



PERBAHATHAN PARLIMEN

DEWAN RA'AYAT YANG KEDUA

PENGGAL KELIMA

PENYATA RASMI

KANDONGAN-NYA

JAWAPAN' MULUT BAGI PERTANYAAN' [Rancangan 2793]

RANG UNDANG' DI-BAWA KA-DALAM MESHUARAT--[Rancangan 2805]

USUL':

Undang' Kastam, 1967—

Perintah Chukai Tokok (Impot) 1968—[Rancangan 2808]

Perintah Chukai Kastam (Pulau Pinang) 1968—[Rancangan 2809]

Undang' Kastam (Tarif Bernama Malaysia), 1966—

Perintah Kastam (Tarif Bernama Malaysia) (Pembetulan), 1968 [Rancangan 2814]

RANG UNDANG':

The Election Offences (Amendment) Bill [Rancangan 2815]

The Development Funds (Amendment) Bill [Rancangan 2842]

The Loan (Local) (Amendment) Bill [Rancangan 2845]

The Criminal Procedure Code (Amendment) Bill [Rancangan 2848]

The Commonwealth Fugitive Criminals (Amendment) Bill [Rancangan 2854]

Rang Undang' Saman (Peruntukan Khas) (Singapore) [Rancangan 2856]

The Borrowing Companies Bill, 1968 [Rancangan 2857]

ATORAN URUSAN MESHUARAT (USUL) [Rancangan 2844], [Rancangan 2854]

WAKTU MESHUARAT DAN URUSAN YANG DI-BEBASKAN:

Daripada Peratoran Meshuarat (Usul) [Rancangan 2844]

MALAYSIA

DEWAN RA'AYAT YANG KEDUA

PENGGAL YANG KELIMA

Penyata Rasmi

Hari Juma'at, 10hb Januari, 1969

Persidangan bermula pada pukul 9.30 pagi

YANG HADHIR:

- Yang Berhormat** Tuan Yang di-Pertua, DATO' CHIK MOHAMED YUSUF BIN SHEIKH ABDUL RAHMAN, S.P.M.P., J.P., Dato' Bendabara, Perak.
- „ Timbalan Perdana Menteri, Menteri Pertubuhan, Menteri Hal Ehwal Dalam Negeri dan Menteri Pembangunan Negara dan Luar Bandar, Y.A.B. TUN HAJI ABDUL RAZAK BIN DATO' HUSSAIN, S.M.N. (Pekan).
- „ Menteri Kewangan, Y.A.B. TUN TAN SIEW SIN, S.S.M., J.P. (Melaka Tengah).
- „ Menteri Pengangkutan, Yang Berbahagia TAN SRI HAJI SARDON BIN HAJI JUBIR, P.M.N. (Pontian Utara).
- „ Menteri Ke'adilan, TUAN BAHAMAN BIN SHAMSUDIN, (Kuala Pilah).
- „ Menteri Perdagangan dan Perusahaan, Yang Berbahagia TAN SRI DR LIM SWEE AUN, P.M.N., J.P. (Larut Selatan).
- „ Menteri Kerajaan Tempatan dan Perumahan, TUAN KHAW KAI-BOH, P.J.K. (Ulu Selangor).
- „ Menteri Buroh, TUAN V. MANICKAVASAGAM, J.M.N., P.J.K. (Kelang).
- „ Menteri Penerangan dan Penyiaran dan Menteri Kebudayaan, Belia dan Sukan, TUAN SENU BIN ABDUL RAHMAN (Kubang Pasu Barat).
- „ Menteri Pertanian dan Sharikat Kerjasama, TUAN HAJI MOHAMED GHAZALI BIN HAJI JAWI (Ulu Perak).
- „ Menteri Hal Ehwal Tanah dan Galian, DATO' HAJI ABDUL-RAHMAN BIN YA'KUB, P.D.K. (Sarawak).
- „ Menteri Hal Ehwal Sabah, DATO' GANIE GILONG, P.D.K., J.P. (Sabah).
- „ Menteri Muda Kebudayaan, Belia dan Sukan, ENSKU MUHSEIN BIN ABDUL KADIR, D.P.M.T., J.M.N., P.J.K. (Trengganu Tengah).
- „ Menteri Muda Pelajaran, TUAN LEE SIOK YEW, A.M.N., P.J.K. (Sepang).
- „ Menteri Muda Perdagangan dan Perusahaan, TUAN ABDUL TAIB BIN MAHMUD (Sarawak).
- „ Setia-usaha Parlimen kepada Menteri Kesihatan, TUAN IBRAHIM BIN ABDUL RAHMAN, J.M.N. (Seberang Tengah).

- Yang Berhormat Setia-usaha Parlimen kepada Menteri Buroh,
TUAN LEE SAN CHOON, K.M.N. (Segamat Selatan).
- „ Setia-usaha Parlimen kepada Menteri Kewangan,
TUAN ALI BIN HAJI AHMAD (Pontian Selatan).
- „ Setia-usaha Parlimen kepada Timbalan Perdana Menteri,
TUAN CHEN WING SUM (Damansara).
- „ NIK ABDUL AZIZ BIN NIK MAT (Kelantan Hilir).
- „ TUAN HAJI ABDUL GHANI BIN ISHAK, A.M.N. (Melaka Utara).
- „ TUAN 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, A.B.S.
(Sarawak).
- „ TUAN HAJI ABDUL RASHID BIN HAJI JAIS (Sabah).
- „ TUAN HAJI ABDUL RAZAK BIN HAJI HUSSIN (Lipis).
- „ DATO' ABDULLAH BIN ABDULRAHMAN, S.M.T., Dato' Bijaya
di-Raja (Kuala Trengganu Selatan).
- „ Y.A.M. TUNKU ABDULLAH IBNI AL-MARHUM TUANKU ABDUL
RAHMAN, P.P.T. (Rawang).
- „ TUAN HAJI ABU BAKAR BIN HAMZAH, J.P. (Bachok).
- „ TUAN AHMAD BIN ARSHAD, A.M.N. (Muar Utara).
- „ TUAN HAJI AHMAD BIN SA'AID, J.P. (Seberang Utara).
- „ DR AWANG BIN HASSAN, S.M.I. (Muar Selatan).
- „ TUAN HAJI AZIZ BIN ISHAK (Muar Dalam).
- „ PENGARAH BANYANG ANAK JANTING, P.B.S. (Sarawak).
- „ TUAN CHAN CHONG WEN, A.M.N. (Kluang Selatan).
- „ TUAN CHAN SIANG SUN, A.M.N., P.J.K. (Bentong).
- „ TUAN CHEW BIOW CHUON, J.P. (Brunei).
- „ TUAN CHIA CHIN SHIN, A.B.S. (Sarawak).
- „ TUAN FRANCIS CHIA NYUK TONG (Sabah).
- „ TUAN CHIN FOON (Ulu Kinta).
- „ TUAN D. A. DAGO ANAK RANDAN *alias* DAGOK ANAK RANDEN,
A.M.N. (Sarawak).
- „ TUAN EDWIN ANAK TANGKUN (Sarawak).
- „ DATO' SYED ESA BIN ALWEE, S.P.M.J., J.M.N., P.I.S.
(Batu Pahat Dalam).
- Yang Berbahagia TAN SRI HAJAH FATIMAH BINTI HAJI HASHIM, P.M.N.
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- Yang Berhormat TUAN S. FAZUL RAHMAN, A.D.K. (Sabah).
- „ TUAN GANING BIN JANGKAT, A.M.N. (Sabah).
- „ TUAN GER CHONG KEAT, K.M.N. (Pulau Pinang Utara).
- „ TUAN HAJI HAMZAH BIN ALANG, A.M.N., P.J.K. (Kapar).
- „ TUAN HANAFI BIN MOHD. YUNUS, A.M.N., P.J.K. (Kulim Utara).
- „ WAN HASSAN BIN WAN DAUD, J.P. (Tumpat).
- „ TUAN STANLEY HO NGUN KHTU, A.D.K. (Sabah).
- „ DATO' HAJI HUSSEIN BIN MOHD. NOORDIN, D.P.M.P., A.M.N.,
P.J.K. (Parit).
- „ TUAN HUSSEIN BIN SULAIMAN (Ulu Kelantan).

Yang Berhormat **TUAN HAJI HUSSAIN RAHIMI BIN HAJI SAMAN, S.M.K.**
(Kota Bharu Hulu).

Yang Amat Berbahagia **TUN DR ISMAIL BIN DATO' HAJI ABDUL RAHMAN,**
S.S.M., P.M.N., S.P.M.J. (Johor Timor).

Yang Berhormat **TUAN ISMAIL BIN IDRIS, J.P.** (Pulau Pinang Selatan).

„ **PENGHULU JINGGUT ANAK ATTAN, K.M.N., Q.M.C., A.B.S.,**
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„ **TUAN KAM WOON WAH, J.P.** (Sitiawan).

„ **TUAN THOMAS KANA, K.M.N.** (Sarawak).

„ **TUAN KHOO PENG LOONG, O.B.E.** (Sarawak).

„ **TUAN EDMUND LANGGU ANAK SAGA** (Sarawak).

„ **TUAN LEE SECK FUN, K.M.N.** (Tanjong Malim).

„ **TUAN AMADEUS MATHEW LEONG, A.D.K., J.P.** (Sabah).

„ **DR LIM CHONG EU** (Tanjong).

„ **TUAN LIM PEE HUNG, P.J.K.** (Alor Star).

„ **TUAN PETER LO SU YIN** (Sabah).

„ **DR MAHATHIR BIN MOHAMAD** (Kota Star Selatan).

„ **TUAN T. MAHIMA SINGH, J.M.N., J.P.** (Port Dickson).

„ **TUAN C. JOHN ONDU MAJAKIL** (Sabah).

„ **TUAN JOSEPH DAVID MANUJI** (Sabah).

„ **DATO' DR HAJI MEGAT KHAS, D.P.M.P., J.P., P.J.K.**
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„ **DR MOHAMED BIN TAIB** (Kuantan).

„ **TUAN MOHD. ARIF SALLEH, A.D.K.** (Sabah).

„ **DATO' HAJI MOHAMED ASRI BIN HAJI MUDA, S.P.M.K.**
(Pasir Puteh).

„ **TUAN MOHD. DAUD BIN ABDUL SAMAD** (Besut).

„ **TUAN MOHAMED IDRIS BIN MATSIL, J.M.N., P.J.K., J.P.**
(Jelebu-Jempol).

„ **TUAN MOHD. TAHIR BIN ABDUL MAJID, S.M.S., P.J.K.**
(Kuala Langat).

„ **TUAN HAJI MOHAMED YUSOF BIN MAHMUD, A.M.N.** (Temerloh).

„ **TUAN MOHD. ZAHIR BIN HAJI ISMAIL, J.M.N.** (Sungai Patani).

„ **WAN MOKHTAR BIN AHMAD, P.J.K.** (Kemaman).

„ **TUAN HAJI MOKHTAR BIN HAJI ISMAIL** (Perlis Selatan).

„ **TUAN MUHAMMAD FAKHRUDDIN BIN HAJI ABDULLAH**
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„ **TUAN HAJI MUHAMMAD SU'AUT BIN HAJI MUHD. TAHIR, A.B.S.**
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„ **TUAN MUSA BIN HITAM** (Segamat Utara).

„ **DATO' HAJI MUSTAPHA BIN HAJI ABDUL JAEAR, D.P.M.S.,**
A.M.N., J.P. (Sabak Bernam).

„ **TUAN MUSTAPHA BIN AHMAD** (Tanah Merah).

Yang Berbahagia **TAN SRI HAJI 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).

Yang Berhormat **TUAN NG FAH YAM, J.P.** (Batu Gajah).

„ **TUAN ONG KEE HUI** (Sarawak).

Yang Berhormat TUAN HAJI OTHMAN BIN ABDULLAH (Hilir Perak).

- „ TUAN OTHMAN BIN ABDULLAH, A.M.N. (Perlis Utara).
- „ TUAN HAJI RAHMAT BIN HAJI DAUD, A.M.N. (Johor Bahru Barat).
- „ TUAN RAMLI BIN OMAR (Krian Darat).
- „ 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).
- „ TUAN SEAH TENG NGIAB, S.M.J., P.I.S. (Muar Pantai).
- „ TUAN D. R. SEENIVASAGAM (Ipoh).
- „ TUAN SIM BOON LIANG, A.B.S. (Sarawak).
- „ TUAN SIOW LOONG HIN, P.J.K. (Seremban Barat).
- „ TUAN SENAWI BIN ISMAIL, P.J.K. (Seberang Selatan).
- „ TUAN SNG CHIN JOO (Sarawak).
- „ TUAN SOH AH TECK (Batu Pahat).
- „ TUAN SULAIMAN BIN ALI (Dungun).
- „ TUAN SULAIMAN BIN BULON, P.J.K. (Bagan Datoh).
- „ TUAN SULAIMAN BIN HAJI TAIB (Krian Laut).
- „ PENGIRAN TAHIR PETRA (Sabah).
- „ TUAN TAJUDIN BIN ALI, P.J.K. (Larut Utara).
- „ TUAN TAI KUAN YANG, A.M.N. (Kulim Bandar Bharu).
- „ TUAN TAMA WENG TINGGANG WAN (Sarawak).
- „ DR TAN CHEE KHOON (Batu).
- „ TUAN TAN CHENG BEE, A.M.N., J.P. (Bagan).
- „ TUAN TAN KEE GAK (Bandar Melaka).
- „ TUAN TAN TOH HONG (Bukit Bintang).
- „ TUAN TAN TSAK YU (Sarawak).
- „ TUAN TIAH ENG BEE (Kluang Utara).
- „ TUAN TOH THEAM HOCK (Kampar).
- „ TUAN YEH PAO TZE, A.M.N. (Sabah).
- „ TENGKU ZAID BIN TENGKU AHMAD (Pasir Mas Hulu).
- „ TUAN HAJI ZAKARIA BIN HAJI MOHD. TAIB, P.J.K. (Langat).

YANG TIADA HADHIR:

Yang Berhormat Perdana Menteri dan Menteri Hal Ehwal Luar Negeri,
Y.T.M. TUNKU ABDUL RAHMAN PUTRA AL-HAJ, K.O.M.
(Kuala Kedah).

