regarding the charging of fees to be imposed by the Minister. Now, the Government is fully aware of the very keen competition between the natural rubber and the synthetic rubber, which I have actually mentioned in my speech; and if necessary the Government will consult the industry as to the fees to be imposed.

With regard to a number of points raised by the Honourable Member for Tanjong in connection with the revocation of certificates, or refusal to issue certificates for those, who repeatedly contravene the provisions of the Act, this will be a matter which the Minister will look into and of course, under Clause 14 the Minister has the power to make such regulations as he may deem necessary for the proper control of this registration process. Although it is true that under the Bill, there is no provision to cancel the certificates for non-compliance, but as I have said, this matter will be looked into by the Minister.

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 Deputy Speaker *in the Chair*)

Clauses 1 to 14 inclusive ordered to stand part of the Bill.

First Schedule ordered to stand part of the Bill.

Second Schedule ordered to stand part of the Bill.

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

THE HOUSING DEVELOPERS (CONTROL AND LICENSING) BILL

Second Reading

The Minister of Local Government and Housing (Enche' Khaw Kai-Boh): Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to provide for the control and licensing of the business of housing developments in the States of Malaya and for matters connected therewith" be now read a second time.

Sir, the Bill is a straightforward one and, as explained in the Explanatory Note to the Bill, it will, among other things, empower the Minister to issue directions to a licensed housing developer for the purpose of safeguarding the interest of purchasers, make such other general directions as are considered appropriate and to carry out investigations into the affairs of housing developers. Power is also given to the Minister to make rules for the purpose of administering the Bill.

The Bill provides certain conditions which must be fulfilled before a housing developer is issued with a licence to carry on any housing development. Provision is made for the Controller of Housing to revoke a licence issued to a housing developer where the housing developer does not meet his obligations. Provision is also made for a licensed developer to be heard before his licence is revoked, and the housing developer has the right to appeal to the Minister against any decision of the Controller. This Bill will only apply to the States of Malaya, and co-operative societies are

excluded from the operation of this Bill.

Mr Speaker, Sir, as you are well aware, there have been repeated instances, where innocent members of the public have fallen victims of rapacious and unscrupulous persons, who pose as housing developers and obtain substantial deposits as booking fees for houses, which they not only do not intend to build but also are in no position to do so. I also have personally received a continuous stream of letters from several persons concerned that they have paid deposits for houses in housing scheme and found to their dismay that no houses were being built and that they could not recover their deposits. A good parallel to this are the mushroom insurance companies which, only a few years ago prior to the introduction of the Insurance Act, 1963, swindled ignorant people of millions of dollars.

I would like to quote, with your permission, Sir, a few cases to illustrate my point.

Case "A"—

In November, 1964, a resident of Ipoh addressed the Minister for Local Government and Housing stating that in January, 1964, he booked a terrace house from Company "A" for which he paid a deposit of \$1,800. The house costs \$9,000 and he was told he could occupy the house at the end of the year. At the time of writing the letter, which was 11 months later, no work had commenced. He asked for the return of his deposit but this was refused.

Case "B"—

In June, 1965, a resident of Kuala Lumpur addressed the Minister for Local Government and Housing stating that in September, 1964, Company "B" called for booking deposits for their housing project in Gombak Road. They collected \$2,000 each from about 100 prospective purchasers. In about April, 1965, seven months later, they obtained a second deposit of between \$3,000 to \$3,500 for the houses. Up till June, 1965 nine months later, no work was commenced much to the consternation of the purchasers although completion of the houses was promised by August, 1965. The writer requested the Ministry to introduce suitable legislation to control housing developers.

Case "C"—

In June, 1965, a resident of Klang and 16 others addressed the Minister for Local Government and Housing stating that he

and 16 others booked a house each from Company "C" in Klang. This was in 1961, four years earlier. They paid the deposits required of them, i.e., \$1,300 for a terrace house and \$5,000 for a semi-detached house and all these years the so-called developer has been making use of the money paid to him as deposits. Since then these people have been pressing the developer to build but without any response. In July, 1964, Company "C" invited the purchasers to the Head Office in Kuala Lumpur whereupon they were told that house plans had been changed. The price of a terrace house was raised from \$5,000 to \$11,000 and the cost of land from 80 cents per square foot to \$1.20. In the case of semi-detached houses, the price was increased from \$16,000 to \$18,000. This Company called for a further deposit of \$900 for the terrace house and \$1,000 for the semi-detached. If anyone disagreed with the new arrangements, the Company was willing to return the original deposit. Despite the unfairness of the whole position the persons concerned agreed to this arrangement, reluctantly.

The Houses were completed in 1964 and could not be occupied, because water and electricity had not been connected. The developer was also to blame for not having taken the necessary steps to ensure that water and electricity was available. This was taken up by the Ministry with the Town Council. On the same case, the *Malay Mail* on November 29th, 1965, referred to a petition to the Honourable Prime Minister by 200 residents in Klang seeking his assistance in obtaining certificates of occupation for the new houses in the housing estate in Klang they bought four years before that. The Town Council refused them the certificates, because the houses were not in accordance to plans required by the Council. The Council was trying to get the contractor to fulfil the requirements.

I, therefore, consider that legislative measures should be taken to protect the people from bogus and or unscrupulous housing developers. Hence this Bill.

Now, again, Sir, this subject has evoked much public interest in recent months, and there is no doubt that some form of control must be exercised centrally by Government though housing and provision of housing accommodation is a State subject. No *bona fide* developer, however, need have any fear of this legislation.

The Ministry of Local Government and Housing is currently drawing up Rules under Section 24 (i) of this Bill for the purpose of implementing

the provisions contained in this Bill. There appears to be some misgivings in certain quarters regarding the introduction of this Bill. For instance, the Kim Tin Seah, an Association of Penang and Province Wellesley Building Contractors and Building Materials' Suppliers held an emergency meeting to discuss the Bill and considered the hardships that would be imposed on them. They even went to the extent of saying that this Bill is the death knell for the industry. They fear that the introduction of this Bill would adversely affect the building industry and that lots of workers in the industry will become unemployed. The meeting resolved that they should appeal to the Minister for Local Government and Housing to reconsider his decision on the relevant clauses which affect the small developers, and this I have received. I would like to take this opportunity to allay the fears of building developers, especially the small time developers. It will be seen from Clause 6 of section 2 that the Minister has absolute discretion to waive any or all the conditions set out in paragraphs (a), (b) or (d) of sub-section 1 of Clause 6. If a *bona fide* applicant for a licence under this Act is unable to comply with one or more of the conditions set out in Clause 6 of the Act, he should then produce cogent reasons for not being able to comply with such conditions. It shall be in my discretion, therefore, having considered all the reasons, to waive the whole or part of the conditions, if necessary. The Act provides for an applicant to make a cash deposit of \$100,000 or in such other form as the Minister may determine—this could, for example, take the form of banker's guarantee. I cannot accept the argument that the Bill would adversely affect the small developers.

I shall now reply to the points made by this Association. They, the developers, firstly, contend that they, the developers, would not be able to carry on with the business and must stop operation thus causing untold hardships to themselves and their workers' families. My reply is that, I do not see any reason why small developers should

not be able to carry on their business. The whole purpose of this Bill is to prevent the bogus developer from cheating the public. The genuine developer need have no fear, and conditions can be relaxed, if the reasons advanced are genuine and acceptable.

The second point raised is that the Bill would disrupt the education of their children and those of the workers. This is certainly not true, and the same argument against the first question applies.

Thirdly, they contend the Bill would affect the livelihood of tens of thousands of workers and, here, again I cannot see how this argument can stand.

Fourthly, they contend that the Bill would retard housing development in the Penang State—I see my Honourable Member for Penang Utara is busily taking notes! This is, again not true. It is not the intention of our Ministry to curb and stifle building development in the private sector. The Bill should, in fact, produce the opposite effect in that since people are now afforded the protection of this Bill, they will go forward with confidence to any licensed developer to purchase a house. This should generate more building activities.

A further point raised by them is that a social problem will be created when tens of thousands of both skilled and unskilled workers were thrown out of work. Now, I can give them the assurance that this will not happen.

Finally, the last point raised by them is that the small developers, all of whom are in Penang State, were using private capital which did not generally exceed \$100,000—sufficient in the sense that the cost of construction of, say 5 houses, will usually not exceed \$100,000. Now, here again, I have already stated that the Minister has powers to make such exemptions as he deems fit.

Then, the meeting of the contractors resolved to appeal to the Minister to amend the provisions relating to the imposition of the \$100,000 deposit as

a pre-condition to licensing. There is no reason for doing this, since, as I said, there already exists power by the Minister to relax, or waive, under Sub-section 2 of Clause 6. The fears on the part of the Association are mainly imaginary and do not have substance. Any genuine *bona fide* developer need have no fear whatsoever. The Bill is primarily intended to protect the house-purchasing public and not to stifle the building industry. I would also add, Sir, that all State Governments have been consulted and they have given their unqualified support to this Bill and also, as required under Article 95 (A) of the Malaysian Constitution, the Bill has been agreed to by the National Council for Local Government at a meeting held recently.

Mr Speaker, Sir, I beg to move.

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

Enche' Hanafiah bin Hussain: Mr Speaker, Sir, I beg for your permission to speak not in Bahasa Kebangsaan.

I rise to commend this Bill to the House. Having gone through the clauses, I am of the opinion that the control sought by means of licensing in the manner set out in this Bill is comprehensive and will no doubt deter any bogus developers from embarking upon any housing development projects. However, Sir, in one respect I consider the control rather excessive and is not called for. I refer, Sir, to the additional control to be imposed through the appointment of auditor. Clause 9 (2) stipulates that, "No person having an interest in the business of a licensed housing developer either as a shareholder—shall be eligible for appointment as an auditor of such housing developer". Personally, Sir, I do not see the logic of this stipulation. In a very subtle way this stipulation, by the manner it is worded, amounts to questioning the integrity of the auditors' profession. Before I go any further, I would like to state that my observations here are confined only to the developers,

who operate as a limited company. In the Companies Act, 1965, Section 9, the manner of appointment of auditor is set out in detail. It must have been found very adequate in the United Kingdom, in Australia, and in this country, in ensuring that the auditors so appointed would be in a position to discharge their duties in the best traditions of the profession, i.e. with the highest standard of integrity and impartiality. I should have imagined that the conditions imposed by the Companies Act, 1965, would have been adequate, if similar conditions were inserted in the Housing Developers (Control and Licensing) Bill. Apparently, it has not been found adequate enough, so that in the Housing Developers Bill, now before the House, an additional clause has been added to Section 9 (2) which states that "No person having an interest in the business of a licensed housing developer either as a shareholder . . . shall be eligible for appointment as an auditor of such housing developer." I see no logic in this. I grant, of course that no director, officer, employee, or agent, of a licensed housing developer shall be eligible for appointment as an auditor of such housing developer, as there would decidedly be a conflict of interest between the auditor's position on the management and the auditor's position as an auditor. But a shareholder's interest in any company remains a shareholder's interest as such. His interest in any business organisation even in the housing developers organisation as a limited company is at variance with the interests of the management or board of directors. The share holders, having their funds to the management, are entitled to have access to information on the manner their funds are being utilised. They are keen to know if the business of housing development, for instance, is being pursued and handled by the management as expected of them. In short, there are two sides of the coin. The shareholder and the investor on the one side and the directors and the whole management on the other. It stands to reason, therefore, that if an audi-