- „ Menteri Kerja Raya, Pos dan Talikom,
Y.A.B. TUN V. T. SAMBANTHAN, S.S.M., P.M.N. (Sungai Siput).
- „ Menteri Pelajaran, TUAN MOHAMED KHIR JOHARI
(Kedah Tengah).
- „ Menteri Kesihatan, Yang Berbahagia TAN SRI HAJI ABDUL
HAMID KHAN BIN SAKHAWAT ALI KHAN, P.M.N., J.P.
(Batang Padang).
- „ Menteri Hal Ehwal Sarawak, Yang Berbahagia TAN SRI
TEMENGGONG JUGAH ANAK BARIENG, P.M.N., P.D.K. (Sarawak).

Yang Berhormat Menteri Kebajikan 'Am, DR NG KAM POH, J.P.
(Teluk Anson).

- „ Menteri Muda Ta' Berjabatan, TUAN HAJI ABDUL KHALID BIN AWANG OSMAN (Kota Star Utara).
- „ Menteri Muda Hal Ehwal Dalam Negeri, TUAN HAMZAH BIN DATO' ABU SAMAH, S.M.K. (Raub).
- „ PUAN AJIBAH BINTI ABOL (Sarawak).
- „ WAN ALWI BIN TUANKU IBRAHIM (Sarawak).
- „ TUAN RAFAEL ANCHETA, A.M.N. (Sabah).
- „ TUAN JONATHAN BANGAU ANAK RENANG, A.B.S. (Sarawak).
- „ TUAN CHAN SEONG YOON (Setapak).
- „ TUAN C. V. DEVAN NAIR (Bungsar).
- „ DATIN HAJJAH FATIMAH BINTI HAJI ABDUL MAJID (Johor Bahru Timor).
- „ TUAN HANAFIAH BIN HUSSAIN, A.M.N. (Jerai).
- „ TUAN HARUN BIN ABDULLAH, A.M.N., J.P. (Baling).

Yang Berbahagia TAN SRI SYED JA'AFAR BIN HASAN ALBAR, P.M.N.
(Johor Tenggara).

Yang Berhormat DATO' LING BENG SIEW, P.N.B.S. (Sarawak).

- „ ORANG TUA MOHAMMAD DARA BIN LANGPAD (Sabah).

Yang Amat Berbahagia TUN DATU MUSTAPHA BIN DATU HARUN, S.M.N., P.D.K.,
(Sabah).

- „ TUAN QUEK KAI DONG, J.P. (Seremban Timor).
- „ DATO' S. P. SEENIVASAGAM, D.P.M.P., P.M.P., J.P. (Menglembu).
- „ TUAN STEPHEN YONG KUET TZE (Sarawak)

YANG HADHIR BERSAMA:

Yang Berhormat Menteri Ta' Berjabatan. TUAN ABDUL GHAFAR BIN BABA.

DO'A

(Tuan Yang di-Pertua *mempengerusikan Meshuarat*)

JAWAPAN² MULUT BAGI PERTANYAAN²

PEMBANTAHAN TERHADAP SISTEM PEMASARAN IKAN BAHARU

1. Tuan Haji Mokhtar bin Haji Ismail (Perlis Selatan) bertanya kepada Perdana Menteri ada-kah benar bahawa satu rombongan penjual ikan dan nelayan telah menemui beliau kerana membantah terhadap sistem pemasaran ikan yang baharu di-adakan oleh Menteri Pertanian dan Sharikat Kerjasama, dan jika benar, bila dan apa-kah nasihat yang di-berikan oleh beliau.

Timbalan Perdana Menteri (Tun Haji Abdul Razak): Tuan Yang di-Pertua, saya di-beri tahu oleh Yang Teramat Mulia Tunku Perdana Menteri bahawa dia tidak ada menenui penjual ikan dan nelayan yang hendak membantah terhadap pemasaran ikan yang di-ranchangkan itu.

PEMIMPIN KOMINIS MALAYA TERLEPAS DARI TANGKAPAN— LANGKAH² UNTUK MENGAWASI PENYUSUP² KA-NEGERI² JIRAN

2. Tuan Haji Mokhtar bin Haji Ismail bertanya kepada Menteri Hal Ehwal Dalam Negeri ada-kah benar bahawa beberapa orang pemimpin Kominis Malaya yang militan telah terlepas dari tangkapan beramai² yang di-lakukan baharu² ini, dan jika benar, ada-kah mereka termasuk juga Pegawai² dan

Cadre² yang berpangkat tinggi. Ahli² Parti PAS, Parti Buruh, Parti Ra'ayat atau Parti Gerakan Ra'ayat Malaysia, dan sebutkan nama mereka dan, adakah mereka telah menyeberang masuk ka-Negeri Thai, Singapura atau Indonesia, atau telah bersembunyi sabagaimana mereka lakukan pada awal dharurat dalam tahun 1948; dan adakah Kerajaan telah mendapatkan kerjasama negeri² jiran yang bersahabat dengan kita untuk mengawasi penyusup² dengan ketat dan waspada daripada menyusup ka-negeri² mereka masing².

Tun Haji Abdul Razak: Tuan Yang di-Pertua, benar ada sa-ramai 35 orang daripada mereka itu telah di-anggapkan sa-bagai pegawai² atau cadre yang penting dari Parti Buruh dan Parti Ra'ayat. Oleh kerana gerakan menangkap mereka ini maseh di-teruskan maka tidak-lah dapat hendak di-umumkan nama² mereka. Tidak ada keterangan yang menunjukkan bahawa mereka itu telah melarikan diri ka-Thailand atau pun ka-Indonesia, akan tetapi ada kemungkinan yang mereka telah menyeludup masuk ka-Singapura dan kerjasama pihak Singapura adalah di-dapati bagi hendak mencari mereka itu. Sa-takat ini tidak ada bukti² yang menunjukkan bahawa mereka itu telah bersembunyi bagaimana yang di-lakukan oleh anasir² komunis pada awal tahun 1968 dahulu.

KEMASOKAN PENUNTUT² DARI SARAWAK KA-MAKTAB MARA, 1967

3. **Tuan Tama Weng Tinggang Wan (Sarawak)** bertanya kepada Menteri Pembangunan Negara dan Luar Bandar sama ada Yang Berhormat Menteri sedar yang penuntut² di-Sarawak, perempuan dan laki² sesudah tamat pengajian Tingkatan V telah memohon masuk ka-Maktab MARA pada tahun 1967 tetapi sa-hingga sekarang maseh belum mendapat apa² jawapan dari wakil² MARA di-Bahagian Keempat, Sarawak.

Menteri Ta' Berjabat (Tuan Abdul Ghafar bin Baba): Tuan Yang di-Pertua, saya di-beri tahu bahawa dalam tahun 1967 Institute Teknologi MARA tidak ada menerima permohonan masuk

belajar daripada penuntut² Tingkatan V dari negeri Sarawak. Kalau sa-kira-nya Ahli Yang Berhormat itu dapat menunjukkan keterangan ada permohonan seperti itu telah di-buat maka bagi pihak saya sedia akan menjalankan penyiasatan yang lebih lanjut lagi.

Tuan Tama Weng Tinggang Wan: Tuan Yang di-Pertua, soal tambahan. Adakah Menteri sedar atas nama baik MARA untuk ra'ayat Malaysia, diseluruh Malaysia ini, yang ada sambutan baik nama MARA untuk ra'ayat.

Saya bertanya dia atas penuntut² di-Sarawak perempuan dan lelaki sa-sudah tamat pengajian Tingkatan V telah memohon masuk Maktab MARA pada tahun 1967 tetapi sa-hingga sekarang maseh belum mendapat apa² jawapan dari wakil MARA dalam bahagian ke-Empat, Miri, dan bererti ra'ayat yang telah memberi keperchayaan atas nama baik MARA ini, dari Kerajaan atau menerusi Radio Malaysia Sarawak untuk sa-siapa di-Malaysia ini dan saya bertanya Menteri, bila-kah memberi pertimbangan perjalanan MARA atas tujuan yang nyata supaya ra'ayat Malaysia ada memberi keperchayaan yang lanjut terhadap MARA yang akan datang.

Tuan Abdul Ghafar bin Baba: Tuan Yang di-Pertua, saya sudah jawab tadi.

Tuan Tama Weng Tinggang Wan: Tuan Yang di-Pertua, boleh beri tahu bila-kah boleh di-timbangkan?

Tuan Abdul Ghafar bin Baba: Tuan Yang di-Pertua, dalam tahun 1967 tidak ada permohonan yang di-terima oleh MARA daripada penuntut² yang telah tamat Tingkatan V di-Sarawak. Kalau sa-kira-nya Ahli Yang Berhormat boleh menerangkan ada bukti penuntut² disana ada memohon, tetapi belum mendapat jawapan, bagi pihak diri saya sendiri sedia akan menjalankan penyiasatan yang lebih lanjut. Bagi pihak MARA sedia akan menimbangkan segala permohonan daripada penuntut² daripada Sarawak di-mana² sahaja negeri dalam Malaysia jika sa-kira-nya mereka layak masuk dan ada mempunyai tempat² kosong dalam Maktab tersebut.

PENGUNAAN METER DI-TEKSI² DI-SARAWAK

4. Tuan Tama Weng Tinggang Wan bertanya kepada Menteri Pengangkutan sama ada Kerajaan akan menimbangkan penggunaan "meter" di-teksi² di-Sarawak.

Menteri Pengangkutan (Tan Sri Haji Sardon bin Haji Jubir): Tuan Yang di-Pertua, sa-bagaimana Ahli Yang Berhormat mengetahui sa-belum Sarawak masuk dalam Malaysia telah ada perjanjian di-antara Kerajaan Pusat dengan Negeri Sarawak berkenaan dengan hal ehwal pengangkutan jalan di-Negeri Sarawak ada-lah di-bawah kuasa Kerajaan Sarawak di-dalam tempoh 10 tahun semenjak Hari Malaysia itu. Oleh itu masalah penggunaan "meter" di-teksi² di-Sarawak boleh-lah di-timbangkan oleh Kerajaan Negeri Sarawak dan bagi pehak saya sa-bagai Menteri Pengangkutan Malaysia sedia-kan memberi nasehat kerana kita harap polisi itu kalau boleh sama-lah dengan di-sini, Malaysia Barat dengan Timor Malaysia.

USAHA² UNTUK MENGAWAL KEGIATAN² PENGGANAS² KOMINIS DI-SEMPADAN MALAYSIA/THAILAND

5. Tuan Ahmad bin Arshad (Muar Utara) bertanya kepada Menteri Luar Negeri sama ada Kerajaan telah di-beritahu oleh Kerajaan Thailand berkenaan dengan hebat-nya kegiatan² Pengganas² Kominis di-kawasan² sempadan dan berkenaan dengan sa-buah padang untuk pendaratan helikopter mereka; jika ya, nyatakan, berdasarkan kepada perjanjian kerjasama keselamatan yang tercapai di-antara kedua² buah negara, usaha² yang mereka telah buat untuk mengawal kegiatan² Kominis tersebut.

Tun Haji Abdul Razak: Tuan Yang di-Pertua, perkara berkenaan dengan kegiatan² pengganas kominis di-kawasan sempadan di-antara Malaysia dengan Thailand memang-lah sentiasa di-bincangkan sama² dengan Ketua² dari Kerajaan Thailand untuk meng-ambil tindakan bersama menurut Perjanjian Sempadan Malaysia-Thai. Setakat ini tidak-lah dapat di-tentukan

sama ada benar atau tidak perkh-baran yang mengatakan ada padang helikopter dekat sempadan itu. Kalau sa-benar-nya ada tentu-lah pehak Thai memberitahu Malaysia.

Tuan Yang di-Pertua, usaha² yang di-jalankan di-sempadan ini ada-lah di-jalankan sama ada bersama, atau pun bersendirian oleh pehak Thailand dalam kawasan Thailand dan kita be-rasa puas hati dergan kerjasama yang di-berikan oleh pehak Thailand bagi menjalankan gerakan² untuk meng-hapuskan pengganas² di-sempadan itu.

Tuan Ahmad bin Arshad: Soalan tambahan, Tuan Yang di-Pertua, dalam usaha menghapuskan gerakan komunis di-sempadan Malaysia dan Thailand, kita telah berjaya memusnahkan khe-mah² tentera itu, tetapi ada-kah benar bahawa pehak Pasokan Keselamatan Thai tidak membebankan Pasokan Ke-selamatan kita menembak mati peng-ganas² kominis yang ada di-jumpai dalam kawasan yang tersebut.

Tun Haji Abdul Razak: Tuan Yang di-Pertua, ini tidak benar kerana dalam Perjanjian kita, gerakan² ada-lah di-jalankan bersama di-dalam kawasan Thailand pun di-jalankan bersama di-antara Pasokan Keselamatan Thailand dengan kita dan jikalau berjumpa dengan pengganas² kominis tentu-lah Pasokan Keselamatan kita akan menembak-nya.

ROMBONGAN PENARI² KA-RUSSIA DAN INDONESIA

6. Tuan Ahmad bin Arshad bertanya kepada Menteri Luar Negeri:

(a) ada-kah Kerajaan berchadang hendak menghantar rombongan penari² kita ka-Russia dan Indo-nesia sebagai membalas lawatan² muhibbah yang telah di-buat oleh kedua² buah negara; dan terangkan

(b) sejak Merdeka, berapa bilangan penari² dari luar negeri yang datang ka-negeri kita dan sebak-nya.

Tun Haji Abdul Razak: Tuan Yang di-Pertua, Kerajaan belum berchadang hendak menghantar rombongan penari²

ka-Russia buat sementara ini, tetapi Kerajaan sedang merancangkan bahawa satu rombongan kebudayaan akan melawat Indonesia dan rancangan ini sedang di-uruskan pada masa ini. Oleh sebab penari² itu datang dari bermacam² kumpulan dan gulungan tidak dapat di-beri bilangan mereka yang tetap sa-bagaimana yang dikehendaki oleh Ahli Yang Berhormat. Saya chuma dapat menegaskan di-sini bahawa mereka itu datang dari negara² Asia atau pun di-Eropah. Kerajaan kita pun telah menghantar dahulu beberapa orang rombongan kebudayaan kanegara² jiran, tetapi tidak-lah dapat di-tetapkan berapa bilangan penari² atau berapa bilangan penyanyi² dalam rombongan itu.