tor were appointed to audit the accounts of the housing development company, and if he were at the same time to own a share or two in the same organisation, he would have added ground for ensuring—in fact, he would be more anxious to see to it—that the accounts as audited would give a true and fair view of the state of affairs of the housing developing organisation—there would not be a conflict of interest. I am, Sir, on all fours with the Honourable Minister in securing fair and honest business practice by the developers, so that money subscribed and deposited by the public is not mis-used. But surely, Sir, the proper control and safeguard should not so much lie on the person of auditor himself, whose integrity should be unquestionable, but should lie more in the nature and forms of accounts that are required to be submitted to the Controller of Housing: for instance, the extent of the transactions of the business as disclosed by the balance sheet and profit and loss account and other financial statements should be spelt out in some detail in this Bill. In order that an effective control could be exercised by the Controller of Housings in addition to the other relevant information required in the Companies Act, 1965, the accounts of the Housing Developer should show, in order to arrive at a true and fair view of the state of affairs of the developer, items like the emoluments of the Chairman, the number of directors, whose emoluments fall into various incumbents—for instance, the immediate regulation of service contract, which can give directors a lien on future profit, for instance, like disclosure as to the effective ownership of company developer that might be disguised by nominee, the disclosure of inside trading, information about the subsidiaries and associated company developer, regular valuation of fixed assets and details of turnover and profit divided into classes of business.

Sir, the fact that the Minister of Finance has the power of approving any application for appointment as auditor is more than adequate in

ensuring that only professionally qualified persons of the highest integrity are appointed as auditors; merely by owning a small share in an organisation of a limited company should not disqualify a person from being appointed as an auditor, as this restriction will not be effective and is difficult to enforce. I, therefore, Sir, urge the Honourable Minister to ponder over these points carefully and, if he considers it justifiable, to delete at a later date the following words in Clause 9 (2) of this Bill.

"No person having an interest in the business of a licensed housing developer either as a shareholder or otherwise and"—those words—and at line 7, the words, "acquire an interest in the business of the Licensed housing developer or".

Thank you very much, Sir.

Sitting suspended at 6 p.m.

Sitting resumed at 6.15 p.m.

(Mr Speaker in the Chair)

Enche' Geh Chong Keat (Penang Utara): Mr Speaker, Sir, I would like to compliment the Honourable Minister for Local Government and Housing for presenting this Housing Developers (Control and Licensing) Bill as a protection for the purchasers of houses in privately developed estates. Quite often these purchasers, in their eagerness to own houses, suffered bitter experiences, as in some cases even though the purchase agreements were drawn through those who know the legal technicalities and procedures, the time factor of completion and handing over were not clearly specified; and the consequence is that many of these purchasers had been victimised and were not given occupation of their houses within the expected time.

With our Government's repeated assurances of encouraging a property owning democracy, and the growing prosperity within our happy nation, there was a big boom—and it has not reached the saturation point yet—in privately developed housing schemes and estates in several States. Like all flourishing businesses or trades, these are big organisations, semi-big developers, small developers, consisting of

property owners combining with developers or contractors, participating in development phase by phase. There are also contractors purchasing small plots of one acre or two acres, or sites, and participating in piecemeal projects, which are carried out according to approved plans.

The increased volume of house owners has given reflection to the success of our establishing a property owning democracy. This, too, had attracted "smart Alexes" or bogus operators who want to cash in on this flourishing business.

This legislation will no doubt exclude those black sheep or bogus developers, but it will also create hardship to genuine housing developers of areas of two acres and below, with this imposition of \$500,000 paid-up capital or a deposit of \$100,000 with the Controller of Housing. Under such imposed conditions, only the well-financed, or financially sound housing developers can operate, and as a result the prices of houses may start to soar upwards due to lack of competition, and may also lead to monopoly or price fixing control in housing developments among the big organisations; and if this were to happen, Mr Speaker, Sir, perhaps, our Government may be accused of assisting the rich to be richer and making the poor poorer.

After hearing the personal assurance from the Honourable Minister for Local Government and Housing in his reply to dispel the fear of the members of Kim Tin Siah, Penang Island, or the State of Penang, I support this Bill, as it is necessary and fair. However, I request the Honourable Minister to take into consideration cases of development of pocket plots of two acres and under with density of approximately ten housing units per acre. Therefore, in a two-acre plot of approximately twenty single storeyed terrace houses type, priced at approximately \$6,500 per unit, the total selling price may be around \$130,000, but the construction cost may be less than the deposit of \$100,000; and if this scheme is a joint venture between the landowner and a contractor the cost of

the development is well under the \$100,000 deposit required. Similarly, one acre plot of ten units will proportionately cost much less than the \$100,000 deposit required under this Bill, which means that in both cases it is more than 100 per cent deposit of the capital.

Sir, I would like also to bring to the Honourable Minister's attention that with many well financed foreign firms being awarded large development projects in this country, and they are also competing with local contractors for other various development projects in this country, our Malaysian contractors are forced to turn to housing developments to keep their skilled and unskilled workers employed. Therefore, it is with the fear that their avenue of trade may be closed or narrowed through the passing of this Bill that they present their fears to the Honourable Minister.

I fully endorse the safeguards of the interests of the purchasers of houses, and I am also sure that there are many more ways of protection; for example, specification in time of completion, specification of materials and planning supervision, which the Honourable Minister must look into. Sir, I request for the relaxation on the relevant clauses, so that the workers' livelihood can be protected, as well as that the progress of the development of private properties or enterprises of two acres and under must not be hampered or curbed. Therefore, I request the Honourable Minister to set up a sliding scale of capital as well as deposits, depending primarily upon the costs and types of the houses, and the relative size of the developments by phases or as a whole, and also giving his consideration for developments of not more than 20 units for two acres of housing accommodation, which may be or are erected by such developments.

Sir, I would also appeal to the Honourable Minister to include in the provision of this Bill the control of the construction or development of sub-standard housing units in any development scheme outside the build-

ing controlled area of any Local Authority, if the interests of the purchasers are to be really to be protected. The reason is that there are housing developments in outside building controlled areas of Local Authorities, and these developers need not comply with the existing Building By-laws, or come under the supervision of the Local Authority, thus resulting in sub-standard developments, such as poor roads and drainage, lower ceiling height, narrow doors and passages, small living room space, poor density with as many houses squeezed into the building area. Such sub-standard housing developments must be curbed, or the purchasers will be exploited to the fullest. In this connection, I must also give credit to the few developers, who develop on the approved plan principle, even though their developments are well outside the building controlled areas of some Local Authorities.

Sir, I suggest that proper legislation to eliminate sub-standard development is very essential, as the process of amendment to existing ordinances or by-laws is too slow to catch up with fast housing developments, which are spreading out—not to mention the sub-standard developments.

In Penang, the Local Authority is still negotiating with the State Government for the last two to three years for the expansion of building controlled areas to cover and prevent these sub-standard developments from spreading. If it is considered that this is a matter which would properly come under the laws relating to the control of building plans, then I would suggest that the Honourable Minister may, as the Minister of Local Government, take steps to amend or standardise these laws, so that sub-standard houses cannot be put up outside the building controlled area of any Local Authority. I understand that the National Council for Local Government would be the best authority for achieving these purposes, because the policy besides decisions are binding on reluctant State Government. Thank you, Sir.

Dr Tan Chee Khoon: Mr Speaker, Sir, I rise to speak on the Housing

Developers (Control and Licensing) Bill, and I wish to comment on what has been said by two of the previous speakers. Here I am placed in the—I don't know whether to call it—invidious or strange position of trying to defend the Minister from what has been stated by his own back benchers. I refer to what has been said about Clause 9 (2) regarding a proposal by the Member for Jerai. He has almost vehemently opposed this clause here which reads, "No person having an interest in the business of a licensed housing developer either as a shareholder or otherwise", and he has suggested that that should be deleted—I presume, he speaks from an accountant's point of view. He says that that places undue hardship on an accountant. Mr Speaker, Sir, it is not always that I stand up in this House to defend a Minister from the attacks of his back-bencher, but this much I will say: that as a professional man I would like to see that justice not only should be done, but must be seen to be done. He has conceded the fact that no director, officer, or employee, or agent of a housing developer, should be an auditor. Why should not he carry it to the logical conclusion that a person, who is a shareholder, who has a pecuniary interest in the development project, if he is an auditor may well—I don't say he does, or he will do it—prepare, or shall I say "cook", the accounts to suit his own purpose, and that of other interested parties in the said company. As such I would say that the Minister would be well advised to leave this additional safeguard that is lacking in the Companies Act.

I also notice that the Member for Penang Utara, while complimenting the Minister on this Bill, has stated that it places undue hardship on the small developer, but later on he goes on to say that he is thoroughly satisfied with what the Minister has said.

Mr Speaker, Sir, I wish to say that, when I first read the Bill and when I saw this protest from Penang, I thought that there was a case for it. But having heard the Minister explained, particularly, when he said

that in the absence of a cash deposit, a banker's guarantee would be sufficient and, if I heard him correctly, I think, he also said that any other guarantees would be sufficient, I do hope that the Minister will exercise this discretionary power as liberally as possible; and one way out of it would be, as the Honourable Member for Penang Utara has suggested, a sliding scale, but I think there is a far better way than a sliding scale, after we see how the Minister implements this question of capital, or of a deposit. Here, I wish to say that if it is a big company, then I would say that the Minister should insist on a paid up capital of \$5 million, or if it is a big company also, there is no reason why he should not insist on a cash deposit of \$100,000. What the Honourable Member for Penang Utara is afraid of and what I too am afraid of is that the small developer may not be able to find that money; and I think that the assurances given by the Honourable Minister are adequate—at least let us give him a chance to show his performance in this matter in the next few months. Perhaps, if he is unduly hard on the small developer, if I bring a motion to this effect, I hope the Member for Penang Utara will support me.

Now, having said that, Mr Speaker, Sir, I would say that I am in complete agreement generally with the whole Bill, and if I have to say a little that is at variation with the whole Bill, it is perhaps my ignorance, being not a capitalist, or having got very little to do with the capitalists, and I hope the Minister will pardon my ignorance, if I ask him a few questions.

Mr Speaker, Sir, firstly, he talks about these deposits—and these deposits, I agree, are very necessary if you are dealing with bogus developers. Sir, I think, nowhere in the Bill is it stated as to what happens where if you put a deposit, and then supposing the developer is unable to fulfil the conditions. I do not see anywhere that it is said to be forfeited. I presume that the deposit is a deterrent and will be forfeited, if the conditions of the agreement are not fulfilled.