Tuan Ahmad bin Arshad: Soalan tambahan, Tuan Yang di-Pertua, saya ingin tahu dalam masaalah kita hendak menghantar rombongan penari kita ka-Indonesia. Hal ini menurut apa yang saya tahu dan ra'ayat hari ini tahu berapa kali telah di-tanggohkan. Jadi saya hendak tahu dari puncha manakah yang menyebabkan pemergian ini bertanggoh berkali².

Tun Haji Abdul Razak: Tuan Yang di-Pertua, pemergian sa-macham itu tentu-lah hendak dapat persetujuan daripada pehak Ketua Negara dan bersesuaian dengan masa dan ketika bagi dua negara ini.

GERAK-GERI PENGANAS KOMINIS DI-SEMPADAN MALAYSIA/THAI

7. Tuan Ahmad bin Arshad bertanya kepada Menteri Hal Ehwal Dalam Negeri ada-kah Kerajaan berpendapat bahawa gerak-geri 500-600 orang penganas kominis di-sempadan Malaysia/Thai itu mengancam keamanan negeri kita.

Tun Haji Abdul Razak: Tuan Yang di-Pertua, jawab-nya tentu-lah penganas² kominis yang bilangan bagini banyak ada mengancam keselamatan negara kita ini.

PENAREKAN GELARAN TUN DARIPADA TUAN LIM YEW HOCK

8. Wan Hassan bin Wan Daud (Tumpat) [*di-bawah S.O. 24 (2)*] bertanya kepada Perdana Menteri apa-kah sebab² gelaran "TUN" telah di-tarek balek daripada bekas Pesuruhjaya Tinggi Malaysia ka-Australia, Tuan Lim Yew Hock baharu² ini.

Tun Haji Abdul Razak: Tuan Yang di-Pertua, perkara ini, gelaran itu telah di-luchutkan daripada-nya oleh Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong di-bawah kuat-kuasa yang ada pada Baginda di-dalam Statute.

Wan Hassan bin Wan Daud: Tuan Yang di-Pertua, mengikut soalan yang ada di-sini kami bertanya tentang sebab² gelaran itu di-tarek balek. Boleh-kah Timbalan Perdana Menteri menerangkan sebab² gelaran itu di-tarek balek.

Tun Haji Abdul Razak: Tuan Yang di-Pertua, kuasa pada tangan Duli Yang Maha Mulia Seri Paduka Baginda dan Seri Paduka Baginda berhak menjalankan kuat-kuasa menurut Statute. Ahli Yang Berhormat boleh-lah membacha Statute itu.

Tun Haji Abdul Razak bin Humin (Lipis): Soalan tambahan. Ada-kah Kerajaan berchadang hendak melarang ibu bapa daripada Bangsa Melayu meletakkan nama anak-nya sa-belum nama asal itu dengan "Tun" sebab perkara ini sa-belum gelaran "Tun" itu di-ishtiharkan ada, sudah ada anak² orang kita yang di-gelar "Tun". Adakah Kerajaan berchadang hendak menarek balek gelaran yang di-ishtiharkan oleh ibu bapa itu sa-bagai menghormati gelaran "Tun" yang ada sekarang ini?

Tun Haji Abdul Razak: Tuan Yang di-Pertua, saya sendiri tahu ada orang yang bernama sa-macham itu, tetapi Kerajaan tidak-lah berchadang hendak

melarang orang menggunakan nama sa-macham itu, kerana nama itu sudah ada pada mereka itu.

Tuan Haji Abdul Razak bin Hussin: Soalan tambahan, Tuan Yang di-Pertua, tidak-kah Kerajaan sedar dengan ada dua nama yang sa-rupa mempunyai dua kedudukan yang berlainan dengan ada-nya nama yang asal itu menyebabkan gelaran "Tun" yang kita hormati sekarang ini boleh di-katakan ini pun satu "hypocrite". Terima kaseh.

Tuan Yang di-Pertua: Soalan itu tidak berjawab nampak-nya.

✓ PERKAHWINAN DI-ANTARA DIPLOMAT² MALAYSIA DENGAN WANITA² YANG BUKAN WARGA NEGARA MALAYSIA

9. Tuan Haji Abu Bakar bin Hamzah bertanya kepada Menteri Luar Negeri berapa orang diplomat kita di-luar negeri dan di-dalam negeri yang berkahwin dengan wanita² yang bukan warga negara Malaysia.

Tun Haji Abdul Razak: Tuan Yang di-Pertua, Pegawai² Dalam Perkhidmatan Luar Negeri ada-lah terikat kepada peratoran² yang berkehendakkan tiap² pegawai yang hendak berkahwin dengan warga negara lain daripada warga negara Malaysia hendak-lah memberi tahu dan mendapat kebenaran daripada Kerajaan lebeh dahulu. Sebelum di-luluskan satu² permintaan itu hendak-lah di-kaji dengan teliti untuk menentukan sama ada perkahwinan itu akan menyentoh atau tidak atau bertentangan dengan kepentingan perkhidmatan dan kepentingan negara kita. Semenjak tertuboh-nya Perkhidmatan Luar Negeri negara kita ini ada 8 permintaan telah di-terima dan telah di-luluskan.

Tuan Haji Abu Bakar bin Hamzah: Soalan tambahan. Dapat-kah Yang Berhormat Timbalan Perdana Menteri mencheritakan satu atau dua nama Pegawai Diplomat kita yang berkahwin dengan orang luar negeri yang bukan warga negara dan daripada bangsa apa?

Tun Haji Abdul Razak: Tuan Yang di-Pertua, saya tak dapat hendak memberi nama itu.

BILANGAN ORANG YANG DI-TANGKAP BERSABIT DENGAN HASUTAN MENENTANG MALAYSIA

10. Tuan Haji Abu Bakar bin Hamzah bertanya kepada Menteri Hal Ehwal Dalam Negeri sejak Filipina memasokkan Sabah ka-dalam wilayah-nya, berapa ramai-kah orang yang di-tangkap bersabit dengan hasutan menentang Malaysia saperti berikut:

(a) bilangan warga negara yang di-tangkap; dan

(b) bilangan bukan warga negara yang di-tangkap.

Tun Haji Abdul Razak: Tuan Yang di-Pertua, semenjak 18hb. Mach .1968 lepas Presiden Marcos menandatangani satu Rang Undang² memasokkan Sabah menjadi sa-bahagian wilayah Philipina. Kerajaan Philipina telah berusaha dengan menjalankan beberapa propaganda² untok hendak menarek hati pendudok² keturunan Philipina yang berada di-Sabah. Akan tetapi sa-bahagian besar daripada pendudok² keturunan Philipina di-Sabah ada-lah ta'at kepada Malaysia dan telah menentukan yang mereka itu bersedia sa-hidup sa-mati dengan Malaysia. Walau pun bagitu ada sa-bahagian kecil yang di-dapat menjalankan gerakan² menentang Malaysia dan menentang Sabah, dan dengan sebab itu-lah langkah² telah di-ambil untok menche-gah perbuatan mereka itu dan sa-hingga hari ini dua orang daripada mereka itu telah di-tahan oleh sebab membuat perkara² yang di-katakan menentang keselamatan negara Malaysia.

Tuan Haji Abu Bakar bin Hamzah: Tuan Yang di-Pertua, sa-lain daripada keturunan Philipina yang di-tangkap, berapa orang² daripada Malaysia sendiri, warga negara Malaysia yang di-tangkap, terlibat dalam hal itu.

Tun Haji Abdul Razak: Ini soalan lain, tetapi sa-tahu saya tidak ada orang Malaysia yang di-tangkap.

Tuan Haji Abu Bakar bin Hamzah: Soalan tambahan. Ada-kah Kerajaan akan mengirim orang² yang bukan

warga negara yang di-tangkap itu keluar daripada Malaysia ini kerana mereka itu membuat angkara di-negeri ini.

Tun Haji Abdul Razak: Mereka telah menjadi warga negara Malaysia, sungguh pun berasal daripada Philipina, belum-lah ada keputusan bagaimana hendak di-buat kepada dua orang yang di-tangkap itu.

SISTEM EJAAN BAHARU MALAYSIA-INDONESIA

11. Tuan Haji Aziz bin Ishak (Muar Dalam) bertanya kepada Menteri Pelajaran sa-takat mana-kah usaha² yang telah berjalan berkenaan dengan sistem ejaan baharu Malaysia-Indonesia.

Menteri Muda Pelajaran (Tuan Lee Siok Yew): Tuan Yang di-Pertua, sistem ejaan baharu bahasa Melayu Indonesia telah di-terima oleh Jemaah Menteri Malaysia pada dasar-nya dan tindakan telah, sedang di-ambil untuk memberikan sistem ejaan baharu itu di-pelajari dan di-fahami oleh orang ramai di-Malaysia. Pihak Malaysia masih menunggu persetujuan dari Indonesia untuk melaksanakan sistem baharu itu.

Tuan Haji Aziz bin Ishak: Soalan tambahan. Ada-kah dengan ada-nya beberapa bantahan daripada beberapa golongan terpelajar dan lain² di-Indonesia, bagaimana yang di-beritakan dalam akhbar, akan menjadikan ke-gendalaan pada pelaksanaan perkara ini, atau pun apa-kah pandangan Kerajaan kita terhadap kejadian tersebut.

Tuan Lee Siok Yew: Tuan Yang di-Pertua, tidak menjadi halangan.

BLUE IDENTITY CARDS AS PROOF OF MALAYSIAN CITIZENSHIP

12. Tuan Ong Kee Hui [under S.O. 24 (2)] asks the Prime Minister if he is aware that Malaysian citizens who hold BLUE IDENTITY CARDS have been asked to provide further proof of citizenship, e.g., birth certificates, citizenship papers, etc., when they apply for Government jobs. Will the Prime Minister issue a directive to all Government Departments to accept

blue identity cards as proof of Malaysian Citizenship?

Tun Haji Abdul Razak (dengan izin): Sir, the identity card is only a document of identity and it is not a conclusive evidence of a person's citizenship status. However, persons who hold blue identity cards with the words "Warga Negara Persekutuan" or "Warga Negara Malaysia" chopped on the respective card are accepted as possessing *prima facie* evidence of citizenship status. Where there is a doubt in regard to the status of a person's citizenship, though he or she holds a blue identity card, he or she is requested to provide proof of citizenship by producing his or her birth certificate or citizenship certificate if he or she has such a certificate.

EMPLOYEES OF THE SPORTS POOLS (MALAYSIA) LTD

13. Dr Tan Chee Khoon (dengan izin) asks the Prime Minister who were the employees of the Sports Pools (Malaysia) Ltd. and what was the salary of each of them from the chairman downwards.

Tun Haji Abdul Razak (dengan izin): Sir, I would like first to make it clear that the Sports Pools (Malaysia) Sdn. Berhad was private limited company. Certain statutory information on such a company can be obtained from the Registrar of Companies after payment of the necessary fee.

The Company had 15 employees—all citizens of Malaysia. They comprised one office supervisor, one accountant, one field manager, 6 female clerks, one typist, 2 coupon distributors, two drivers and one office boy. The office supervisor was paid \$600 per month, the accountant \$500 the field manager \$350 and the rest from \$100 to \$250 per month.

The Chairman and the other board members had not been paid a single cent in view of the poor financial position of the company.

Dr Tan Chee Khoon: Mr Speaker, Sir, just now the Honourable Deputy Prime Minister stated that the Sports Pools (Malaysia) Ltd. was a private

limited company. He, of course, knows that the Government has made a substantial contribution towards this company, or is he going to tell us that this is financed solely by private persons, because in the supplementary budget passed in June, I believe, there was an item of \$100,000 for this project. Can he clarify the position?

Tun Haji Abdul Razak: The Government has a small share of \$100,000 in this company.

Dr Tan Chee Khoon: Is the Honourable Deputy Prime Minister aware that when this was mooted, a number of us on this side of the House had two very strong objections to such a project? Number one was that it encouraged more gambling. Already God alone knows, there is too much gambling in this country both for the benefit of the Muslims and of the non-Muslims. Number two, where we are concerned, the Government should not venture into such a risky project. Will the Honourable Deputy Prime Minister assure us that the Government will think more carefully before venturing into projects such as this?

Tun Haji Abdul Razak: When it was decided to form this company, some people in this country had already been gambling in the football pools. So, it was thought that it would be a good thing for the Government to obtain some revenue. As things were, the Government did not get any revenue at all from people who filled in those forms and sent them to England. Whatever it is, the company is now being wound up and the Government has made just over \$300,000 in revenue as a result of this venture.

RANG UNDANG² DI-BAWA KA-DALAM MESHUARAT

RANG UNDANG² TUGAS MENTERI

Rang Undang² suatu Act bagi membuat peruntukan untuk mengishtiharkan tugas² dan pemindahan tugas² Menteri, untuk menetapkan nama jawatan Menteri, dan bagi maksud² yang berkenaan dan berhubung dengan-nya di-bawa ka-dalam Meshuarat oleh Menteri

Kerajaan Tempatan dan Perumahan di-bachakan kali yang pertama; akan di-bachakan kali yang kedua pada persidangan akan datang dalam meshuarat kali ini.

THE PENSIONS (TEMPORARY PROVISIONS) (SARAWAK) BILL

Rang Undang² an Act to make temporary provision for the retirement from the Public Service of certain officers serving in Sarawak who are nominated as candidates for election to the Council Negeri of that State, or to the Federal Parliament and for matters incidental thereto di-bawa ka-dalam Meshuarat oleh Menteri Hal Ehwal Tanah dan Galian di-bachakan kali yang pertama; akan di-bachakan kali yang kedua pada persidangan akan datang dalam meshuarat kali ini.

RANG UNDANG² PENDAFTARAN PENJENAYAH DAN ORANG² YANG TAK DI-INGINI

Rang Undang² suatu Act bagi menyatukan dan meminda Undang² yang mengadakan peruntukan bagi pendaftaran penjenayah tertentu, orang² buangan negeri, orang² usiran, orang² nyahan negeri dan orang² sekatan dan bagi lain² maksud yang bersangkutan dengan-nya di-bawa ka-dalam Meshuarat oleh Menteri Pengangkutan di-bachakan kali yang pertama; akan di-bachakan kali yang kedua pada persidangan akan datang dalam meshuarat kali ini.

THE INCOME TAX (AMENDMENT) BILL

Rang Undang² an Act to amend the Income Tax Act, 1967 di-bawa ka-dalam Meshuarat oleh Setia-usaha Parlimen kepada Menteri Kewangan di-bachakan kali yang pertama; akan di-bachakan kali yang kedua pada persidangan akan datang dalam meshuarat kali ini.

THE SUPPLEMENTARY INCOME TAX (AMENDMENT) BILL

Rang Undang² an Act to amend the Supplementary Income Tax Act, 1967 di-bawa ka-dalam Meshuarat oleh Setia-usaha Parlimen kepada Menteri

Kewangan di-bachakan kali yang pertama; akan di-bachakan kali yang kedua pada persidangan akan datang dalam meshuarat kali ini.

THE INVESTMENT INCENTIVES (AMENDMENT) BILL

Rang Undang² an Act to amend the Investment Incentives Act, 1968 di-bawa ka-dalam Meshuarat oleh Setia-usaha Parlimen kepada Menteri Kewangan di-bachakan kali yang pertama; akan di-bachakan kali yang kedua pada persidangan akan datang dalam meshuarat kali ini.

THE STAMP (AMENDMENT) BILL

Rang Undang² an Act to amend the laws relating to Stamp Duty di-bawa ka-dalam Meshuarat oleh Setia-usaha Parlimen kepada Menteri Kewangan di-bachakan kali yang pertama; akan di-bachakan kali yang kedua pada persidangan akan datang dalam meshuarat kali ini.

RANG UNDANG² PENERBANGAN 'AWAM

Rang Undang² suatu Act bagi mengadakan peruntukan undang² yang lebih baik berkenaan dengan Penerbangan 'Awam dan bagi perkara² yang berhubungan dan yang berkaitan dengan-nya di-bawa ka-dalam Meshuarat oleh Menteri Pengangkutan di-bachakan kali yang pertama; akan di-bachakan kali yang kedua pada persidangan akan datang dalam meshuarat kali ini.

THE PORT AUTHORITIES (AMENDMENT) BILL

Rang Undang² an Act to amend the Port Authorities Act, 1963 di-bawa ka-dalam Meshuarat oleh Menteri Pengangkutan di-bachakan kali yang pertama; akan di-bachakan kali yang kedua pada persidangan akan datang dalam meshuarat kali ini.

RANG UNDANG² KESELAMATAN SOSIAL PEKERJA

Rang Undang² suatu Act bagi mengadakan peruntukan mengenai faedah² tertentu bagi pekerja² sa-kira-nya ilat

dan mendapat benchana kerja termasuk penyakit² khidmat-nya dan sa-terus-nya sa-kira-nya berlaku lain² kejadian luar jangka dan bagi membuat peruntukan mengenai beberapa perkara lain berkaitan dengan-nya di-bawa ka-dalam Meshuarat oleh Menteri Buroh di-bachakan kali yang pertama; akan di-bachakan kali yang kedua pada persidangan akan datang dalam meshuarat kali ini.

USUL²

UNDANG² KASTAM, 1967

Perintah Chukai Tokok (Impot) 1968

Setia-usaha Parlimen kepada Menteri Kewangan (Tuan Ali bin Haji Ahmad): Tuan Yang di-Pertua, saya mohon menchadangkan:

Bahawa Majlis ini mengambil ketetapan ia-itu menurut kuasa² yang di-berikan kapada-nya oleh sekshen-kecil (2) dalam seksyen 11, Undang² Kastam, 1967 Perintah Chukai Tokok (Impot), 1968, yang telah di-bentangkan di-hadapan Majlis ini sa-bagai Kertas Undang² No. 5 tahun 1969, di-sahkan.

Sa-bagai mana yang telah di-terangkan di-dalam Perintah Chukai Kastam (Penang) 1968, Perintah Chukai Tokok (Impot) 1968 telah juga di-semak semula supaya dapat di-selaraskan dengan chara yang baharu untuk memper-jeniskan barang². Tidak ada apa² perubahan, tambahan atau pembatalan telah di-lakukan kapada perintah ini.

Tuan Yang di-Pertua, saya mohon menchadangkan.

Setia-usaha Parlimen kepada Menteri Kesihatan (Tuan Ibrahim bin Abdul Rahman): Tuan Yang di-Pertua, saya mohon menyokong.

Tuan Haji Abu Bakar bin Hamzah: Tuan Yang di-Pertua, pada dasar-nya saya menyokong bagi di-adakan pindaan² ini, tetapi satu masaalah, Tuan Yang di-Pertua, ia-lah barang² makanan yang di-bawa masuk ka-dalam negeri ini sama ada daripada zat² ikan atau pun zat² haiwan atau pun yang bukan daripada haiwan sa-patut-nya, Tuan Yang di-Pertua, kita tidak-lah mustahak sangat mengadakan surtax kerana benda² ini bukan-lah barang² luxuries. Saya rasa pertukaran luar negeri dan dalam negeri berkenaan

dengan barang² makanan yang dikehendaki oleh jasmani manusia patutlah di-longgarkan sedikit, tidak-lah sama dengan barang² luxuries seperti barang² yang lain. Saya tidak tahu, Tuan Yang di-Pertua, ada-kah maksud ini oleh kerana di-negeri kita ini sudah chukup barang² yang sa-macam itu seperti telur, susu dan sa-bagai-nya. Apa yang saya tahu kita belum lagi self-sufficient. Jadi, patut-lah surtax ini kalau saya tidak silap faham dalam Rang Undang² ini di-longgarkan sedikit.

Tuan Ali bin Haji Ahmad: Tuan Yang di-Pertua, sa-bagaimana yang telah saya terangkan tadi bahawa perentah ini tidak-lah membawa sa-barang perubahan, tambahan atau pembatalan apa², dan oleh kerana itu apa yang di-sebutkan oleh Ahli Yang Berhormat itu tidak bersangkutan dengan perentah yang ada di-hadapan kita ini. Walau pun demikian, Tuan Yang di-Pertua, perkara itu boleh-lah di-timbulkan oleh Ahli Yang Berhormat dalam masa membahathkan ucapan Budget nanti.

Usul di-kemuka bagi di-putuskan, dan di-setujukan.

Di-putuskan,

Bahawa Majlis ini mengambil ketetapan ia-itu menurut kuasa² yang di-berikan kepada-nya oleh sekshen-kecil (2) dalam sekshen 11, Undang² Kastam, 1967, Perentah Chukai Tokok (Impot), 1968, yang telah di-bentangkan di-hadapan Majlis ini sa-bagai Kertas Undang² No. 5, tahun 1969, di-sahkan.

UNDANG² KASTAM, 1967

Perentah Chukai Kastam (Pulau Pinang) 1968

Tuan Ali bin Haji Ahmad: Tuan Yang di-Pertua, saya mohon menchadangkan:

Bahawa Majlis ini mengambil ketetapan ia-itu menurut kuasa² yang di-berikan kepada-nya oleh sekshen-kecil (2) dalam sekshen 147, Undang² Kastam, 1967, Perentah Chukai Kastam (Pulau Pinang), 1968, yang telah di-bentangkan di-hadapan Majlis ini sa-bagai Kertas Undang² No. 6 tahun 1969, di-sahkan.

Memandangkan kepada Perentah Chukai Kastam, 1968 yang bahru yang telah di-buat mengikut "Chara Susunan Tarif Brussels" (the Brussels Tariff Nomenclature) yang telah di-terbitkan

sa-bagai PU. 337/1-9-1968 ada-lah perlu supaya semua perentah kechil di-semak sa-mula dengan memberikan Nombor Kepala dan sa-terus-nya, seperti Perentah Chukai Kastam yang di-sebutkan tadi. Dengan ini dapat-lah chara memperjelaskan barang² di-selaraskan dengan chara susunan yang baru itu. Tidak ada apa² perubahan bahan dan juga tidak ada perkara² yang baharu yang telah dimasukkan ka-dalam Perentah ini.

Tuan Yang di-Pertua, saya mohon menchadangkan.

Tuan Ibrahim bin Abdul Rahman: Tuan Yang di-Pertua, saya mohon menyokong.

Tuan Geh Chong Keat (Penang Utara) (*dengan izin*): Mr Speaker, Sir, yesterday there was a similar Motion put to this House for the reclassification of the goods under the new system and it was very unfortunate that the Parliamentary Secretary should choose to say that what I mentioned yesterday was irrelevant. But then, Sir, today, I would like to point out this: that under the reclassification of these goods under the difference codes what I was trying to say was that the classification had been too generalised. There has been a generalisation of the description of the items or articles and the public have been quite confused and in the declarations for the importation of these articles the procedures are very laborious and the forms submitted are very voluminous under the present system utilised at the Penang end where the application forms have to be sent in a file, some as much as an inch thick. Therefore, Sir, I am putting to the Honourable Minister to consider devising a better system for the declaration purposes. I am sure, Sir, if we can re-introduce a new system of this re-classification of the goods, we could also request the Minister to introduce a simpler system where the volume of work and the volume of forms submitted could be minimised.

Sir, I am also appealing again that under the re-classification of the goods many of the items on which the duties had been paid on the raw products, or the non-dutiable products, should

be exempted from duty and accorded free movement into the mainland of Malaysia. Sir, I am sure the Honourable Minister of Finance would agree with me that we have never at any time in this House accepted the principle of double taxation, and I am sure we also have no intention of taxing on labour. Therefore, basing on these two facts, I would like to request the Honourable Minister of Finance to reconsider, because many of the items which fall within this generalisation of the classification of the dutiable goods fall within these articles which are used for the construction of houses, like window frames, door frames and the various other materials on which duties had already been paid on the raw materials, such as iron rods and mild steel bars, which also are being locally produced at the Prai Steel Mill. There are also many other items, Sir, like biscuits using local sugar, and, as I said, bean curd sticks also using materials which are non-dutiable. In the light of this explanation, I am sure the Honourable Minister of Finance will consider my suggestion.

Another point which needs explanation from the Honourable Parliamentary Secretary was my request for "Perkhidmatan Operasi". Because of this re-classification and the volume of forms and the confusion that has been caused to the ordinary people when submitting forms, it would be best, to dispel anger and tempers, that an advisory unit be put up at the place of import. For example, Penang is an entrepot trade centre where you set up a unit at the Penang office on the island, which is the centre, the hub of the trade and business in the northern region, where the junior officers could explain to the importers or persons bringing goods into the mainland which are dutiable or sometimes may not be dutiable. Where there are doubts they should be referred to the head office or a unit where an officer will explain the thing, because quite often at times we do come across difficult junior officers who take upon themselves to interpret the law as they see it and not according to how it should be interpreted. Terima kaseh.

Dr Tan Chee Khoo (Batu) (*dengan izin*): Mr Speaker, Sir, unlike the Member for Penang Utara, who has spoken with some heat, and justifiably so, I cannot claim to have any business experience or any business connections for that matter. My interest in this matter is derived from the fact that as a member of the Tariff Advisory Board, when we come to consider various classifications, I have thought a fair deal on this classification of goods by the Customs. Mr Speaker, Sir, I do agree that the classification of goods is at best a very onerous and difficult job. This is made worse by the fact that goods keep on multiplying. For instance, you manufacture a bucket and then you manufacture something akin to a bucket, perhaps of a different make, and then you find it very difficult to classify. But, nevertheless, Mr Speaker, Sir, from my experience sitting at some of the sittings of the Tariff Advisory Board, I find that very often when we come to consider whether a particular article should be given any protection or not, how we are going to classify these things so as to make things intelligible both to the manufacturer, to the importer, and to the Customs people, very often we find that the various Customs Regulations regarding these things are not that precise, as has been the complaint mainly by the Member for Penang Utara. I do not know whether an exercise has been carried out to re-classify all of them in the light of this Brussels Convention that the Parliamentary Secretary to the Ministry of Finance has spoken of. To the best of my knowledge, I do not think such a re-classification has been carried out. I do not agree that in such a big book it is again a very difficult task, but a beginning has to be made to—I won't say re-classify—redefine more precisely. I do not think that you can be very precise for the thousands of articles of goods that are manufactured in this country that are imported into this country and that will be exported from this country. But we can make the job of the businessman, the importer, a little easier, if we try to redefine with a little more precision

as what has been stated by the Member for Penang Utara, and I agree with him, Mr Speaker, Sir, also, when he talks about an inch-thick file. I agree with him that, judging from what little I saw at those Tariff Advisory Board meetings, the poor merchant has to keep on writing, writing, writing forms. Perhaps, he does not know what he is writing about, and perhaps at the other end they do not know what it is all about. That is the sad part of it, and they all go round in circles. And the poor merchant, to him time means money; the Customs officer, he is assured of his *gaji* but to the merchant, if his goods get stuck in the warehouse and cannot be cleared by the Customs because of a difference of opinion as to the classification, whether it should be taxed one dollar, ninety cents, or not taxed at all, if his goods are kept in the warehouse for too long, out of sheer frustration, out of the sheer economics of the thing, he will say, "All right, I will pay you the difference of ten cents, you take your cut and let my goods come out." Now, these difficulties that the Member for Penang Utara has mentioned are very real, and I do hope that the Parliamentary Secretary to the Minister of Finance will take it up with the relevant authorities concerned, first to redefine the classifications with greater precision, and I join with the Member for Penang Utara in his plea that the Customs officers should be a little more sympathetic and not try to lord it over all the merchants, not only in Penang but also elsewhere. Thank you.

Tuan Ali bin Haji Ahmad: Tuan Yang di-Pertua, kalau Ahli Yang Berhormat dari Penang Utara faham betul apa jawapan saya pada hari semalam, saya fikir pada pagi ini Ahli Yang Berhormat itu ta' payah ulang sa-mula apa yang di-chakapkan-nya dan ta' payah Ahli Yang Berhormat marah² pada pagi ini. Apa yang telah saya katakan semalam ia-lah walau pun apa yang di-chakapkan-nya itu tidak *relevant* dengan perkara yang ada di-hadapan pada ketika itu, tetapi perkara yang di-kemukakan-nya itu akan di-siasat dan akan di-ambil pertimbangan dan akan di-pertimbangkan

oleh Kerajaan. Jadi saya fikir, Tuan Yang di-Pertua, Ahli Yang Berhormat dari Penang Utara itu lebih *interested* berchakap daripada hendak mendengar apa jawapan Kerajaan. Sebab itu-lah Ahli Yang Berhormat mengulang lagi pada pagi ini. Tuan Yang di-Pertua, dengan demikian, saya tidak ada apa² hendak di-jawabkan lagi sebab saya telah jawab pada hari semalam.