The other thing that I wish to bring up to the attention of the Minister is this: it says here, Mr Speaker, Sir, that the Minister can make rules. Now, does it mean that the rules that the Minister makes from time to time can supersede agreements? That is a thing, as I said, in my ignorance, I would like to have a little clarification. The third thing is Mr Speaker, Sir, what about developers who are rich enough, who do not require deposits from would be purchasers. Are they also required to pay in a deposit?

Mr Speaker, Sir, I regret to say that this Bill talks about the law being applied to the States of Malaya only. Why should not the law, if it is found necessary in the States of Malaya, be applicable throughout Malaysia? After all, I believe that if there are bogus operators of housing in the States of Malaya, presumably if their operations are stopped here, they may well run across the seas. With housing presumably being also short in Sabah and Sarawak, they can also spread their tentacles there, or does the Minister wish us to believe that there are no bogus developers in the States of Sabah and Sarawak? I do hope that the Minister will give us a satisfactory reply as to why this new law is meant only for the States of Malaya. Is it because that only bogus developers are found in the States of Malaya?

Again, Mr Speaker, Sir, I only seek a clarification. This does not mean that I am criticising the Bill wholesale. Now, Mr Speaker, Sir, under 6 (c) it is stated that, "unless the applicant is not himself or itself nor having as one of his or its members or partners a person who is convicted of an offence involving fraud or dishonesty or is an undischarged bankrupt . . .". It quite really says that these people should not get licence. But, under Clause 5 (2), it states, "Except with the written consent of the Controller no person, or body of persons, society, company or firm other than a licensed housing developer shall assume or use in relation to the business or any part of the Bill of such person, body of persons, society, company or firm the words housing developer . . .".—No, I do

not think it is that. Anyway, there is a clause stating that he can carry on and then apply later. What I wish to point out to the Minister is what happens, if he is already under operation and then later on applies for a licence and then the Ministry finds that one of its persons involved comes within this category of 6 (c) of a person, who is convicted of fraudulent practice, or of dishonesty? That I commend to the Honourable the Minister.

Mr Speaker, Sir, Clause 12 talks about, "The Minister may give to a licensed housing developer such directions as he considers fit". Now, Mr Speaker, Sir, I would be very grateful if the Minister gives us, at least, a hint of what such directions may be, because if these directions are too many it may well mean that the Ministry may want to divert the business for the developer—and I think this is a genuine fear of some developers. A clarification by the Minister as regards the interpretation of "such directions as he considers fit" will assuage the fears of a good many developers.

Then, again, Mr Speaker, Sir, regarding Clause 11 (c)—Clause 11 (c) reads "with the concurrence of the Minister of Finance direct a company to assume control . . .". Now, Mr Speaker, again, I would be very grateful, if the Minister will clarify what "a company" means, because as it stands it is very ambiguous and may be subject to abuse.

Having said all these Mr Speaker, Sir, I shall conclude by congratulating the Minister on bringing such a Bill that is long overdue before this House. The instances of malpractices that have been cited in his introduction of this Bill is adequate justification that we must all pass this Bill *in toto* without any amendment, even regarding the question of auditors.

Wan Abdul Kadir bin Ismail: Tuan Yang di-Pertua, saya rasa, pehak Menteri Perumahan dan Kerajaan Tempatan, patut di-beri sa-kalong bunga raya, di-atas Rang Undang-undang yang di-kemukakan-nya kapada Dewan

ini, pada hari ini. Kerana perkara ini sangat mustahak bagi menghadapi keadaan² racket yang berlaku dalam perkara pembangunan rumah yang berjalan sekarang ini di-Kuala Lumpur dan bandar² besar yang lain. Saya hanya hendak menyentuh sedikit, tentang dorongan kepada mustahaknya di-adakan Rang Undang² sa-bagai ini, ia-lah kerana terlalu banyak-nya orang² yang merasa bahawa mereka boleh mencapai keuntungan yang segera, dengan mengadakan pembangunan rumah² sa-bagai ini untuk di-sewakan.

Maka keadaan yang sa-benar-nya yang harus dan patut di-pertimbangkan sa-lain daripada mengadakan Rang Undang² ia-lah satu perkara lain ia-itu keadaan rumah² sewa di-Kuala Lumpur ini dan di-bandar² yang besar di-Malaysia pada masa ini terlalu mahal sewa-nya dan ini menarek keinginan banyak orang untuk mendirikan rumah untuk di-buat sewa. Tidak ada satu control—tidak ada satu kawalan di-atas rumah² sewa yang ada di-Kuala Lumpur atau di-bandar² besar di-Malaysia ini. Saya merasa, sa-lain daripada Rang Undang² ini, suatu perkara yang patut di-pertimbangkan ia-lah mengadakan satu Rang Undang² lain untuk mengawal sewa² rumah atau pun rent control. Kerana sa-benar-nya saya sendiri ada pengalaman yang saya dapati di-Kuala Lumpur, sa-buah rumah yang dahulunya di-sewa \$100 tiga tahun dahulu pada masa ini sewa-nya sudah jadi \$180.

Sa-orang kawan saya dahulu-nya menyewa \$150 sa-buah rumah tiga bilek dengan penuh furniture. Dia bertukar ka-tempat lain kemudian bertukar balek ka-Kuala Lumpur, rumah itu juga di-sewa-nya dengan alat perkakas itu juga; sewa \$150 naik \$250 tidak ada satu kawalan ka-atas sewaan dan ini menimbulkan bogus house developer yang menyebabkan mustahak ada-nya Rang Undang² ini. Maka saya merasa patut di-adakan, di-timbangkan untuk mengadakan kawalan sewa² rumah yang ada, kerana kalau tidak, sewa rumah akan di-naikkan sa-suka hati tauke² rumah—tuan punya rumah. Ini dengan

sendiri tidak fasal² menjadi satu sebab yang meninggikan perbelanjaan hidup di-Kuala Lumpur dan di-bandar² yang besar di-Malaya ini. Pada hal perkara itu boleh di-kawal dan boleh di-rengankan dan boleh di-turunkan. Ini satu perkara yang saya rasa patut mendapat pertimbangan pihak Kementerian Kerajaan Tempatan dan Perumahan.

Tuan Yang di-Pertua, satu perkara yang saya rasa hendak memberi ulasan sedikit dalam Clause 6 (2). Saya merasa memang sangat patut-lah Clause 6 (2) ini ada di-situ bagi menjamin supaya “small time house developer” atau shariat² kechil pembena rumah dapat peluang untuk menjalankan pekerjaan masing². Tetapi ada satu perkara dalam Clause 6 (2) ini yang memberi kuasa kepada Menteri untuk membebaskan atau untuk melonggarkan shariat² yang ada dalam (a), (b) dan (d). Saya rasa (a) dan (b) itu patut, tetapi di-dalam (d) itu erti-nya Menteri berkuasa juga membuang sharat dalam (d) tadi ia-itu sa-orang yang telah thabit kesalahan dalam Mahkamah kerana menipu atau pechah amanah pun Menteri boleh juga membuang sharat itu bila dia hendak membuat shariat rumah. Saya rasa sharat yang bertujuan mencegah bahaya dalam (d) ini tidak patut di-longgarkan, saya rasa bukan sahaja kompeni besar yang ada orang-nya di-jatuhkan hukuman dalam Mahkamah kerana menipu atau pechah amanah, tetapi orang persa-orangan yang di-salahkan dalam Mahkamah kerana menipu atau pechah amanah juga harus di-chegah dengan tidak di-beri peluang untuk orang sa-bagai ini menjalankan perusahaan rumah. Kalau di-kekalkan sharat (d) dalam Clause 6 (2) ini, dengan tidak di-beri kuasa discretion kepada Menteri untuk membebaskan atau untuk melonggarkan sharat itu, saya rasa adalah jaminan sedikit. Barangkali boleh jadi pihak Menteri yang berkenaan akan dapat mententeramkan hati orang yang bimbang dalam perkara ini—orang yang telah salah di-Mahkamah kerana menipu atau pechah amanah tidak di-beri peluang langsung untuk menipu dan pechah amanah sa-kali lagi.

Enche' Khaw Kai-Boh: Mr Speaker, Sir, I would first like to reply to the Honourable Member for Jerai in connection with his query, or his dissatisfaction, over the proviso with regard to the appointment of the auditors. I must thank the Honourable Member for Batu for having suitably replied to that point, but I would just like to augment a little bit in addition to what the Honourable Member for Batu has said.

Now, it has never been the intention of Clause 9 (2) to question the integrity of people, who want to become auditors. It is only to ensure absolute independence of persons who want to be auditors of housing developers. Moreover, the disability is not an absolute one. It does not in any way prevent auditors having interest in one organisation from becoming auditors in another organisation, in which they have no interest. If any person supports the Bill, there is no room for questioning the propriety of this Clause.

Now, the Honourable Member for Batu took the words out of my mouth, when he quoted what the very great Jurist and Judge Blackstone said, "Justice must not only be done but it must also appear to be done". Of course, in this case, integrity must not only exist, but it must also appear to exist.

Next, Sir, I come to the various points raised by the Honourable Member for Penang Utara. Here, again, I thank the Honourable Member for his compliments. However, I am afraid that I cannot agree with him that the price will soar when this Bill comes into being, because of the lack of competition and price fixing racket, etc. As I have said in my speech just now, Sir, the very effect of this Bill will encourage more development of houses, because more purchasers will come into the open, as they know for absolute certainty that they would not have to face all the uncertainties of being cheated, or being bluffed into paying deposits for years without the realisation of having a house to stay. I am afraid that the Honourable Member probably did not get the

emphasis I made, when I replied point by point to the various issues raised by the Contractors' Association in Penang—that the Minister, in the case of a *bona fide* developer has absolute discretion to waive the whole or any part. I quote the words here, Sir:

"The Minister may in his absolute discretion waive any or all the conditions set out in paragraphs (a), (b), or (d) of sub-section (1) or substitute any or all of the said conditions for such other conditions as he may consider fit and proper."

Therefore, all his suggestions about variations of deposits, such as a sliding scale, or considering any land of two acres and below to be exempted partly or otherwise, all these things need not be written into the law and can be taken into consideration by the Minister, when he considers the question of exemption of part or whole of the conditions imposed by Clause 6.

Now, with regard to the Honourable Member's reference to sub-standard housing in Local Authorities areas, I am afraid this is outside the scope of this Bill. But this Ministry is in the process of drawing up a report on minimum standards for low-cost housing which, I hope, will be tabled in this House; and this will be the first step on the road to compiling a Building Code for the whole country, including the areas outside the Local Authorities' control; and in addition, one of the tasks to be performed by the Royal Commission of Enquiry is also to go into the various laws and Ordinances pertaining to Local Authorities including such by-laws, etc., under the Local Authorities. Of course, this will include the building by-laws, which I hope the Royal Commission will look into and report back.