Usul di-kemuka bagi di-putuskan dan di-setujukan.

Di-putuskan.

Bahawa Majlis ini mengambil ketetapan ia-itu menurut kuasa² yang di-berikan kapada-nya oleh sekshen-kecil (2) dalam sekshen 147, Undang² Kastam, 1967, Perintah Chukai Kastam (Pulau Pinang), 1968, yang telah di-bentangkan di-hadapan Majlis ini sa-bagai Kertas Undang² No. 6 tahun 1969, di-sahkan.

UNDANG² KASTAM (TARIF BERSAMA MALAYSIA), 1966

Perintah Kastam (Tarif Bersama Malaysia) (Pembatalan), 1968

Tuan Ali bin Haji Ahmad: Tuan Yang di-Pertua, saya mohon menchadangkan, bahawa Majlis ini mengambil ketetapan ia-itu menurut kuasa² yang di-berikan kapada-nya oleh sekshen-kecil (4) dalam sekshen 2, Undang² Kastam (Tarif Bersama Malaysia), 1966, Perintah Kastam (Pembatalan) (Tarif Bersama Malaysia), 1968, yang telah di-bentangkan di-hadapan Majlis ini sa-bagai Kertas Undang² No. 7 tahun 1969, di-sahkan.

Perintah ini membatalkan semua perentah² yang terkandung di-perenggan² Perintah Kastam (Pembatalan) (Tarif Bersama Malaysia) 1968, oleh kerana perkara yang terdapat di-dalam perentah² itu telah di-satukan dengan perentah² yang lain yang di-bentangkan di-Parlimen. Ini telah dapat di-buatkan oleh kerana ada-nya satu Act Kastam untuk seluroh Malaysia.

Tuan Yang di-Pertua, saya mohon menchadangkan.

Tuan Ibrahim bin Abdul Rahman: Saya mohon menyokong.

Usul di-kemuka bagi di-putuskan, dan di-setujukan.

D-putuskan,

Bahawa Majlis ini mengambil ketetapan ia-itu menurut kuasa² yang di-berikan kapada-nya oleh seksyen kechil (4) dalam seksyen² Undang² Kastam (Tarif Bersama Malaysia), 1966, Perintah Kastam (Pembatalan) (Tarif Bersama Malaysia), 1968, yang telah di-bentangkan di-hadapan Majlis ini sa-bagai Kertas Undang² No. 7 tahun 1969, di-sabkan.

RANG UNDANG²

THE ELECTION OFFENCES (AMENDMENT) BILL

Bacaan Kali Yang Kedua dan Ketiga

Menteri Muda Perdagangan dan Perusahaan (Tuan Abdul Taib bin Mahmud): Yang Berhormat Tuan Speaker, saya mohon mengemukakan Rang Undang² yang bernama the Election Offences (Amendment) Bill, 1969 di-bacha kali yang kedua.

Dari pengalaman yang telah di-dapati dalam pilehanraya² dan pilehanraya² kechil yang telah di-jalankan di-negeri ini, ada-lah di-dapati perlu meminda sedikit peruntokan² dalam Election Offences Ordinance, 1954 dengan tujuan memperbaiki lagi undang² tersebut. Dengan lulus-nya undang² ini, peruntokan² dalam pindaan² itu boleh-lah di-gunakan dalam Pilehanraya Umum yang akan di-adakan pada tahun ini dan juga dalam pilehanraya² yang akan datang.

Tuan Yang di-Pertua, saya suka menerangkan kepada Ahli² Yang Berhormat bahawa Election Offences Ordinance, 1954 telah pun di-luaskan ka-negeri Sabah dan Sarawak mengikut perintah yang telah di-buat di-bawah Seksyen 74, Malaysia Act No. 26, 1963.

Apabila ordinance ini telah di-lanjutkan, sedikit pindaan telah di-buat sa-bagaimana yang ternyata dalam Clause 4 dan 8 Rang Undang² ini, tetapi peruntokan² yang telah di-luaskan kapada Sabah dan Sarawak itu tidak berkuat-kuasa di-Negeri² Tanah Melayu ini.

Clause 4 dan 8 dalam Rang Undang² ini ada-lah dengan tujuan untuk membuat peruntokan yang sama dalam undang² yang akan berkuat-kuasa di-Negeri² Tanah Melayu.

Sa-lain daripada Clause 4 dan 8, clause² yang lain dalam Rang Undang² ini akan berkuat-kuasa di-seluruh Malaysia.

Clause 2 dalam Rang Undang² ini yang memberi peruntokan meminda Seksyen 5 (2) Ordinance itu akan membenarkan Pegawai Pengurus atau pun Presiding Officer dalam tempat mengundi atau polling station memberitahu bukan sahaja chalun atau wakil, tetapi juga kapada pegawai polis yang bertugas di-tempat membuang undi itu tentang jumlah pengundi² yang telah membuang undi di-tempat itu pada bila² masa sa-belum tempat pengundian itu di-tutup. Penerangan yang saperti ini ada-lah sangat perlu kapada polis yang menjaga keamanan dan ketenteraman di-tempat² mengundi.

Di-bawah undang² yang ada sekarang ia-itu dalam Seksyen 11 Ordinance itu, tiap² orang yang "commits the offence of personation or aids, abets, counsels or produces the commission of the offence of personation; or (b) commits the offence of treating undue influence or bribery, shall be guilty of a corrupt practice".

Berkenaan kesalahan (a) di-atas tadi, jika di-dapati salah, ia boleh di-hukum penjara sa-lama 12 bulan dan di-denda tidak kurang daripada \$250 dan tidak lebeh daripada \$1,000; dan berkenaan dengan kesalahan di-bawah (b) di-atas tadi, jika ia di-dapati salah, ia boleh di-hukum penjara sa-lama 6 bulan dan di-denda sa-banyak \$500.

Clause 3 Rang Undang² ini membuat peruntokan supaya di-tinggikan denda kesalahan yang tersebut di-perenggan (b) kapada 12 bulan penjara dan hukum denda tidak kurang daripada \$250.00 dan tidak lebeh daripada \$1,000.00, dengan ini denda bagi kedua kesalahan ini akan di-samakan.

Clause 5 Rang Undang² ini akan memansokhkan section 18 Ordinance itu ia-itu peruntokan berhubung dengan perbelanjaan persendirian dan perbelanjaan kechil bagi sa-orang chalun dan juga menghadkan banyaknya yang boleh di-belanjakan untuk maksud ini. Sunggoh pun mengikut

section 18(1) Ordinance itu sa-orang chalun tidak boleh membelanjakan lebih daripada \$1,000.00 untuk perbelanjaan persendirian, undang² tidak melarang wakil²-nya daripada membayar perbelanjaan persendirian yang di-buat oleh-nya. Sa-benar-nya perbelanjaan yang saperti itu boleh berlipat kali ganda daripada jumlah perbelanjaan yang di-hadkan ia-itu \$1,000.00.

Mengikut section 8(3) yang sekarang ini perbelanjaan persendirian sa-saorang itu termasuklah perbelanjaan² yang menasabah atau reasonable bagi perjalanan dan duduk di-hotel², atau di-mana² bagi menjalankan pilihan raya itu. Perkataan menasabah atau reasonableness ia-lah sangat susah hendak di-tafsirkan. Perbelanjaan \$100.00 semalam di-hotel atau menggunakan chara pengangkutan yang mahal untuk menjalankan kempen pilihan raya boleh di-anggap menasabah kepada sa-orang chalun yang mampu berbelanja sa-demikian.

Peruntukan berhubung dengan perbelanjaan persendirian ini tidak lagi sesuai dan patut-lah di-mansokhkan. Dengan pemansokhan section 18 ini peruntukan² lain yang berkaitan dengan perbelanjaan persendirian terpaksa juga di-mansokhkan ia-itu proviso (a) kepada section 19 (1) dan perenggan (a) dan perenggan (b) kepada sub-section (1) kepada section 23. Satu Form B yang baharu dalam Schedule yang pertama kepada Ordinance telah di-adakan dan form tidak mengadakan apa² rujukan kepada perbelanjaan persendirian (*Lihat* clause 10 (c) Rang Undang²).

Clause 6 Rang Undang² itu mengadakan peruntukan meninggikan had perbelanjaan pilihan raya atau pun election expenses yang di-tanggung oleh sa-orang chalun dalam pilihan raya atau oleh wakil²-nya. Perbelanjaan pilihan raya-nya termasuk perkara yang tersebut dalam Form B yang baharu yang di-sebutkan di-atas tadi. Sunggoh pun peruntukan² berkaitan dengan pembayaran perbelanjaan² kecil dan yang berkaitan dengan pembayaran (c) oleh sa-orang chalun kepada wakil-nya dan telah

di-mansokhkan oleh Rang Undang² ini, perbelanjaan yang tersebut itu akan maseh lagi di-masokkan sa-bagai perbelanjaan pilihan raya 'am-nya. Oleh yang demikian memandangkan kepada ini dan juga bantuan² yang akan di-beri kepada chalun² dalam pilihan raya ada-lah di-fikirkan munasabah meminda section 19 (1) dengan mengadakan sa-banyak dua kali had perbelanjaan bagi pilihan raya sa-bagai yang tersebut dalam clause 6 (1) dan 2 dalam Rang Undang² ini.

Section 26 (c) Ordinance yang ada sekarang ini membenarkan sa-saorang chalun membuka tidak lebih daripada 4 booth bagi tiap² satu tempat mengundi untuk membantu pengundi² menentukan nombor² pengundi mereka dalam daftar pengundi. Tiap² booth boleh di-kawal oleh tidak lebih daripada 4 orang ia-itu pembantu² chalun itu. Mengikut pengalaman ada-lah sukar kepada polis yang menjaga keamanan dan ketenteraman di-tempat² mengundi untuk menentukan siapa dia pengundi dan siapa dia pembantu chalun itu di-tempat booth itu. Ada-lah di-fikirkan bahawa satu chara menanda pembantu² chalun² ini sa-bagai yang di-arahkan oleh Pegawai Pengurus atau pun Returning Officer ada-lah perlu dan ini ada-lah di-peruntukkan dalam clause 9 (1) Rang Undang² ini.

Clause 9 (2) Rang Undang² itu mengadakan 3 sub-section baharu kepada section 26 (a) Ordinance itu untuk menchegeh pengundi² daripada turun daripada kenderaan mereka itu sa-jauh jarak 50 ela daripada booth chalun². Sub-section yang lain itu menchegeh orang² daripada berjalan² dalam jarak 20 ela daripada booth chalun² melainkan mereka itu ada-lah pengundi yang sa-benar-nya yang hendak menyeniak nombor pengundi mereka di-dalam booth itu.

Satu lagi sub-section itu ia-lah berhubung dengan tanda ka-atas pelanggar² sub-section atas tadi.

Clause 10 Rang Undang² membuat peruntukan bagi memperbaiki borang² A C D dan E dalam Schedule yang

pertama kepada Ordinance itu. Sebagai yang telah di-terangkan Borang B ada-lah borang yang baharu telah di-buat sa-mula sa-lepas section 18 Ordinance itu di-mansokhkan.

Tuan Yang di-Pertua, saya mohon menchadangkan.

Tuan Ali bin Haji Ahmad: Tuan Yang di-Pertua, saya mohon menyokong.

Dr Tan Chee Khoon (Batu) (*dengan izin*): Mr Speaker, Sir, I am glad that the Government has brought in some of these amendments in order to see that the General Elections this year can be carried out with greater orderliness and with greater fairness to all concerned. I am also glad that the Honourable Assistant Minister has taken the trouble to explain a few of these things.

Sir, I wish to draw his attention to Clause 6 of the Amendment. Clause 6 of the Amendment seeks to increase the expenses that a candidate or his agents can incur. Mr Speaker, Sir, we all know that where this Clause is concerned and where these sums that are stated are concerned, it is a farce. We know that in a small constituency, let us say, in Sabah, people do not spend \$20,000—it is chicken feed to them. They spend a quarter of a million dollars down there, and the Honourable Assistant Minister knows that and he talks with his tongue in his cheek when he mouths out those figures of \$20,000, \$5,000 and all that. They do not think in terms of \$5,000 or \$10,000; they think in terms of hundreds of thousands. If the Government is sincere in all these things, let them start by investigating the election expenditure of all the Alliance candidates in the recent Sabah elections. Coming nearer home, Mr Speaker, Sir, I would say that if, again, the Government is sincere in all these figures that they have mentioned, let them start by investigating the expenses of all the three candidates in the recent by-election, not just of Alliance, or of the D.A.P. but also of the Gerakan candidate, and then they can find out whether this is more observed in the breach. All that I am trying to say is,

if necessary, put the Anti-Corruption Agency on the trail of all those persons who have spent fortunes in getting elected; and of course when you spent a fortune in getting elected you try to recoup that fortune within the next five years. Unfortunately, in this instance, he has not got the time to recoup it because there isn't five years for him; he has probably got only five months and he of course cannot recoup the fortune, whether it is his own fortune or the party's own fortune. But we all know that the sum spent is far in excess of what is stated in this amendment.

Clause 2, Mr Speaker, Sir, now empowers the Presiding Officer of a polling station to divulge to the Police officer on duty the total number of voters who have voted. I would like to bring to the attention of the Honourable Assistant Minister that apart from knowing the number of people who have gone in and who have actually voted, he should see to it that the Police officer sees that no unauthorised persons are within the precincts of the polling station or anywhere near the polling booths that Clause 9 (2)—“(5) and (6)” —seeks to prevent. Now, from observations at the recent Serdang by-election, I noticed that the whole place was swarming with Alliance workers—all over the place. If you walked two steps you knocked into an Alliance worker. Now, the law here is very clear: they must not get their voters to within fifty yards of any candidate's booth, that no person can wait or loiter within twenty yards of a candidate's booth, except for the purposes of checking his electoral number in that booth. I would hope that the Honourable Assistant Minister will bring it to the attention of the Election Commission, in particular, that they should see to it that only authorised persons should be at these polling booths. If I heard the Honourable Assistant Minister correctly, he said that at any particular time there should not be more than four persons in a particular polling booth, and no more. As I pointed out, not only were they in the Alliance polling booths, but they were swarming all

over the place, and I regret to say that the Police did not take any action to prevent such an occurrence, except in one instance. I saw a policeman, and I am glad to say that he was very courageous, in the presence of an Assistant Minister driving off all the Alliance people who were loitering about in all the places. That was in only one place; in all other places I regret to see that the Police took no action whatsoever to see that no unauthorised persons were in the booths of other people. I take it that these four persons are not to remain permanently there during the whole day. I believe the intention of the law is that they can be changed at any particular time, but at any particular instance there should only be four persons in that polling booth, and there I entirely agree with him.