Now the Honourable Member for Batu raised a number of points. Firstly, whether the question of deposits can be forfeited, whether the rules will supercede agreements: the rules and regulations will be drawn up—in fact, the Ministry is in the process of drawing all these up, and when these are published they will answer all the points raised by the Honourable Member for Batu.

As to the query why this Bill does not extend to the Borneo States, the answer is a simple one. It is not a question that I have such great confidence that no bogus developer will proceed to Borneo territories; rather that, under the I.G.C. Report housing is a State matter and under the I.G.C. Report there are lots of reservations pertaining to the Borneo States, and until the concurrence of the Borneo States is obtained, no Federal legislation, such as this one, which is actually under the State—it is a State matter—can be extended to the Borneo States without first obtaining their concurrence. In fact, if I am correct in my recollection, representatives from the State Governments of the Borneo States were present at the National Council for Local Government in which this Bill was discussed. But nevertheless, they have not indicated their desire or otherwise of having this extended to their territories; so, we will have to confine ourselves for the time being to the States of Malaya and this is a matter for my Ministry to follow up with a view to extending this to the Borneo States.

Now, the Honourable Member also touched upon the question of existing developers. All existing developers will, of course, be allowed to continue to operate until such time as their applications for licences are refused, but this does not mean that they cannot continue to operate and some of the less well-intentioned developers can get away with it, because every developer, as soon as this Act comes into operation, will be required to submit applications, and in the application forms etc., they will have to declare, as in the past, whether they have been convicted, etc., etc., and of course, on receipt of such information from the applicant, action will be taken for refusal to be issued. On any application being refused, whether the developer is an existing developer or not, he will have to cease operations forthwith.

With regard to a further point raised by the Honourable Member for Batu regarding the directions under Clause 12 which says, "The Minister may give

to a licensed housing developer such directions as he considers fit and proper . . .", in the various situations arising under this, we may have a case whereby we feel that the developer is not carrying out his obligations as he should under an agreement; and, of course, all agreements will have to be submitted to the Ministry for approval to ensure that no excessive deposits are being demanded and that there should be a specified date of completion etc.; and should any complaint be made by the purchasers, the Ministry will issue such directions to the developers. This is to enable the developers to catch up with these obligations; and, of course, on refusal to comply with the directions, then we may take such drastic action as necessary, such as the cancellation of his licence.

Another point raised by the Honourable Member is regarding 11 (1) (c) which says, "with the concurrence of the Minister of Finance direct a company to assume control . . .". This is to envisage a case whereby a developer, or his company, is facing insolvency or something of that nature, and in order that the situation does not deteriorate further, and therefore the purchasers are put in a very bad position, the Minister can, with the concurrence of the Minister of Finance, direct another building company to complete the scheme, so as to take it out of the hands of the developer who may be on the verge of bankruptcy or something of that nature—and, of course, the safeguard is here in that the concurrence of the Minister of Finance will have to be obtained; and as to what company, this is a matter of the surrounding circumstances at that time: for instance, I have in mind a situation something like this, where you have "A" developer developing a number of houses in a certain site and there is another developer side by side of the developer "A". Of course, we may be able to arrange for the developer "B", if we feel that developer "A" is not in a position to complete the scheme, to direct that developer "A" should hand over all the operations to developer "B", of

course, with the agreement drawn between the developer "A" and developer "B" and under the supervision of the Ministry. All these are, of course, details which have to be worked out by my Ministry.

Finally, I come to the Honourable Member for Kuala Trengganu Utara, who raised the question of control of rent in Kuala Lumpur. This is for premises completed after the 1st of September—I am not quite good in dates; I think some time in 1947 or 1948; any premises built after that date is not subject to rent control, and I am afraid this is purely a question of demand and supply. I am not quite sure if the Honourable Member is not too correct in saying that the rent has gone up in Kuala Lumpur recently. On the contrary, from reports I have received in my Ministry, rent has, in fact, gone down in the course of the last 18 months. With regard to a further point raised by the Honourable Member for Kuala Trengganu Utara that Clause 6 (2) should not exist and that the Minister should not have the power to exempt, I think I need not say further

Wan Abdul Kadir bin Ismail: Tuan Yang di-Pertua, untuk penjelasan. Saya mengatakan bahawa Fasal 6 (2) patut ada, tetapi Fasal 6 (2) yang memberi kuasa kepada Menteri untuk *wave* Fasal (1) (d) sahaja. Fasal 6 (1) (d) patut tidak ada kuasa kepada Menteri oleh kerana perkara ini bergantung kepada orang yang telah "convicted of an offence involving fraud or dishonesty".

Enche' Khaw Kai-Boh: I thank the Honourable Member for the clarification. I can assure the Honourable Member that as far as Clause 6 (1) (d) is concerned, that discretion would not be freely exercised by the Minister. Thank you, Sir.

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 24 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.

THE WORKERS (MINIMUM STANDARDS OF HOUSING) BILL

Second Reading

Enche' V. Manickavasagam: Mr Speaker, Sir, I beg to move that "the Workers (Minimum Standards of Housing) Bill, 1966," be now read a second time.

The Explanatory Statement attached to the Bill sets out, in some detail, the aim and the salient provisions of the Bill. The aim of the Bill, Sir, is to consolidate and revise the legal provisions relating to the housing of workers now contained in the remaining portions of the Labour Code and the various Enactments of the separate States of Malaya, so as to bring these up-to-date. In so doing, this Bill is part of the comprehensive exercise now being undertaken in my Ministry, to review and to bring up-to-date all labour laws.

The existing Labour Code and the various other Enactments do not provide sufficiently clear or precise standards for workers' accommodation, nor the exact procedure to be followed by employers in submitting plans for such accommodation for approval by my Ministry. They also have, in my opinion, a serious defect in that they stipulate the type of building to be constructed rather than set out precisely the standards to be followed in constructing them. The Labour Code in this respect is so out-dated and their provisions so scattered that they are not even now clearly or widely known among employees. The Bill before the House will remedy these short-comings.

Nevertheless, Sir, I must point out that, over the years as a result of vigilance by my officers, the co-operation

of employers and workers' trade unions, the type, standard and number of houses provided for workers in Malaya have shown a marked improvement. There were, at the end of last year, roughly 141,000 units of permanent-type housing provided by employers in places of employment within my Ministry's jurisdiction. Of these, inspection reports show that only 10% were below the standards set out under the present Labour Code. This compares favourably with a total of about 98,000 units of housing in 1958 with 25% of them being sub-standard. By far the most marked progress has been made in removing the back-to-back type of housing that mushroomed in the estates and mines before and during the Second World War. There were over 35,000 such houses in 1952, and at the end of 1965 these had been reduced to a mere 238 units. Of the 14,000 units sub-standard housing now in existence, plans have been approved for the conversion of a large number to bring them up to standard, and plans for approximately 3,000 new units of housing have been approved for construction during this year. This is, I submit to the House, remarkable progress indeed in an area, where for various reasons change comes, but very slowly.

Coming to the Bill itself, Honourable Member would note that its provisions apply only to estates, mines and other places of employment outside Municipal and Town Council limits, as the housing by-laws of these areas adequately cater for such matters.

Sir, the Bill does not compel employees to provide accommodation for their workers, but merely seeks to prescribe the minimum standards to be followed where such accommodation is, or is to be, provided under any existing arrangements or agreement with their workers. By and large, as the figures I quoted earlier bear out, employers, especially in estates and mines, have found it both convenient and of mutual benefit to themselves and to their workers to house their workers on the place of employment itself.

The Bill, by itself, is merely an enabling one, prescribing the powers of the Minister, the Commissioner of Labour, the Medical Officer of Health and the P.W.D. Executive Engineer, and stipulating the procedure regarding the submission of plans, the adjudication of appeals and the penalties for infringements. The actual standards of housing such as the floor area, the heights of ceilings and walls, the distance between buildings, the systems of drainage and ventilation, the requirements in respect of kitchens, bathrooms and latrines, the procedure and provisions concerning temporary buildings, and the type of materials to be used in constructing workers' dwelling, are contained in the Regulations to be made under the Act. Though these Regulations are not required to be submitted to this House, for the convenience of Honourable Members and those vitally concerned with their provisions, as well as because of the importance of the new provisions contained in them, the first set of these Regulations have been incorporated in the First Schedule to the Bill itself.

In addition to the improvements narrated earlier, the Bill provides for the following improvements:

- (i) Whereas under the present Labour Code, only places of employment with 50 or more female workers are required to construct and maintain a nursery for dependent children, the Bill provides, in clause 9, that, where there are 10 or more children under 3 years of age, a nursery with free supply of milk to the children must be provided;
- (ii) The size of habitable area in any dwelling has been increased from 160 sq. ft. to 200 sq. ft.
- (iii) A bathroom must be provided whereas this was not a requirement under the old law.

The Bill itself is reasonably self-explanatory and I, therefore, do not at this stage propose to dwell at length on its details.

This Bill, Sir, has been on the drafting board for some time and I must

thank the National Joint Labour Advisory Council, especially the members of the Housing Sub-Committee, for their painstaking effort in preparing this Bill. I must also add a word of thanks to the officials of the various Ministries, including my own, who have been associated with this effort.

Sir, I beg to move.

Enche' Mohamed Khir Johari: Sir, I beg to second the motion.

Enche' C. V. Devan Nair: Mr Speaker, Sir, this Bill is remarkable not for what it provides but for what it fails to provide. Sir, it bristles with acts of omission. First, the Act shall apply only to the States of Malaya. Are we to assume, Sir, that the States of Sabah and Sarawak are not worthy of consideration and that employers in these two States can do what they like in respect of the housing of their employees?

Next, Sir, the application of the Bill will not affect any place of employment or part thereof situated within the area of a municipality, town council or any place of employment situated within the area of any other local authority as may be declared by the Minister. In effect, Sir, this means that most of the urban areas in Malaya are placed outside the preview of the Bill. A large proportion of the workers, Sir, live within municipal or town council areas and they will not enjoy the protection conferred by this Bill. Is it, Sir, because the Government's intention is to prescribe minimum standards of housing for everybody except for public employees? Are employees of the Government and various statutory boards to be without any minimum standards of housing? Does this not mean that the Government, as an employer, will not be obliged to observe minimum standards of housing for its own employees, for public employees? Let us, for example, Sir, take the case of Railway employees. Railway quarters are largely situated in municipal and town council areas. Most of these quarters are several years old, and many of them are unfit for human habitation. It is a matter of very great

regret, therefore, that large numbers of Railway employees will be placed quite outside the purview of the very laudable intentions of the Bill.