Mr Speaker, Sir, Clause 3 seeks to treating undue influence and bribery to twelve months imprisonment and a fine of not less than \$250 and not more than \$1,000. Again, the law is very clear on this, but with the elections about five months, or may be four months, or may be six months away, one hears stories of Alliance candidates going round saying, "I will give you \$5,000. Your job is to look after this block of houses." He goes to another place and says, "I know you are the *ketua* here. You will get \$3,000 if you look after this area." Now, that makes a mockery of all these things that are written down here, and I do hope again that the Assistant Minister will bring it to the attention of the Election Commission that they should pay greater attention to such people spending large sums of money in trying to buy "block votes" all over the place.

The other thing on which I would like to seek a clarification from the Assistant Minister is regarding Clause 5, which seeks to repeal Section 18 of the Ordinance; the repeal does away with the provision and restriction relating to personal expenses of candidate. I remember the Honourable Assistant Minister talked about "Perbelanjaan Sendirian"—Personal Expenditure. I merely seek a clarification because

under this I can declare, "I have spent personally on myself \$15,000", and that will defeat the purpose of all these amendments. I can say, "I have spent \$15,000"—and under the amendment I need not declare anything. So I would be very grateful if the Honourable Assistant Minister will explain what is meant by "Personal Expenses".

The other thing, Mr Speaker, Sir, that I wish to bring to the attention of the Honourable Assistant Minister is regarding the preparations for the General Elections. I do know that with the increase in the electorate, the increase in the polling stations, polling booths, and the like, the job is an enormous one. There is also the question of training of personnel. Regretfully, although I think I saw in a Press report that the Election Commission stated "Semua Bersedia" or "Everything is ready", one could see from the recent by-election in Serdang that it is "Semua bukan bersedia", or "Not everything is ready". Offhand I can think of so many things. The question of the selection of a polling station, for example, the Election Commission should see to it that in selecting a particular school or a dewan masharakat for that purpose, there should be an easy flow of traffic; in other words, you do not fix a polling station at the end of a *cul-de sac*, because if you fix a polling station at the end of a *cul-de sac* there is no turnabout for the voters. But that was what exactly the Election Office in Selangor did. They fixed the polling station in Serdang Bahru, the biggest component of Serdang, with 5,000—over votes out of 24,000 votes in the *Sekolah Menengah Inggeris* there at the end of a *cul-de sac*, and there was no provision for a turnabout of traffic and there was undoubtedly a great deal of near accidents and plenty of *susah hati*, because you cannot go in and you cannot go out. Now, I do hope that the Honourable Assistant Minister will bring this to the attention of the Election Commission, that one of the prime considerations of whether a particular place should be chosen as

a polling station should be that there should be an easy one-way traffic, traffic preferably should come in one direction and go out in another direction, so that there will not be any congestion in that particular polling station.

The other thing, Mr Speaker, Sir, that I wish to bring to the attention of the Honourable Assistant Minister is that the provisional rolls are out now for inspection. I myself have seen one particular name that was brought to my attention. In 1967 there was a person whose name appeared on the roll; his identity card number, his name and his address were given in the 1967 roll. But in the 1968 roll, the provisional roll that we now see, unfortunately although he is the same person, although the identity card number is there, although he still stays in the same place, his name has been changed. Now, if he has not brought it to my attention, what is going to happen? When he goes to the polling booth to vote, the Presiding Officer or the Officer in charge of that particular station says, "Well, no, this is very *susah*, your identity card name is here, your address is here, it is okay, but your name is different, I cannot give you the vote". That is no fault of the voter, he has resided there, he had not done anything, but for some curious reason, maybe the computer was wrong, his name was changed completely, and therefore I would say that this is where the commonsense of the Presiding Officer, or the training of all the various officers concerned is of extreme importance. This is a case that has been brought to my attention and we will rectify the mistake. But think of the thousands of people who may not know. In the Segamat Utara election it was alleged that thousands of voters disappeared from the electoral roll just like that.

Now, I do hope that the Honourable Assistant Minister will bring it to the attention of the Election Commission that they should hold training sessions for their election officials immediately and tell them to implement the law with sense. In the case that I have

just pointed out, if a person's identity card number is there and if a person's address is there, although his name may be different, the sensible thing would be to give him the ballot paper and ask him to swear that should there be any impersonation, then he would have to bear the consequences of such an act, but he should not be denied the vote because he has not committed any mistake. Likewise, Mr Speaker, Sir, I wish to bring to the attention of the Honourable Assistant Minister, that very often in the elections one find that there are these slight discrepancies here and there, the identity card number is off by one number, instead of 5 you write 4, for example. It may not be the fault of either the voter or of the Registering Officer, it may well be the fault of the computer that has processed all these things, and in such an instance, the proper thing would be, where other things are all correct, and there is just one number that is out, the proper thing should be to allow the voter to vote. Or in the case of Chinese names, for example, we all know that this question of nick-names is so very, very common amongst Chinese. You are called Tan Ah Kow when in fact your name may be Tan Chee Khoon. Now you see how difficult it is, your identity card may be the same, your residence may be the same, but you are Ah Kow and the book says you are Tan Chee Khoon, or may be it is not Tan Chee Khoon, Tan Ah Kow or Tan Ah Seng, for example. The way the Malay Corporal writes the name on the birth certificate and it is transferred on to the identity card, it may be entirely different from what the mother or the father originally intended to be the name of their child. Therefore, I would say that the Honourable Assistant Minister should bring it to the attention of the Election Commission and through them to all the officials connected with the election machinery that will conduct the General Elections later this year, that they should use their commonsense, and not deny a person his vote merely because there are little discrepancies here and there. The law is very clear. If one's name appears on the electoral roll, it is

prima facie evidence that he has the right to vote and he should not be denied the vote. Unfortunately, in 1964, I do know that many people have been denied the right to vote although their names appeared there.

The other thing of course is the names that have been deleted from the electoral rolls. The registration by the officials of the Election Commission during the 6 weeks from 1st September to 12th October is a farce. Most of them go to one or two houses, write two or three names, spend all the time in coffee shops and then collect the \$4 or \$5 that they get from the Election Commission. Worse still, they go to a house, they find Ah Chong is not at home. Ah Chong, of course, is not at home, he is away at work. Ah! Ah Chong has removed, strike his name off. Now this does not make sense. So, I would say that the Election Commission should be a little more careful in these matters, that they should implement the law with a little more commonsense and if there is any doubt, give the benefit of the doubt to the voter, with the necessary precautions if they want, by making them sign a declaration that should there be any impersonation, they should bear the consequences of the law.

Mr Speaker, Sir, undoubtedly there are many more things that the Election Commission should do. I have pointed out some of these. I gather that the Police have put out a statement that all leave has been cancelled, that they are making preparations. But I do know that all the officials concerned, be they the Returning Officer, the Assistant Returning Officer, the Presiding Officer, those in charge of the polling streams, the Police officials and others, all of them need to be trained, and as far as I can see, no training courses have been held for all these officers. One must not assume that they all know their work. That is not so from my practical experience during the last three elections—1955, 1959 and 1964. I find that the training of all these officers have been woefully poor, and the time is running out, so that I do hope that the Assistant Minister will bring it to the attention of the Election Commis-

sion that they should start training courses, to see to it that the officials should be conversant with all these things.

I shall give yet another example. By now I would have hoped that all the polling stations in all the constituencies should be ready so that if I walk to any Election Office in any State and I say, "Look here, now you have the provisional register out, you already have passed it now as the final register for the elections, can you let me have a list of all of your polling stations with the requisite streams and the like", I should get it, but I regret to say that they have not got the foggiest idea. In some instances that I have known, they do not know even where this place is in Batu or in Bangsar, they do not know, and they are supposed to implement the law. So, I would make a plea to the Honourable Assistant Minister that he should convey to the Election Commission that the preparations should be started straightway, that the political parties should not have to wait till the very last day, the very last day to be given a list of the polling stations. This makes a mockery of a fair election. How can it be fair when we do not know even where the polling stations are, where the various polling streams are?

The other thing that I have found from the Serdang by-election is that there have been lots of complaints from old people; no doubt they stay in the same village, but they say, "We have come for a mile or so, now do you want us to climb up the stairs?" Now, this is very hard on a person who is about 50, 60 or 70, and we presumably want them all to vote as well. I do not see any reason why these elderly people should be asked to climb upstairs when there are lots of vacant rooms downstairs.

There are things, Mr Speaker, Sir, that I have spoken out of practical experience and not working things out in air-conditioned rooms, and I do hope that the Assistant Minister will bring all these things to the attention of the Election Commission. Thank you.

Tuan D. R. Secanivasagam (Ipoh) *dengan izin*: Mr Speaker, Sir, it is with regret that although Government has introduced this Bill, they did not think it fit at least to have some sort of consultation with other political parties when they decided that amendments to the Act were necessary, because there are, as the Honourable Member from Batu has said, several points which are of common interest and detrimental to all political parties at elections in the past. Those provisions to remedy the situation could have well been included in this Bill, if they had been thought of. However, since that has not been done, there is no purpose in my labouring the point which has just been made by the Honourable Member for Batu. However, there are a few peculiar factors in this Bill itself on which I would like to comment and ask for explanations.

Sir, Clause 2, for example is now extending the right or the duty, in fact, to give information as to what happens inside a polling station to a police officer authorised to attend or on duty at a polling station. Now, one of the greatest principles of free election is secrecy of what happens inside a polling booth and, therefore, until this amendment gets through, only a person who has taken an oath of secrecy, that is the candidate, his polling agent, and the officers inside the polling booth, will know by law how many have voted at any time they want to know, because they are under an oath of secrecy not to divulge any information which they get inside the polling station at any time, even after the poll is closed. Now, this amendment says that the officer can divulge information to a police officer authorised to attend or on duty at a polling station, which means that any police officer on duty at a polling station, which means outside a polling station, because there is no police officer on duty inside a polling station and there should never be.

This amendment does not say that he must take an oath of secrecy. What is going to happen, if that police officer, if I may use the words, is a dirty chap

inclined to one political party? He goes in and asks: "How many voted?" Two thousand. He comes out and tells me that 2,000 have voted, then I know there are another 2,000 left. I take my car to try and bring them to the poll.

Surely, if you are going to amend it, to allow people outside a polling station, because no officer is ever on duty inside a polling station and will never be allowed, are you not going to say in the amendment that he must comply with the oath of secrecy? Where then is the protection to a candidate or polling agent? Why should we take oaths of secrecy, if a police officer can just go in and say, "Give me the information", and he is not bound by any oath of secrecy, because police officers on duty do not take oaths of secrecy, they do not attend inside the polling station? I hope the Honourable Assistant Minister will explain whether they will take oaths of secrecy, if so, why are they not in the lot, or is it the intention that they should not take oaths of secrecy?

Now, in the second case, wherever there is an amendment to a law, there must be a reason. Can the Honourable Assistant Minister tell us what is the reason why a police officer should know how many have voted? I would like to know why a police officer during a poll should want to know how many have voted. If it is for purposes of security, for checking purposes, then the presiding officer can give that information to the Chief Police Officer in charge of the area, of the constituency, by telephone or by other means. Why should you give an open invitation to police officers? I hope the Government has a good reason for that. Otherwise, it will certainly cast very serious doubts as to what is the true intention of this amendment. Here you are allowing a person or persons, obviously on the face of it without oaths of secrecy, to receive information from inside a polling booth which is contrary to all known processes of democratic election. Now, I am not saying that there is a sinister motive, but I would like to know what is the intention. Why is it in this manner?

The next one is this. The amendment in Clause 9 (1) says this "... is hereby amended by inserting immediately after the word "persons" appearing at the end of paragraph (a) thereof the words "wearing such identifications as may be directed by the proper officer". As the Member for Batu has said, at the polling station or a polling booth, there are four persons allowed by law now. This amendment says that those four persons must wear identification marks or identification tags, and the right to choose what tag a political party must use is given to the proper officer, which obviously means either the Supervisor of Elections in the State, or the Presiding Officer or Returning Officer. Now, there is going to be a considerable amount of conflict. Why don't we prescribe what is the identification? Why don't we say a badge with the words, "Issued by Election Commission", or whatever name you want? Why leave it to the individual to make different choices? He may assign one identification to the Alliance, one to the Gerakan, one to the D.A.P., one to the P.P.P. What is the intention? You are giving him an open ticket, or would it not be better to say, "Workers of a party shall wear an identification bearing the symbol with the signature of a responsible officer of the party"? Who will be responsible to see that not more than few who are in a booth at one time? Why should we place this additional burden on the already over-worked officer to direct what kind of identification the man shall wear or the party shall use? May we have an explanation as to why a more simple process has not been suggested?

Now, the amendment in Clause 9 (2) (5) says:

"No person shall cause any voter to alight from any vehicle within fifty yards of any candidate's booth."

"Provided that this sub-section shall not apply to a vehicle carrying any member or officer of the Election Commission, a Police Officer, a candidate, or his agents."

Now, so far as it relates to a candidate or his agent, it is all right, but what would happen if a member of the Election Commission carries two Ministers in his car? Is he allowed to

go and park his car within the 50 yards for the two Ministers to alight, to have a look around, show their faces? I do not say deliberately but perhaps in the hope that they will influence votes by the fact that they are Ministers. What will happen if a Police Officer takes with him a Minister in his car and goes to a polling booth? Is he allowed to alight within 20 yards? What happens if a Police Officer takes a member of the P.P.P. in his car and the member of the P.P.P. alights? Is he allowed to alight, just because it is a car in which an Election Commission or Police officer is travelling? Should it not, if it wants to say so, say that it shall be exclusively used by members of the Election Commission, Police Force, where there will be no doubt whatsoever, where there will be no room for abuse of this section, because I have known of instances where I myself, have had to report Ministers trying to enter polling stations and polling officers have rightly told them that they cannot enter a polling station. I ask the Assistant Minister to explain to me how he will prevent an abuse of this amendment to the Act. Now, whilst I do not say that it will be abused, I say that we must make provision to see that there is no abuse of powers of this nature.