Sir, not only does the Bill leave public employees out of its jurisdiction, but Clause 3 of the Bill gives power to the Minister to exempt from all or any of the provisions of the Bill any employer or class of employers or any building or class of buildings. Sir, I would want the Minister to explain what is the point of laying down minimum standards of housing for workers, if certain employers or classes of employers may be exempted from its provisions. The law does not exempt any citizen from the prescribed penalties for criminal acts. Why then should the law exempt employers from prescribed obligations to provide minimum standards of housing to any worker or group of workers? Why this clause to exempt employers from conforming with prescribed minimum standards of housing?

Let me take now, Sir, Clause 8 (1), and this does include an absurd provision. The Minister is given power "to declare any building or class of buildings unsuitable for the housing of workers;" and if such a declaration is made, no employer shall use the building affected by the declaration for the housing of its workers unless the building affected has not yet completed twenty-five years of existence. It is also stated in the Explanatory Statement, "in which case such building may be continued"—even though it is unsuitable—"to be so used until it has completed twenty-five years of life." In other words, Sir, if workers' quarters happen to be utterly deplorable and worthy of being declared unsuitable by the Minister, they still will escape demolition if they are not twenty-five years old. I would like to ask, Sir, what kind of stupidity this is? Does this mean that those workers who at present dwell in quarters unfit for human habitation will have to continue dwelling in such places until the quarters have become twenty-five years old? Sir, if the Honourable Minister's family lives in such a building—unsanitary, unhygienic and

a breeding ground for social delinquents, for tuberculosis—would be agree to condemn his family for another twenty or so years merely to wait for the building to come to twenty-five years of age? Sir, where is that spark of humanity upon which this Government has so often prided itself, and sometimes quite justly? Sir, this Bill is so woolly, so badly prepared, and I put it to the Honourable Minister with the best of intentions, that the intention behind this Bill is not to genuinely prescribe minimum standard of housing for all workers in the country but to enable, perhaps, the Government to boast in the International Labour Organisation that this Government has a law which purports to prescribe minimum standards of housing for workers, and thereby Sir, pull the wool over the eyes, of such international organisations.

Sir, the Bill, if passed into law, will only benefit a select section of workers in the plantation and in the rural areas. Let us bear in mind that the municipalities and town councils and other local authorities, which the Minister may choose to exempt, are quite outside the purview of this Bill.

Enche' Khaw Kai-Boh: Sir, for the information of the Honourable Member, another scheme is being drawn up in respect of those workers.

Enche' C. V. Devan Nair: Yes. That scheme, as far as I know, entails another visit by the Honourable Minister for Housing to the United States! Sir, this Bill, as I say

Mr Speaker: I don't think that remark is very reasonable.

Enche' C. V. Devan Nair: Sir, I beg to state that I consider that the remark is parliamentary and it is definitely not unparliamentary.

Mr Speaker: I did not say "unparliamentary", but I said "not reasonable."

Enche' C. V. Devan Nair: It is a matter of opinion, Sir, and I will stick to my opinion.

Mr Speaker: Carry on!

Enche' C. V. Devan Nair: Sir, I was saying that if the Bill is passed into law, it will only benefit a select section of workers in the plantations and in the rural areas, who are either moving into new quarters or whose quarters have come of age at twenty-five, and provided both categories are not exempted by the Minister under Clause 3 of the Bill from enjoying minimum standards of housing. And, Sir, what happens to the countless thousands of urban workers who presently dwell in quarters, whatever habitation it may be, Sir, but not for human habitation? On this score, Sir, I propose that the Government withdraw this Bill to fill in the omissions which I have enumerated. If this Bill is really to go on record in international circles as really providing a concrete solution and providing minimum standards of housing for workers in all areas of this country, that has to be done. Otherwise, Sir, I personally will not give support to this Bill, because it really does not seek to lay down minimum standards of housing for all workers in the country, and I would not want international circles to dismiss this Bill as just a cheap propaganda gimmick, Sir, and I would not want international circles to treat it as such. That is all, Sir.

Dr Tan Chee Khoon: Mr Speaker, Sir, it is not always that I agree with the Honourable Member for Bungsar, but in the matter of this Bill before the House, I agree with him that this Bill bristles with acts of omission and of commission. Like him, I want to ask the Minister why should he mention "Municipality, Town Council or unless the Minister by order otherwise declares . . .", and not specifically mention the biggest group of employees in this country—namely, the Government servants, and that includes the Railway workers, as has been explained by the Member for Bungsar? Is it because that the Minister of Labour finds that the housing for Government workers is completely satisfactory? Now, if he thinks, so then I one day if he has the time to come and visit, together with me, a little place known as the Sungei Buloh Leprosarium. There he will find big

families with only a small area as a sitting room, a small area as on bedroom, and a much smaller area treated as a kitchen; and, as I have stated to the Honourable Minister of Health the rooms leak and the employees there tell me that when there is rain, there are pools of water in their homes and they have to shift their furniture about. That is my own little small experience of a little part of Government housing. If Government housing is not adequate, then why should not the Minister, also, in this Bill, look after the interest of Government workers?

Another thing is this—the Minister is aware that time and again at various trade union conferences, and from time to time, various trade unions have complained about the standards of living of Government workers. None other than my colleague, the former Member for Bungsar, had many times in this House in the past raised this matter of the total inadequacy of housing for Government workers; and, as such, Mr Speaker, Sir, I fail to comprehend why the Minister of Labour has not, in the Bill, considered the plight of, perhaps, some of his own employees in the Ministry of Labour.

Mr Speaker, Sir, as I stated before, this Bill bristles with acts of omission—the omission of Government servants is a very glaring one; and it also says, “. . . . unless the Minister by order otherwise declares”, which means that the Minister can also exempt other categories of employers. The Minister in his address also says that there is no compulsion in this matter of provision of housing for workers. Now, Mr Speaker, Sir, that is a very serious matter of omission. We know that in this country industries are springing up in various industrial estates, and I would have thought that the Minister for Labour as the Head of the Ministry of Labour in an enlightened, or so-called enlightened Government, would think of the welfare of the workers in these industrial estates and would compel big employers of labour to provide adequate housing for their workers. I say

this, Mr Speaker, Sir, because, if I remember rightly, Dunlop, before it was granted pioneer status blared forth to all and sundry that they would not only provide housing but also would provide a hospital for its workers. I do not know whether the Minister of Labour, after the establishment of the factory, and now that the factory has gone into production, has cared to inquire of Dunlops—whether there is adequate housing for its workers, or whether a hospital has been provided for its workers. Now, this is an act of omission that I would like to see remedied in a Bill of this nature, because unless you compel the big capitalists by law to provide adequate facilities for their workers in the way of housing, then the capitalists—capitalists being the same the world over, whether local or foreign, their motive is a profit motive, the bigger the dividend the happier the directors are and the heavier are their fees—consequently, they think that housing for those who provide their profits is not a matter of concern to the management. And I submit that the Minister of Labour should look into this matter.

Like the Member for Bungsar, Mr Speaker, Sir, I also wish to query Clause 3, which says:

“The Minister may by order exempt from all or any of the provisions of this Act any employer or class of employers or any building or class of buildings specified in the order.”

Why should the Minister? I agree, the Minister should have some form of discretionary powers, but if one wants to place a bad interpretation on it, does it mean that, supposing some big M.C.A. tycoon is able to convince the Minister that he need not provide housing for his workers or that his housing is adequate, the Minister under this Clause can exempt such an employer? I must assure the Minister that I am not saying that he will do it, but I am saying that this Clause gives him the power to do it. As such, it is a very bad Clause. In this Clause, it is an act of commission, and as such it is a very bad Clause.

Now, it was said just now that the provisions of this Bill are to benefit

the workers in the plantation industry. The Minister in his travel up and down the country to the various estates must have known the sometimes appalling conditions of housing in the various estates do exist, and I do hope that officials of his Ministry will put matters right as quickly as possible. I do know, for example, that in certain estates the employees, despite the representations of the N.U.P.W., have not been able to get a fair deal in the matter of housing.

Sir, I do not know why the Minister has sought to exempt Municipality, Local Council and Town Council from the provisions of this Bill. He has stated that, perhaps, he is going to bring up a Bill of this nature to this House. It is a well-known fact that in Town Council, Municipalities and City Councils the housing in some cases is not what it should be. If I remember rightly, my colleague, the former Member for Bungsar, had time and again railed against the *Pesurohanjaya Ibu Kota*, against the inadequacy of housing for employees of the *Pesurohanjaya Ibu Kota*.

Now, Mr Speaker, Sir, I am very glad that the Minister has thought it fit now to require employers to provide nurseries, or creches, for the workers in the rubber estates. Presumably, I think this is a provision that is long overdue. I am also glad that in this Bill an employer is obliged to provide plots of land to be used by his workers for cultivation or grazing. Now, Mr Speaker, Sir, I am very glad that there is such a provision in this Bill and I do hope that he will see to it that particularly in rubber estates, the management should provide plots of land for the workers for the purpose of cultivation or grazing.

Now, Mr Speaker, Sir, in the Explanatory Note, paragraph 5. says, "These provisions are dealing with the power of the Minister to make regulations, power of the Commissioner to inspect, investigate and issue summonses to prosecute and such other procedural matters". I wish to commend to the Minister that, in some estates, the manager behaves as if he were a British lord of a manor, Lord

of all that he surveys, so that nobody, no outsider, can walk into that estate; and some of them treat an estate as a tiny little kingdom, where a manager can lord over all his workers particularly. I wish to mention no names, Sir, but I am sure the Minister knows that in his own constituency there is an estate where the management makes it very difficult for people to visit the estate, and I am quite sure that things are not right in that estate, particularly where housing is concerned. I commend it for the attention of the Minister concerned.

Enche' V. Manickavasagam: Mr Speaker, Sir, both the Honourable Members for Bungsar and Batu have said a lot about Government quarters. I am aware that some quarters provided by the Government to its employees are not as satisfactory as one would wish them to be. Honourable Members would recall that quite a large sum of money for the construction and improvement of Government quarters is provided in the First Malaysia Plan. Government is also studying, as has just been said by my Honourable colleague, the Minister for Housing and Local Government, a house ownership scheme for its employees. But here again, Sir, the size of the effort is so large that the scheme has to be very carefully examined.

Sir, the Honourable Member for Bungsar was very unnecessarily eloquent on the position of Sabah and Sarawak. The Government's intention is to extend this Act to the States of Sabah and Sarawak, but the I.G.C. report requires considerable consultation with the States before this can be done. I can assure this House that when the appropriate time comes, this will be done.

The Honourable Member for Bungsar mentioned Clause 8 (1). Sir, Clause 8 (1) is generally meant to cater for improvements in types of buildings. It must be emphasised that employers must be assured of a reasonable time on their investments. Only then will they build decent houses. Sir, if as mentioned by the Honourable Member, there are houses which are not fit

for occupation, there are other Clauses, to deal with this matter, and this Clause, I must say, is by no means as stupid as the Member for Bungsar makes it to be. He needs only to look at Clause 6 of the Bill to find out that adequate powers are provided in the Commissioner to require employers to demolish or improve houses, which are unsatisfactory or unsafe or unhealthy.

Sir, the Member for Batu suggested that employers should be compelled to provide housing for their employees. I am afraid, he is certainly a few years behind the thinking of workers today. The view now is that tied housing is generally a retrograde step for workers. House ownership and the like are the slogans of today. Workers do not wish, if possible, to stay in tied housing. Sir, the Government itself is thinking of house ownership for its

Dr Tan Chee Khoon: Sir, perhaps, the Minister has misunderstood me, if I am talking in terms of housing, I am not talking in terms of tied housing. How about housing estate type for workers closeby? It need not necessarily be 12-storey type housing. How about semi-detached houses with a little plot of land in front and a little plot of land behind. I was not thinking in terms of what is prevalent now.

Enche' V. Manickavasagam: If he had waited a little bit I would have finished the sentence, Sir. The Government is itself thinking on the very terms or, on the very lines of the Honourable Member's thoughts on house ownership scheme.

Sir, the Honourable Member for Bungsar mentioned about we boasting at the I.L.O. on housing Bills, or that we have legislation on housing. Sir, the Alliance Government believes in doing things for the betterment of workers here and to suit conditions here. We are not here to do things to please others at the expense of our workers. What we do here is for our own benefit, and I can assure the Honourable Member that our Trade Unions here, have been consulted on this Bill. As I said in my introductory

speech, the National Joint Labour Advisory Council has been consulted on this Bill, and they have given their blessings.

Enche' C. V. Devan Nair: On a point of information, if I may. The Honourable Minister has referred to the Government's intention that the ideal is home ownership. Will the Honourable Minister concede as a matter of objective fact that house ownership or home ownership schemes will only affect workers in the middle income groups and it is not likely to affect workers in the lower income groups, who are not likely to be able to participate in any kind of house ownership scheme? And to that extent, Sir, I think he will concede that the I.L.O. will be misinformed, if he were to tell the I.L.O. that we do have a house ownership scheme. We will have a house ownership scheme, Sir, only in so far as it affects the middle income group of workers.

Enche' V. Manickavasagam: Sir, the house ownership scheme is for all workers irrespective of middle class or lower income group.

Enche' C. V. Devan Nair: In that case, Sir, the Government must be extremely communist and very, very very advanced in its housing programme.

Enche' V. Manickavasagam: Quite advanced!

Dr Tan Chee Khoon: Mr Speaker, Sir, I am very glad that the Minister has stated that the Government has a scheme for all workers. Can the Honourable Minister clarify a little further as to what schemes it has for the lower grade of workers? As I have pointed before to the Honourable Prime Minister out of a salary of \$91½ a worker cannot keep the body and soul of himself and his family together, let alone own a house.

The Prime Minister: Sir, as the matter was referred to me, I might as well get up and say a few words because he has been putting that to me from yesterday. As I said, it is not

expected that \$91, which a worker earns, would serve him and his family. It is expected that he would have to do a little extra work to supplement his income, and that is what is being done by most of the workers in this country. I know myself, and also those who are working with me that not only they themselves get salaries but their wives as well; and apart from that, outside working hours—they finish at one or at the most two o'clock in the afternoon, I cannot quite remember correctly—they go and do their work; and to be quite truthful, I think, on the whole, in respect of their standard of living, they get more money than most of the clerks in Division III or II—those who are in Division IV. So, I do not think the Honourable Member need worry very much about them, but he should get closer to them and find out what in actual fact they get. I can tell the Honourable Member that they get more than he chooses to believe.

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)

Clause 1 ordered to stand part of the Bill.

Clauses 2 to 6—

Enche' C. V. Devan Nair: Mr Chairman, Sir, I would not want to be thought of as being naughty. However, I am intrigued by Clause 3 which says that, "The Minister may by order exempt from all or any of the provisions of this Act any employer or class of employers or any building or class of buildings specified in the order." Sir, I would like to know what employer or class of employers the Minister expects to permit to build houses below the prescribed minimum standards.

Enche' V. Manickavasagam: Sir, I think this is a bit early to say how we

could act on this particular clause. This gives powers to the Minister to exempt, and there may be certain employers who may not be in a position to, for example, provide land, maybe in a mine. The Minister should have some powers for such exemption.

Enche' C. V. Devan Nair: Sir, what I meant was employers who have the capacity to provide the prescribed minimum standards of housing. I am not thinking of any particular mine. Those who have the capacity to do so, but who do not do so—what about them.

Enche' V. Manickavasagam: Naturally they would not be exempted.

Enche' C. V. Devan Nair: I am very glad of that assurance, Sir.

Dr Lim Chong Eu: Mr Chairman, Sir, I would like to suggest to the Honourable Minister that this Clause should be seriously considered and definitions be given to cover whatever is intended because, if we look through the whole of this Bill, this Clause of exemption in actual fact nullifies the complete intention. It makes, in fact, the whole of the Bill a matter of speculation, conjecture and dream. Sir, under the circumstances, I would like an assurance from the Honourable Minister that at some subsequent date this particular clause will be enlarged upon and the terms of exemption be elaborated.

Dr Tan Chee Khoon: Mr Chairman, Sir, I myself just now have stated that this clause is an act of omission of ill-doings by the management. I myself will be very grateful if the Minister, like what th Member for Tanjong has stated, at some future date will give us more details of what he thinks of categories of employers who can be exempted. As is pointed out, this clause nullified the whole Bill. If you exempt the people from the provisions of this Bill, you are nullifying the whole intention of this Bill.

Enche' V. Manickavasagam: Sir, as I said, this clause is there just to give the Minister some flexibility, and I have

assured this House that I definitely do not intend to let this clause stand in the way of progress. And I stand by that, Sir.

Question put, and agreed to.

Clauses 2 to 6 inclusive ordered to stand part of the Bill.

Clauses 7 to 20 ordered to stand part of the Bill.

First Schedule ordered to stand part of the Bill.

Second Schedule ordered to stand part of the Bill.

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

THE CHILDREN AND YOUNG PERSONS EMPLOYMENT BILL

Second Reading

Enche' V. Manickavasagam: Mr Speaker, Sir, I beg to move that the Bill entitled "The Children and Young Persons Employment Bill, 1966," be now read a second time. As stated in the Explanatory Statement attached to the Bill, the aim of this Bill is to consolidate and revise the law relating to the employment of children and young persons. The present legal provisions relating to this matter are contained in two separate laws: the Children and Young Persons Ordinance, 1947, and the Employment Ordinance, 1955. Certain provisions of the law of these respective Ordinances appear to be contradictory, and the opportunity has been taken in drafting this Bill to reconcile this matter as well as to provide for certain improvements and modifications to meet the changed social and economic conditions of today. With the adoption of this Bill the provisions relating to the employment of children and young persons in the Children and Young Persons Ordinance of 1947, and Part X of the Employment Ordinance, 1955, would be repealed, thus leaving only the Welfare Sections in the form of Ordinance and entrusting the responsibility to control the employment of children and young person entirely with the officers of the Ministry of Labour. The conditions regulating the employment

of children and young persons now provided for in this Bill are basically similar to the corresponding provisions in the existing laws, except that a few important modifications have been made to keep in step with present day conditions.

Clause 19 of the Bill defines a child as a person under 14 years of age, while a young person is defined as a person of between 14 and 16 years of age. This clause also permits a higher age to be prescribed for a child, if this should be considered desirable at a later date.

Clause 2 of the Bill stipulates that a child may engage only in light employment in a family undertaking, or in a public entertainment under specific licence by the Commissioner for Labour, or in approved work connected with his education or training.

Clause 2 also sets out that a young person, that is a person between 14 and 16 years of age, may generally engage in any work, except underground work or work connected with electrical or moving machinery. Both children and young persons might be employed in public entertainment, but subject to such terms and conditions as might be laid down by the Commissioner. Female young persons are excluded from employment in hotels, bars, restaurants and other similar places, except where the establishment is under the management or control of her parent or guardian. This restriction is imposed to safeguard the morals of such young persons.

Provision is also made in sub-clause (4) of Clause 2, and Clause 3 of the Bill, for the Minister to permit children or young persons to engage in any other employment, not specified in the Bill, where such is not dangerous to their life, limb, health or morals. The Minister may, for the same reasons, declare any employment permitted by the Bill, to be unsuitable for children or young persons.

The present Children and Young Persons Ordinance of 1947 permits the employment of a child after the age of 8, except in public entertainment,

where the minimum age is 12. This Bill, however, does not stipulate any minimum age for the employment of a child, but merely specifies the limited categories of employment that a child may engage in. This is felt to be a more flexible manner of providing for such matters, as experience in the past has shown that in certain instances children below the age of 12 may have to be permitted especially in public entertainment. Also, while the existing law permits the employment of a child above the age of 8 as a domestic servant, this Bill prohibits such employment below the age of 14.

Clauses 4 to 6 of the Bill stipulate certain conditions, such as the number of hours of work and periods of rest for children and young persons in employment. These provisions are similar to the existing provisions in the law.

Clause 7 of the Bill deals with the procedure in respect of licensing of children and young persons in public entertainment. Honourable Members will note that all employment of children and young persons in public entertainment is subject to specific licensing by the Commissioner for Labour, and conditions may be imposed by the Commissioner on such employment, such as the number of performances in any day or periodic medical examination and so on.

Clause 8 of the Bill empowers the Minister to prescribe, on the report of a Board of Inquiry, the minimum wages to be paid to children or young persons in any class of work, where this is considered necessary.

Clauses 9 to 18 of the Bill provide for the administrative machinery and the making of Regulations for carrying out the provision and purposes of the Bill. It would be noted that the first operative Regulation is included in the Third Schedule to the Bill, and not promulgated separately, for the sake of convenience to persons who are concerned with the provisions of the Bill.

The Bill is intended to apply, in the first instance, only to the States of

Malaya, but it is hoped to extend it to the States of Sabah and Sarawak after the necessary consultations with both the State Governments. This Bill has been drawn up in consultation with the National Joint Labour Advisory Council and consultations have also been held with the various Ministries and statutory bodies concerned to ensure that its provisions do not run counter to existing provisions in other laws.

Sir, I beg to move.

Enche' Mohamed Khir Johari: Sir, I beg to second the motion.

Dr Tan Chee Khoon: Mr Speaker, Sir, as usual, I see the Minister has chosen to blunt any criticism by saying, "This Bill has been drawn up in consultation with the employees"—and so you should not grumble, you are not an employee, and you should not grouse, the workers of this country have approved of this Bill and nobody should grumble; and it should be passed without any dissent.

Mr Speaker, Sir, despite what the Minister has said, I am a little concerned over Clause 2, (3) (e) which says:

"

Provided that no female young person may be engaged in any employment in hotels, bars, restaurants, boarding houses or clubs unless such establishments are under the management or control of her parent or guardian."