Mr Speaker, Sir, elections are fast coming, and the Election Commission has declared that it is calling for an all-party conference to discuss the code of conduct. Now, some of us who have been in this game of politics for many, many years know that this gentleman's agreement is, in fact, no gentleman's agreement at all, and it is a mere scrap of paper. But, at this meeting, many useful things can be discussed and many useful observations can be made, and I ask this Government, if necessary, either by regulations under the Elections Offences Ordinance or otherwise, to make regulations, so that the conduct of the elections in 1969 can be conducted on true democratic principles, so that the people of this country can have, a rule for another five years of a Government elected truly by the people in accordance with all known democratic principles.

Now, I hope that the comments that I have made are answered by the Honourable Assistant Minister who moved this Bill.

Tuan Ahmad bin Arshad (Muar Utara): Tuan Yang di-Pertua, saya ingin menyokong pindaan Rang Undang² yang di-kemukakan oleh Yang Berhormat Menteri Muda yang berkenaan tadi, dan pindaan ini memang sesuai sangat-lah dalam sa'at yang kita tidak berapa lama lagi akan menghadapi pilihan raya kebangsaan. Sementara itu gemar saya menarek perhatian sa-chara rengkas, ia-itu minta perhatian Kerajaan dan pehak yang berkenaan supaya mengambil tindakan pada suatu parti atau persorangan yang menyekat, menegah orang ramai hendak keluar mengundi. Mereka yang hendak keluar mengundi ini, Tuan Yang di-Pertua, hendak menggunakan kebebasan mereka bersuara, hendak memilih wakil² mereka bagi menghormati Perlembagaan negara ini. Kejadian ini berlaku dalam Pilihan raya kecil sama ada di-Segamat Utara, di-Bukit Serampang, dan juga di-Serdang baharu² ini. Bukan sa-takat itu sahaja, Tuan Yang di-Pertua, mereka yang keluar mengundi ini degil keluar juga mengundi sa-telah di-ugut, tetapi tindakan timbal balas yang kumpulan ini datang kepada keluarga mereka, pada harta mereka di-ugut dan diancam. Jadi, kejadian yang samacham ini patut sangat-lah di-berikan perhatian.

Sa-lain daripada itu, parti² ini juga berani mengeluarkan risalah menyeru orang ramai jangan keluar mengundi dalam pilihan raya ini dengan mengeluarkan tuduhan² yang kesat kepada Kerajaan yang ada sekarang.

Ini sahaja-lah pandangan yang dapat saya berikan di-samping saya menyokong pindaan Rang Undang² yang ada di-hadapan kita ini.

Tuan Abdul Taib bin Mahmud: Tuan Yang di-Pertua, izinkan-lah saya menjawab satu dua daripada pertanyaan daripada Ahli² Yang Berhormat di-sabelah sana. Memang benar pindaan Rang Undang² ini tidak dibuat sa-sudah ada perundingan dengan semua parti, tetapi kalau Ahli Yang

Berhormat dapat memandang apa tujuan Rang Undang² ini dan tujuannya ini tidak besar akibat-nya, maka nampak-lah tidak ada sebab yang besar maka di-adakan perundingan dengan semua parti. Pindaan ini hanya menukar banyak-nya duit dapat dibelanja dan memberi satu tanda kepada chalun dan wakil-nya dan mengizinkan Polis masuk di-tempat mengundi dan mengambil penerangan. Ini perkara bukan perkara besar seperti yang di-kehendaki untuk dirundingkan dengan panjang lebar dengan semua parti.

(Dengan izin) It is not true that the Police Officer is not bound by secrecy and, I think, if any Police Officer is to seek for information in any particular polling station, I would say it will be in the line of duty and it is the normal practice, and in fact it is within the discipline of the Police Force, not to divulge any information they gather during the course of performing their duty. I do not think there will be any improper divulging of information to any particular party, or even to any neutral member of the public by the Police following from the allowance of taking information, or getting information, as provided for in the law. Generally speaking, I would say our Police Officers, particularly among all Government Officers are very neutral in their stand or attitude towards political parties. I do not know about this part of Malaysia where I am not very well acquainted, but I know that in Sarawak they are very, very neutral.

Tuan D. R. Seenivasagam: Mr Speaker, Sir, on a point of clarification. Do I understand that the Honourable Assistant Minister is making a most shocking statement that he concedes that any Police Officer without the special oath of secrecy will be given the information? That is what I understand from the reply. He says Police Officers generally behave well. Do I understand then that they won't take any oath of secrecy but in relation to the election? It is, I think, a fantastic statement to make.

Tuan Abdul Taib bin Mahmud: Sir, they will take any special oath of

secrecy whenever they are to go there, but I know no information will be divulged unless in the line of duty.

Tuan D. R. Seenivasagam: Mr Speaker, Sir, I think the Honourable Assistant Minister should know what he is talking about. For election purposes there is a special oath of secrecy. I am asking whether a Police Officer will have to take that special oath of secrecy.

Tuan Abdul Taib bin Mahmud: They will. The moment they enter into the election station they will be asked to take a special oath of secrecy. . . .

Tuan D. R. Seenivasagam: Again, may I clarify. Sir, the Honourable Assistant Minister is wrong. You don't take an oath each time you go there. You take it long before you go there. You take only one oath for the whole election.

Tuan Abdul Taib bin Mahmud: I do not know when it will be administered, but it is the general rule that anybody who is going to be authorised to enter a polling station will have to take an oath, and I think as far as the worry of the Honourable Member goes, secrecy will be sufficiently protected. Another suggestion by the Honourable Member is that a Minister, or someone from P.P.P., may come and hitch a ride with a member of the Commission and may be allowed to alight within less than fifty yards of a polling station. I would think that no member of the Commission would ever take a Minister or a member of a political party to a polling station.

Dr Tan Chee Khoo: Mr Speaker, Sir, on a point of clarification: perhaps the Honourable Assistant Minister himself has admitted that he is not familiar with the conditions here. Perhaps, there they observe Queensbury rules. Here is a very rough all-in-wrestling with no holds barred. I want to bring to the attention of the Honourable Assistant Minister that in a particular election I saw the big car of a Minister going not only to a polling station but entering the polling

station and then coming out and driving away, and I happened to be the Election Agent of that particular candidate. I went in and asked the Presiding Officer "Apa macham?" What *locus standi* has that Minister? what right has the Minister to come into this polling station? I have a right to go and ask as an Election Agent. "He has no *locus standi* and you ask him to buzz off." Now, there are the conditions here, Mr Speaker. Sir, for the information of the Assistant Minister.

Tuan Abdul Taib bin Mahmud: But anyway the implication that a member of the Commission taking a Minister or a member of a party to a polling station asking for the facts. (*Interruption*) I do not think they will behave in any way to give an indication that they favour any party or any particular party.

Tuan D. R. Seenivasagam (Ipoh): I give up, Sir, I give up.

Tuan Abdul Taib bin Mahmud: As to the fear that anybody can come in by using the provisions or by getting a hitch ride and alight within less than 50 yards, I do not think that man can ever cause much trouble, because there is another provision which prohibits people coming nearer than 20 yards. So, as far as the protection of the orderliness of the election, I think it is sufficiently covered. A lot of the work of supervision may have to be entrusted to the sense of decency of quite a lot of people, who are not involved in the election or standing for election.

As to the form of identification required for the people authorised to come in, that is the candidates' agents, this matter will be discussed at the Political Liaison Meeting which will be held very very soon.

I do not know whether this is the proper place for the Honourable Member to raise the question of having a set of regulations to govern the behaviour of political parties, to conduct, or to participate, in the general elections. However I do not believe that detailed regulations governing any particular party or individual fighting the election

can be of very much use from the practical point of view. I think if we want to live in a democracy a lot has got to be left, I would say, to the discretion and the minimum sense of decency of quite a lot of people, who are coming to participate in what is called parliamentary democracy. Maybe at the meeting with the Election Commission a certain kind of understanding may be arrived at and probably some basic rule may emerge which may be sought to have the sanction of law; I do not know, but to have comprehensive regulations governing behaviour during elections, I think, is not going to be very practical.

The short reason given for the presence of police officers, I think, is to protect orderliness, the security situation in a polling station, and there may be other implications; probably observation of whether people will boycott an election may come up from this information, and each circumstance will divulge what the full implications of a security situation.

The limit on personal expenses has been abolished, but all other expenses that is not covered by personal expenses have got to be declared under the other provisions. Things like personal expenses would be probably tips for hotel boy, hotel accommodation, taxi fares

Dr Tan Chee Khoon: Mr Speaker, Sir, unfortunately this refers to what I have asked. I shall be very grateful if the Minister will make his answer a little more clearly because on this side I unfortunately cannot hear what he is saying.

Tuan Abdul Taib bin Mahmud: Although there is an abolition of limit to personal expenses, it will not defeat the whole purpose of the Ordinance, because whatever expenses that do not come under personal expenses will have got to be declared by the candidate or his agent under the other provision of the law which has been doubled under this amendment. Now, I think that the Honourable Member knows what are covered by personal expenses. Things like hotel accommodation, transport,

tips, or whatever it is. What other things that cannot qualify as personal expense, therefore, have got to be covered by the other list of expenditure which has been doubled. The Honourable Member

Dr Tan Chee Khoon: Mr Speaker, Sir, not that I am trying to be difficult: the expenses that are required to be declared are written down here in page 5 of this Bill and it is very clear. I myself, despite the explanation given by the Honourable the Assistant Minister, am still in the dark regarding what constitutes personal expenses. He said hotel bills, tips, and a few other things he mentioned. For example, I would bring to his attention this; if I bring a gang of 10 people and they walk around with me and, you know, I am the candidate and they walk with me the whole day, I give them lunch, I give them dinner, I give them drinks. Would that constitute personal expenses, and there are a host of other things? If the Assistant Minister states that anything that is not covered under what is listed here can constitute personal expenses, then I am clear.

Tuan Abdul Taib bin Mahmud: The Honourable Member can have a look at the new Form B which will give an indication of what will be covered under personal expenses and what will not.

Dr Tan Chee Khoon: Mr Speaker, Sir, really I do not wish to appear that I am harassing the Honourable Assistant Minister, but I am trying to see what he means by Clause 4 (1) (b) . . .

Tuan Abdul Taib bin Mahmud: "Borang".

Dr Tan Chee Khoon: There are two forms that I can see on page 4 and page 5. One is regarding declaration of donations, the other refers to items of expenditure that must be declared. None of these, I presume, would come under personal expenses.

Tuan Abdul Taib bin Mahmud: No, election expenses.

Dr Tan Chee Khoon: These are all for printing and all. Does he mean that

anything that is not covered by this one at Page 4 would contend to be constituting personal expenses? I am still not clear apart from what he said of hotel fees, tips; I did not hear the other few things that he said. I am still not clear, and this is of vital importance to those of us who may want to be candidates.

Tuan Abdul Taib bin Mahmud: Well, Sir, it would be very difficult to list what can be personal expenditure, but I know the criteria would be what you spend on your person, that you incur necessarily because of moving during the election. If you entertain people, I do not think that will be under personal expenditure, unless it is your pattern of behaviour to have one or two persons to sit down with you during lunch. But if you entertain, say, 20 people, I think it cannot qualify as personal expenditure, because this is not the normal pattern of your behaviour in so far as you enjoy your private life. When you move about for your election, what you normally have to pay just to maintain your election other than really personal expenditure can be covered by the interpretation of Form B, the various items under Form B. If you can't interpret it under that form and accept it personal, something that really relates to your personal expenditure, I think it will have to come under personal expenses.

From the experience of the Honourable Member for Batu, he drew several observations. I am not in a position to deny or confirm his observations. They may be true, they may not be true, but some of the observations are useful and some may not have a factual basis—I do not know; but observations of the election at Batu cannot be taken as an example of what is going on for the rest of the country and, therefore, such general statement saying that the Election Commission have not prepared themselves for the election, and that no proper planning has been done, may not be quite valid, based on observation of one place. But any way it can be safely assumed that people working in the Election Commission know their duties quite well

and they have been given a reasonable amount of training to face their jobs, and although difficulties may be found in single instances here and there, I think the general pattern is quite well run. The constructive suggestion bearing on the mobility of traffic in the choice of place for a polling station is going to be put forward to the Election Commission just as the other constructive suggestions of the Honourable Members will be.

As to the behaviour of the Police, I do not think we should be worried. As I told the Honourable Member for Ipoh, I think the Honourable Member from Batu can safely assume that they are quite neutral. As observed by the Honourable Member for Batu about wrong names and wrong numbers of identity cards, if such instances are found in great numbers, I am sure this will be dealt with. The idea of having to show the Roll every year is to expose all this kind of errors, and I think it is not only the duty of Government to check that everybody has a perfect roll entry but the idea is also to get the public to do their part, and I think if the public do their part within the five years' space before each election, I am sure most of the errors can be rectified.

Dr Tan Chee Khoo: A point of clarification, Sir, I will agree with the Honourable Member Assistant Minister, when he says that it is not the duty of Government to check, it is also the duty of the voter to check. But I am sure he will agree with me that it should not be the business of the Government to put wrong information on the electoral roll. You see, when you delineate you are doing something wrong, when the person is there. The instance that I have given to him—and I have it in my dispensary—where a person's name in the 1967 roll is correct, but in the 1968 roll it completely changed his surname, everything is changed, that surely is not the fault of the voter; that is the fault of the Government and it is the job of the Government to see that if the voter goes there to see that he gets his ballot paper. That is all that I am saying.

Tuan Abdul Taib bin Mahmud: This, Sir, is not the fault of the voter, but these are bound to come off and on either by the use of computer or by manual working, but this mistake cannot be easily discovered unless the public pinpoint it as soon as possible. I fully sympathise with the difficult situation in which a voter is put through no fault of his. It may happen to me,—who knows? But I am sure this is a point that has to be considered by the Election Commission as to how they are going to tackle situations where a person has all the particulars right, except probably the number of the identity card, or some part of his name, or his address, does not tally with the electoral roll. I certainly think this is a matter that should merit the consideration of the Election Commission and should be tackled in the best way we can.