Sir, in regard to this question of being a parent or guardian, for a person to assume the guardianship of any young person or a child is not too difficult in this country, particularly amongst the Chinese—when you are of the same surnames, "Tan" and "Tan", they assume, "So-and-so is my guardian."—and as such it is very undesirable. The very provision of the clause there admits of the fact that it is undesirable for a female person to be employed in such premises as hotels, bars, restaurants, boarding houses and clubs; and I would be much happier if there is a stricter interpretation of this loose clause "under the control of her parent or guardian".

I am also equally concerned over this: further down, it says:

"Provided further that a female young person may be engaged in any employment in a club not managed by her parent or guardian with the approval of the Commissioner."

I do not know why this act of commission is allowed to come in. I would have thought that knowing some of the clubs that abound in this country—I think the Koko Club has gone out of existence but there are other Clubs such as Millionaires' Club and the like—employment in such places would be very unhealthy for a female person; and as such I do not see why the Minister has thought it fit to have these two saving clauses as acts of commission.

Sir, the whole Bill talks about health or morals. And I am sure that the Minister, if he wants to let these two saving clauses to remain, should try and interpret them very strictly. As I stated before, the question of guardianship of a child or a young person, particularly amongst the Chinese, is open to abuse.

I now come to Clause 5, where it specifies the hours for a young child and a young person. The Minister says that these existing clauses, but I am sure, and I myself have pointed out to him a few cases, where these existing conditions have been abused. For example, he talks about a child "to work between the hours of 8 o'clock in the evening and 7 o'clock in the morning; to work for more three consecutive hours without a period of rest of at least thirty minutes; to work for more than six hours in a day": I am sure the Minister knows that in many places these existing conditions are observed more in the breach, and I do hope that his Ministry will see to it that the requirement of the law is strictly complied with.

Then, Mr Speaker, Sir, Clause 8 (1) states "If representation is made to the Minister that the wages of children or young persons in any class of work in any area are not reasonable having regard to the nature of the work and conditions of employment obtaining in such class of work, the Minister may,

if he considers in expedient, direct an enquiry."; and in the Explanatory statement we are told that, "Clause 8 empowers the Minister to prescribe minimum wages to be paid to children or young persons in any class of work". I would be happier, if the Minister were to have a minimum wage for children and young persons—and even for adults, because this clause merely says that if persons are aggrieved, then they can come to the Minister and then the Minister can set up an enquiry. Why wait for such instances to occur before you institute an enquiry? Again, I reiterate that the workers of this country will be happier if the Minister were, I do not say he should do it now, to bring forth legislation at some future date to declare a minimum wage not only for children; for young persons, but for adults as well particularly in the Government service.

Enche' V. Manickavasagam: Mr Speaker, Sir, the Honourable Member mentioned about Clause 2 (3) (e) on "guardians" or "parents." I think these words have specific meanings, both in law and ordinary usage and I am sure that this clause will not cause much difficulty.

Sir, the Honourable Member also mentioned about the N.J.L.A.C. I must say here both this Bill, with the Bill that was just passed, as I said, was considered very carefully at the meeting of the N.J.L.A.C., and the consultation of the N.J.L.A.C. was no mere formality. The Bill was drafted clause by clause by the Committee of the N.J.L.A.C.

With regard to the hours of work, I know that this could be sometimes abused, but I think with this law now, I can assure this House that my officers will do their best to bring into book such offenders.

With regard to the question of minimum wage. I think it is going to be quite difficult to prescribe a minimum wage for children, and that is why the Committee thought that it was best to have this procedure, whereby the Board would consider representations and recommend to the Minister.

And with regard to the other suggestion that we should have a minimum wage, I have already stated in this House that, where we find that in certain industries workers do not get a fair wage and where workers are not adequately organised, we have the Wages Councils set up and they are in function.

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 19 inclusive ordered to stand part of the Bill.

First Schedule ordered to stand part of the Bill.

Second Schedule ordered to stand part of the Bill.

Third Schedule ordered to stand part of the Bill.

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

THE NATIONAL REHABILITATION AND CONSOLIDATION AUTHORITY (AMENDMENT) BILL

Second Reading

The Minister of Lands and Mines (Enche' Abdul Rahman bin Ya'kub): Tuan Yang di-Pertua, saya mohon izin menchadangkan supaya sa-buah Rang Undang² yang bernama Rang Undang² Lembaga Pemulihan dan Penyatuan Tanah Negara (Pindaan) 1966 di-bacha buat kali yang kedua.

Oleh kerana sebab² saya mengemukakan Rang Undang² ini ada terkandung atau pun di-terangkan dengan jelas-nya dalam huraian pada hujung Rang Undang² ini, maka tidak-lah perlu bagi saya hendak menambahkan keterangan² lagi dan saya sedia menjawab apa² sahaja soalan atau pandangan yang harus di-kemukakan oleh Ahli² Yang Berhormat.

Enche' V. Manickavasagam: Tuan Yang di-Pertua, saya menyokong.

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 5 inclusive ordered to stand part of the Bill.

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

THE FAMILY PLANNING BILL

Second Reading

Enche' Mohamed Khir Johari: Mr Speaker, Sir, I beg to move that a Bill intituled, "an Act to establish and incorporate the National Family Planning Board and to provide for matters incidental thereto," be read a second time. Honourable Members will recall that in considering the First Malaysia Plan, 1966-1970, in December last year, this House was advised that the Government would implement a positive policy of family planning, and that a National Family Planning Board would be established to carry out an intensive family planning programme on a national scale.

The Bill before this House is designed to achieve this objective and to pave the way for an early start in launching the National Family Planning Programme. Family planning activities are not, by any means, new to this country. The Family Planning Associations in the various parts of the States of Malaya affiliated to the Federation of Family Planning Associations have been active in this field for the past ten years.

While these voluntary organisations have been doing a wonderful job of work, their personnel and financial resources are limited and hence the coverage and effectiveness of their work have not been as widespread as one would have desired. Large numbers of people in both the urban and

rural areas of the country have now become conscious of the desirability and the need to limit the size of their families, in order to maintain better educational and living standards.

Hitherto, the Government's part has been merely confined to the granting of yearly subvention to the Family Planning Associations. The time has now come for the Government itself to make a realistic stand and take the lead in the field of family planning. An autonomous body will, therefore, have to be established with corporation status to implement the Government's policy. I would like to add here that a number of other developing countries, including such Muslim countries like Turkey, United Arab Republic and Pakistan, have, as a matter of policy, incorporated family planning as part of their countries' development programmes. Honourable Members will, I am sure, agree that the basic resources for a nation's development are its people, not just people but healthy, educated, and vigorous people, who should be properly nurtured and cared for when young, and it is generally accepted that family planning will make a major contribution in this direction.

Apart from health and other reasons, there are also strong economic grounds for the country to implement a National Programme of Family Planning. Most of the developing countries of the world, particularly in Asia and Latin America, are faced with the problem of population explosion, and this problem is very real because it has been found that in most cases population growth far outstrips economic growth of the countries concerned. Unless something concrete is done, the world will have forever to contend with poverty, hunger, illiteracy and ill-health amongst the majority of its peoples.

As Honourable Members are aware, Malaysia has one of the highest rates of population growth in the world. If these rates of over 3 per cent is sustained over a long period of time, the population can be expected to double in a span of 25 years. This high rate of population growth has to

some extent clouded the impressive strides achieved in economic and social development, the growth in pro-capital income is being impeded because of the rapidly increasing population. Whilst this rate of population growth is due partly to the declining death rates, arising from the provision of more and better medical services, the birth rate itself is by any standard high. This has brought into sharper focus the economic and financial implications of the rapid population growth. More schools, clinics, and houses have to be built and more job opportunities have to be created for the new entrants to the labour force.

I am advised by experts that considerable savings would accrue to the economy should the family planning programme prove to be successful. The savings can be expressed in terms of the value of release consumption for each birth prevented. For each birth prevented, it is estimated that a value of saving resulting from release consumption will be of the order of \$2,500. On the basis of a programme starting this year with 50,000 women using Intra-Uterine Device, I.U.C., with the number increasing by 15,000 per year to a total of 125,000 by 1971, the total birth prevented to range from over 4,000 in 1966 to about 37,000 in 1971.

According to these calculations, the value of savings accruing from release consumption would rise from \$10 million per year in 1966 to \$91 million in 1971, giving a total savings of about \$300 million during a six-year period, if the Family Planning Programme is successfully implemented.

The case for limitation of size of family can thus be said to be self-evident. The people in this country have enjoyed a comparatively high standard of living. The ra'ayat have had the benefits of progress and prosperity prevailing under our system of parliamentary democracy. The Government is determined to provide them with more and better things in life. Democracy cannot thrive in an atmosphere of poverty, frustration and empty slogans. Family planning will go a long way in promoting, directly

or indirectly, sound economic development, and it will help to avoid a situation, whereby increase in income and productivity are nullified by the rapid increase in sheer numbers.

I am sure Honourable Members in this House will wish me to express the Government's appreciation of the good work carried out in the past by the Family Planning Associations in this country. Their activities over the past ten years have brought about an enlightened attitude which is by and large favourable to family planning. With the establishment of the National Family Planning Board, the activities of these voluntary organisations will be reinforced and further strengthened for improving the health of mothers and children for the well-being of the nation as a whole. The Board will co-ordinate family planning activities throughout the country, and in carrying out this task, I am sure, that the public would co-operate actively and give its maximum support to the National Family Planning Board. The Government, through this Board, will make available family planning services and facilities to all who wish to take advantage of them on a purely voluntary basis.

Mr Speaker, Sir, I would now like to explain some of the salient features of the Bill. The National Family Planning Board will consist of a Chairman to be appointed by His Majesty the Yang di-Pertuan Agong, a Director who will be the chief executive officer of the Board, not more than ten members, each of whom shall be a representative of interested ministries and departments concerned, and not more than ten other members to be appointed from among members of the public and public organisations. This is set out in Clause 4.

The operations of the Board will be financed by way of Government grant. The Board will also be authorised to receive financial contributions, medical supplies and other forms of assistance from international agencies, private foundations and from donor countries. Provision has accordingly been made for the Board to accept voluntary

endowments, grants and gifts to assist in implementing the family planning programme—that is in Clause 8 (2).

In this connection, I would like to express the appreciation of the Government to the Ford Foundation and other donor agencies for their assistance towards this programme. We look forward to closer co-operation and collaboration with them in the future.

The National Family Planning Board will be placed under my charge in my capacity as Chairman of the Cabinet Sub-Committee on Family Planning until such time, when it has begun to function effectively and smoothly. The Honourable Prime Minister said in a press statement that I had been chosen to be the Chairman of this Committee in view of my qualification as a father of thirteen children—I am not going to dispute this. I realise, however, that this means extra work for me personally, but I take great pleasure in doing it, because I am convinced myself that in spite of the various development projects, both in economic and social fields that the Government has been doing and will no doubt continue to do, family planning will play an important part in bringing about greater happiness for a greater number of people of our country and, indeed, of the whole world in the future.

Sir, I beg to move.

Enche' Ahmad bin Arshad: Tuan Yang di-Pertua, saya menyokong Rang Undang² Peranchang Keluarga. Setelah saya mendengar penerangan² yang di-berikan oleh Yang Berhormat Menteri Pelajaran, saya mengucapkan tahniah kepada Ahli Yang Berhormat itu dengan keperchayaan Kerajaan meletakkan dia jadi Pengerusi dalam ranchangan ini. Saya chuma hendak menarek perhatian kepada melaksanakan ranchangan ini ia-itu supaya dapat di-fikirkan pandangan² yang saya hendak berikan ini, sebab kita berdasarkan negeri kita yang baharu merdeka. Saya hendak ranchangan ini di-jalankan hanya bagi penduduk dalam bandar, di-tanggohkan penduduk luar bandar, sa-kurang²-nya 5

tahun sa-telah selesai Ranchangan Malaysia yang Pertama.

Dengan izin, Tuan Yang di-Pertua, saya akan berikan hujah² atas shor saya ini. Yang pertama dalam Ranchangan Lima Tahun yang Kedua dan Ranchangan Malaysia yang Pertama ini Kerajaan telah mengeluarkan wang bermillion ringgit dengan mendirikan rumah bidan, pusat² kesihatan dan menghantar pekerja² di-tempat itu. Kira-nya ranchangan ini dijalankan, maka kurang-lah ibu² yang hamil, anak banyak kurang, tatkala itu saya fikir lebih baik di-biarkan penduduk luar bandar itu berjalan bagaimana keadaan sekarang.

Yang kedua, kalau Kerajaan hendak meneruskan—Kerajaan Perikatan yang ada sekarang ini—maka jenerasi—keturunan—penduduk luar bandar hendak-lah di-ramaikan, kerana mereka itu-lah penyokong kuat Kerajaan Perikatan. Kita tidak boleh mengharapkan penyokong kuat daripada penduduk dalam bandar.

Yang ketiga, di-luar bandar juga tidak banyak yang menganggor, bahkan dengan ada-nya berbagai ranchangan Kerajaan sekarang: ranchangan pertanian, ranchangan perniagaan, ranchangan perikanan, ranchangan ternakan, ranchangan nelayan dan lain² di-kampung dan luas-nya pula tanah di-kampung², maka pemuda di-luar bandar menumpukan usaha memberi kerjasama kepada Kerajaan. Dengan sebab itu ekonomi di-luar bandar menurut himmah saya, Tuan Yang di-Pertua, tidak akan meleset, bahkan bertambah maju.

Yang keempat, masyarakat luar bandar, sama ada orang China, orang Melayu, orang India ada-lah perpaduan yang saling-mengerti, dan saya nampak muhibbah mereka ada berlainan daripada masyarakat dan ra'ayat² dalam bandar daripada mereka itu-lah yang kita harap pada masa akan datang akan membentok satu bangsa Malaysia yang baharu yang berchorak betul² Malaysia. Kita nampak masyarakat orang² China dan orang² Melayu di-kampung² masing² menghormati kebudayaan masing².

Kalau orang China bekerja kahwin, orang Melayu datang; orang Melayu buat kerja kahwin, orang China datang.

Jadi, saya fikir perpaduan membentok masyarakat jenerasi daripada luar bandar ini-lah satu perkara yang kita sangat harapkan kepada negara ini. Maka rugi-lah kita kalau Peranchangan Keluarga ini kita lancharkan di-luar² bandar tidak dapat bagaimana yang saya katakan. Sa-kian-lah sahaja, Tuan Yang di-Pertua, Terima kaseh.

Enche' Hussein bin To' Muda Hassan (Raub): Tuan Yang di-Pertua, saya hendak berchakap chuma sadikit. Saya sokong di-atas Rang Undang² yang di-bentangkan oleh Yang Berhormat Menteri Pelajaran tadi. Saya dapati ada berlainan sadikit daripada Ahli daripada Muar Utara. Yang Amat Berhormat Menteri Pembangunan Negara dan Luar Bandar sentiasa pergi merata tempat merayu ra'ayat meninggikan taraf hidup dengan sokongan daripada Kerajaan. Maka patut-lah Ranchangan Family Planning ini di-lancharkan pada masa ini supaya senang-lah orang² di-luar bandar menumpukan segala usaha² nya dan menyahut seruan Kerajaan hendak meninggikan taraf hidup mereka itu, tetapi sa-lepas daripada 10 tahun atau pun apabila kita fikirkan kehidupan mata pencharian orang² di-luar bandar sudah tinggi atau pun lumayan sadikit, kita patut-lah timbangkan Undang² ini balek, sama ada kita hendak tarek balek-kah atau pun di-longgarkan sadikit. Saya juga tertarek hati kepada ucapan Yang Berhormat Menteri yang membawa Rang Undang² ini tadi di-dalam Clause 4, ia-itu Pengerusi-nya ia-lah dia sendiri, kerana oleh sebab dia ada memileki 13 orang anak. Di-dalam Clause 4 itu, 4 (c) "Not more than 10 members to be appointed by the Minister from among members of the public drawn from field of Commerce, Labour, Education, Social Services" and so on. Saya chadangkan kepada Yang Berhormat yang menjadi Pengerusi Peranchang Keluarga ini, ahli² daripada 10 orang itu hendak-lah dilantek daripada orang² yang banyak anak. Saya shorkan kepada Yang

Berhormat Menteri itu melantek orang yang ta' kurang anak-nya 8, baharu boleh dudok jadi Jawatan-kuasa itu.

Itu-lah saya shorkan kepada Menteri Pelajaran oleh sebab, dia ada 13 orang anak bagi-lah peluang orang lain yang ada banyak anak dudok sabagai Pengerusi, terima kaseh.

Enche' Mohamed Khir Johari: Tuan Speaker, saya ucapkan terima kaseh di-atas sokongan daripada Ahli Yang Berhormat yang berchakap tadi. Chuma saya hendak terangkan di-sini berkenaan dengan shor daripada Ahli Yang Berhormat daripada Muar Utara minta kita tumpukan banyak tenaga kita sa-kurang²-nya dalam lima tahun yang akan datang berkenaan dengan Peranchang Family ini kepada kawasan dalam bandar, kerana sebab² saperti mana yang di-sebutkan oleh-nya. Saya suka menerangkan di-sini bukan-lah chadangan pehak Kerajaan atau pun pehak Lembaga yang akan di-dirikan ini untuk menahan langsung peranakan itu, chuma apa yang kita suroh ia-lah gunakan "ration". Jadi bukan kita suroh "stop" langsung, chuma kita minta "slow" sahaja. Itu patut-lah difahamkan baik² oleh Ahli Yang Berhormat itu.

Berkenaan dengan chadangan daripada Ahli Yang Berhormat daripada Raub, saya akan ambil ingatan dan kita akan pilih-lah orang yang berjasa banyak untuk menjadi ahli dalam lembaga ini. Terima kaseh.

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 14 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

REPORT BY THE ELECTION COMMISSION TO THE PRIME MINISTER, MALAYSIA

(Delimitation of Constituencies (Sabah) Order, 1966)

The Deputy Prime Minister (Tun Haji Abdul Razak): Mr Speaker, Sir, I beg to move:

That this House resolves that in accordance with the powers vested in it by virtue of sub-section (7) of Section 96 of the Malaysia Act, the draft Delimitation of Constituencies (Sabah) Order, 1966, which has been laid before the House as required by sub-section (6) of Section 96 of the aforesaid Act for giving effect without modifications as to the recommendations contained in the Report by the Election Commission to the Prime Minister, Malaysia, containing their recommendations on the Delimitation of Parliamentary and State Constituencies in the State of Sabah be approved.

Now, Sir, following a request made by the Sabah State Government that action should be initiated towards the preparation for the holding of direct election to the State Legislative Assembly of Sabah, the Federal Government on the 24th of August, 1965, notified the Election Commission to proceed with the delimitation of Parliamentary and State Constituencies in the State of Sabah within the period 15th January, 1965, to 15th December, 1965, and within such period to submit to the Prime Minister a report showing:

- (a) the constituencies into which they recommend the State should be divided in order to give effect to the principles set out in Section 2 of the Thirteenth Schedule to the Constitution, and
- (b) the names by which they recommend that these constituencies should be known.

Now, the Election Commission finalised their delimitation proposal on the 22nd October, 1965. According to sub-section (4) of Section 96 of the Malaysia Act, it was incumbent upon the Election Commission, before making their report to the Prime Minister, to publish in the *Gazette* and in at least one newspaper circulating in the State of Sabah and in any other

manner they think necessary to secure that it may become generally known among persons interested, a notice stating:

- (a) the effect of their proposed recommendations, and that a copy of those recommendations is open to inspection at the specified place in each of the proposed constituency, and
- (b) that representation with respect to the proposed recommendations may be made to the Commission within one month after the publication of the notice, and the Commission shall take into consideration any representation duly made in accordance with any such notice.

I would like, Sir, to inform the House that the Election Commission had already complied with these statutory requirements. Their proposed recommendations were made known to the public in Sabah, as mentioned in paragraph 10 of the Report, and on 7th December, 1965, the Election Commission submitted their report to the Prime Minister, as required by sub-section (2) of Section 96 of the Malaysia Act. The Report has been laid in this House as Command Paper No. 10 of 1966.

Now, Sir, the Report itself is in three parts. Part I contains the background, the principles for delimitation and recommendations for delimitation; Part II contains the names of the Parliamentary Constituencies into which the State of Sabah has been divided; and Part III contains the names of the State Constituencies into which the State of Sabah has been divided. A map folder at the end of the Report containing a map of Sabah

shows the boundary of Parliamentary and State Constituencies.

Now, according to Section 91 (1) of the Malaysia Act, the constituencies in each of the Borneo States for the first election to the House of Representatives or the State Legislative Assembly after the end of the period of indirect election shall be delimited by Order of the Yang di-Pertuan Agong. Now, the draft of this Order is also required by Section 96 (6) of the Malaysia Act to be laid before the House for the purpose of giving effect to the recommendations contained in the Report by the Election Commission, and such Order has also been laid before this House as Command Paper No. 11 of 1966.

Therefore, Sir, I beg to move.

Enche' Mohamed Khir Johari: Sir, I beg to second the motion.

Question put, and agreed to.

Resolved,

That this House resolves that in accordance with the powers vested in it by virtue of sub-section (7) of Section 96 of the Malaysia Act, the draft Delimitation of Constituencies (Sabah) Order, 1966, which has been laid before the House as required by sub-section (6) of Section 96 of the aforesaid Act for giving effect without modifications to the recommendations contained in the Report by the Election Commission to the Prime Minister, Malaysia, containing their recommendations on the Delimitation of Parliamentary and State Constituencies in the State of Sabah be approved.

Mr Speaker: The House is now adjourned *sine die*.

Adjourned at 8.40 p.m.