Dr Tan Chee Khoon: If I may bring this to the attention of the Honourable Assistant Minister who talks about the address. Now, this is a matter of supreme importance to, I would say, at least 40 per cent of the registered voters in this country, because knowing the registration office, the long time they work, it may take well up to two years to get one's address corrected, and therefore you will find that the address in the electoral roll is one, the address in the identity card may well be different, and I would hope that the Assistant Minister would bring it to the attention of the Election Office or Commission that these differences in addresses should not in any way debar a person from voting, because I have registered for an average of 6,500 voters during the last exercise, Sir. In all cases, the addresses are different because they have removed to new houses; it takes, as I said, two years to get that identity card address changed and therefore the address that I have given to the Election Commission is entirely different from the address that is in the identity card. This affects, I think, about 40 per cent of the registered voters in this country. I hope the Assistant Minister will bring it to the attention of the Election Commission.

Tuan Abdul Taib bin Mahmud: Mr Speaker, Sir, as I said, the matter merits great consideration and I assure the Honourable Member that I will take the matter up to the Election Commission.

Usul di-kemuka bagi di-putuskan, dan di-setujukan.

Rang Undang² di-bachakan kali yang kedua dan di-serahkan kepada Dewan sa-bagai Jawatan-kuasa.

Dewan bersidang sa-bagai Jawatan-kuasa.

Rang Undang² di-timbangkan dalam Jawatan-kuasa.

(Tuan Timbalan Yang di-Pertua
mempengerusikan Jawatan-kuasa)

Fasal 1 hingga 4 di-perentahkan menjadi sa-bahagian daripada Rang Undang².

Fasal 5 hingga 10—

Dr Lim Chong Eu: Tuan Yang di-Pertua, saya minta izin berchakap dalam bahasa Inggeris. Mr Speaker, Sir, may I ask the Honourable Assistant Minister for further clarification on Clause 9, referring in particular, to Sub-clause (2) (6): "No person shall wait or loiter within twenty yards of any candidate's booth except for the purpose of checking his electoral number in that booth". Sir, I wonder whether the Honourable Assistant Minister will explain how it is possible, and what are the mechanics whereby the respective agent of opposing candidates can go to any one particular candidate's booth to find out whether his canvassers on this booth are just asking the voter for his number, or also not advising him whether to vote, say, for the "Sailing Boat", and what are the procedures proposed, if the polling agent of candidate "A" finds out in polling booth "B" that what is being done in polling booth "B" is not just asking electoral numbers but asking the people to vote, say, for one particular symbol or one particular candidate. Now, what can be done, what has been provided for in this amendment for checking and for reporting, and for action to be taken,

if this particular clause is to remain? If it is not workable, why has Government decided to put in this particular sub-clause?

Tan Sri Nik Ahmad Kamil (Kota Bharu Hilir): Tuan Yang di-Pertua, tidak-kah ada chadangan dalam Rang Undang² Election bahawa pada hari mengundi itu di-tegah *campaigning* sejauh pada kawasan, saya lupa berapa ratus ela, daripada polling station. Tidak-kah memadaï dengan chadangan itu?

Tuan Abdul Taib bin Mahmud: Can there be any campaigning, Mr Speaker, Sir? If a person wants to find out his electoral number, he would not go to a voter, he would go to an officer.

Dr Lim Chong Eu: Sir, with deference, I do not think that the idea is taken by the Honourable Assistant Minister, although the Honourable Member for Kelantan has suggested something else. I am just asking, Sir, how is it possible for us to check that at a candidate's booth no person is doing anything but checking the voter's electoral number, and if any one person were doing more than checking the electoral number, which would then come under campaigning, he is obviously subject to certain punishment for the offence. But how would the offence be checked and how would the offence be reported?

Tuan D. R. Seenivasagam: Mr Chairman, Sir, I think there is a complication somewhere. You can, under the law, canvass in a polling booth because, as the Honourable Member for Kota Bharu Hilir has said, there is a line beyond forward of which you cannot campaign, and all polling booths are outside that line; and so you can legitimately campaign in a polling booth, but the restriction is that there must be only four people in that booth. There is nothing to stop people saying, "Vote for the 'Star'" at the polling booth. You cannot come beyond the line which the Honourable Member has declared and so there is no offence if you canvass in a polling booth.

Tuan Abdul Taib bin Mahmud: Sir, the four persons are already there. The

provision forbids other people than the authorised people. Surely, people who are looking after the station would be able to notice from the behaviour of any person coming in whether he is going to check the electoral roll or whether he wants to campaign. This is very obvious and needs no provision of the law to cover it.

Dr Lim Chong Eu: Sir, with very great deference to the Assistant Minister. I think his experience of elections must be very limited (*Laughter*) because this is precisely the one thing which we who have gone through all the gamut of elections, ever since, they were instituted in this country, have found very difficult to exercise. We would certainly like to co-operate with the Government and we certainly would like to see this particular Bill enforced to the letter as it is written. However, I do maintain that it is really not possible for anyone to check on this kind of situation, unless the Government is going to accept, say, a hidden tape-recorder inserted somewhere listening to somebody talking twenty yards away asking some other candidates agents to vote for so and so. But how does this Government intends to enforce this law?

Tuan Abdul Taib bin Mahmud: Sir, we are having officers in the polling stations. If we were to put tape-recorders in the whole game, I think the Opposition will be crying that the Government is 'snooping'.

Fasal 5 hingga 10 di-perentahkan menjadi sa-bahagian daripada Rang Undang².

Jadual di-perentahkan menjadi sa-bahagian daripada Rang Undang².

Rang Undang² di-laporkan dengan tidak ada pindaan: di-bachakan kali yang ketiga dan di-luluskan.

THE DEVELOPMENT FUNDS (AMENDMENT) BILL

Bachaa Kali Yang Kedua dan Ketiga Setia-usaha Parlimen kepada Menteri Kewangan (Tuan Ali bin Haji Ahmad): Tuan Yang di-Pertua, saya menchadangkan bahawa satu Rang

Undang² untuk meminda Act Kumpulan Wang Pembangunan 1966 di-bacha kali kedua.

Fasal 2 Rang Undang² ini bertujuan untuk meminda jadual yang pertama Act Kumpulan Wang Pembangunan 1966 dengan memasukkan satu syarat sa-lepas perenggan 1 (j) dalam Jadual tersebut. Tujuan di-sabalek syarat ini ia-lah untuk membolehkan tiap² Negeri menubuhkan satu kumpulan wang tersendiri kerana membiayai pembangunan dan perjalanan perbekalan² ayer yang berasingan daripada kumpulan Wang Pembangunan bagi Negeri itu. Penubuhan kumpulan wang tersebut ia-lah supaya perbekalan ayer di-dalam satu² negeri bergantung kepada kewangan-nya sendiri ia-itu semua hasil pendapatan daripada perbekalan ayer hendak-lah di-gunakan bagi perbelanjaan menguruskan-nya dan juga sa-berapa boleh bagi perbelanjaan modal untuk pembenaan termasuk perbaikan dan tambahan. Bayaran hutang kerana pinjaman² oleh sa-suatu negeri untuk membena perbekalan ayer kenalah juga daripada hasil pendapatan perbekalan ayer tersebut.

Sa-belum Act Kumpulan Wang Pembangunan 1966 itu berjalan kuat-kuasa pada 1hb. Januari, 1967 beberapa buah Negeri telah pun menubuhkan Kumpulan Wang bagi perbekalan ayer dengan kuasa Undang². atau ketetapan usul Dewan Undangan Negeri masing² mengikut section 26 dalam (4) Undang² Peratoran Kewangan tahun 1957. Akan tetapi oleh kerana Jadual yang Pertama kepada Act yang tersebut itu sa-panjang yang terpakai kepada Negeri² ada mensyaratkan bahawa Kumpulan Wang Pembangunan bagi sa-suatu negeri boleh di-gunakan bagi maksud² pembangunan termasuk ranchangan² perbekalan ayer, maka Kumpulan Wang Perbekalan Ayer Negeri² itu telah tidak berjalan dan dari segi Undang² tidak-lah boleh sa-suatu negeri itu menubuhkan atau menguruskan satu kumpulan wang berasingan bagi pembangunan dan pengurusan perbekalan ayer-nya. Ada-lah sangat di-kehendaki bahawa semua hasil pendapatan dan perbelanjaan berkenaan dengan perbekalan ayer di-tiap² negeri itu di-uruskan kira²-nya di-

bawah satu kumpulan wang yang berasingan daripada Kumpulan Wang Pembangunan Umum. Bank Dunia dan Bank Pembangunan Asia telah juga membuat syarat bagi pinjaman untuk pembenaan perbekalan ayer ia-itu kira² berkenaan dengan perjalanan bekalan ayer hendak-lah di-atorkan mengikut chara perniagaan. Rang Undang² pindaan yang di-chadangkan ini ia-lah juga untuk menunaikan syarat yang tersebut.

Bil ini telah pun di-rujukkan kepada Kerajaan² Negeri dan semua-nya telah memberikan persetujuan kepada pindaan yang di-chadangkan ini. Pengurusan Kumpulan Wang Perbekalan Ayer bagi tiap² Negeri ini akan terta'alok kepada Undang² Kewangan 1967 dan peratoran² atau arahan² yang di-keluarkan di-bawah-nya.

Tuan Yang di-Pertua, saya mohon menchadangkan.

Tuan Ibrahim bin Abdul Rahman: Tuan Yang di-Pertua, saya mohon menyokong.

Usul di-kemuka bagi di-putuskan, dan di-setujukan.

Rang Undang² di-bachakan kali yang kedua dan di-serahkan kepada Dewan sa-bagai Jawatan-kuasa.

Dewan bersidang sa-bagai Jawatan-kuasa.

Rang Undang² di-timbangkan dalam Jawatan-kuasa.

(Tuan Yang di-Pertua *mempengerusikan Jawatan-kuasa*)

Fasal 1 dan 2 di-perentahkan menjadi sa-bahagian daripada Rang Undang². Rang Undang² di-laporkan dengan tidak ada pindaan: di-bachakan kali yang ketiga dan di-luluskan.

ATORAN URUSAN MESHUARAT (USUL)

Tuan Bahaman bin Samuiddin: Tuan Yang di-Pertua, saya mohon menchadangkan:

Bahawa menurut Peratoran Meshuarat 14 (2) Majlis ini mengambil ketetapan ia-itu sa-baik² sahaja. The Development Funds (Amendment) Bill yang tertera sa-bagai perkara 5 dalam Atoran Urusan Meshuarat

hari ini selesai di-bentangkan, Majlis ini akan menimbangkan perkara 7 dalam Atoran Urusan Mesbuarat tersebut.

Dato' Ganie Gilong: Tuan Yang di-Pertua, saya mohon menyokong.

Usul di-kemuka lagi di-putuskan, dan di-setujukan.

Di-putuskan,

Bahawa menurut Peratoran Mesbuarat 14 (2) Majlis ini mengambil ketetapan ia-itu sa-baik² sahaja. The Development Funds (Amendment) Bill yang tertera sa-bagai Perkara 5 dalam Atoran Urusan Mesbuarat hari ini selesai di-bentangkan, Majlis ini akan menimbangkan perkara 7 dalam Atoran Urusan Mesbuarat tersebut.

RANG UNDANG²

THE LOAN (LOCAL) (AMENDMENT) BILL

Bachan Kali Yang Kedua dan Ketiga

Tuan Ali bin Haji Ahmad: Tuan Yang di-Pertua, saya mohon menchadangkan bahawa suatu Act untuk meminda Ordinance Pinjaman Dalam Negeri 1969 di-bacha bagi kali yang kedua.

Kerajaan ada-lah meminjam wang di-dalam negeri dan juga di-pasaran² luar negeri untuk tujuan² am dan pembangunan. Terimaan dari pinjaman jangka pertengahan dan jangka panjang di-dalam negeri yang di-dapati di-bawah Ordinance Pinjaman Dalam Negeri 1959 ada-lah di-masokkan kepada kira² pinjaman yang di-satukan untuk di-pindahkan kemudian-nya kepada Kumpulan Wang Pemhangunan, tetapi semua bayaran balek ada-lah di-kenakan kepada kira² hasil yang di-satukan.

Tindakan mengenakan bayaran pinjaman termasuk sumbangan kepada Kumpulan Wang Chadangan Khas bagi pinjaman jangka pertengahan dan jangka panjang sama ada di-terima di-dalam negeri atau pun di-pasaran asing, atau saloran² credit kepada kira² hasil yang di-satukan telah membesarkan dengan tidak sewajar-nya angka perbelanjaan tahunan dan belanjawan tahunan biasa. Bayaran untuk faedah yang merupakan bayaran sa-masa boleh-lah terus di-kenakan kepada kira² hasil.

Dari segi urusan accounting tidak-lah tepat kalau semua bayaran pin-

jaman di-kenakan kepada belanjawan tahun itu kerana terimaan pinjaman itu tidak di-masokkan kepada anggaran hasil tahunan, tetapi kepada Kumpulan Wang Pembangunan, oleh itu ada-lah lebeh tepat kalau semua bayaran pinjaman itu di-kenakan kepada pinjaman² baharu supaya hanya terimaan berseh sa-lepas membuat bayaran² tadi di-masokkan kepada Kumpulan Wang Pembangunan.

Tentang Act Pinjaman Luar Negeri 1963 telah ada peruntokan bagi membayar balek pinjaman yang di-terima dari luar negeri dengan penerimaan dari pinjaman² baharu yang di-dapati di-bawah Act itu.

Berkenaan dergan barang² dan perkhidmatan² yang di-beri melalui saloran² credit di-bawah Extended Credit Act, 1966 tidak-lah mungkin bagi barang² dan perkhidmatan² baharu yang di-terima untuk di-gunakan lagi membayar balek nilai barang² dan perkhidmatan² yang di-terima pada masa lepas, oleh kerana itu bayaran untuk saloran² credit perlu-lah di-kenakan kepada penerimaan² pinjaman jangka pertengahan dan jangka panjang yang di-terima dari luar negeri atau di-pasaran dalam negeri.

Tujuan utama pindaan ini ia-lah untuk meminda sekshen 5 Ordinance Pinjaman Dalam Negeri, 1959 supaya terimaan dari pinjaman yang di-dapati di-bawah Ordinance ini boleh, pada masa hadapan, di-gunakan untuk membayar balek pinjaman jangka pertengahan dan jangka panjang yang chukup tempoh-nya. Ini juga akan membuat tidak perlu lagi di-adakan Kumpulan Wang Chadangan Khas bagi tiap² pinjaman yang di-dapati melainkan jika ia di-kehendaki oleh perjanjian tertentu oleh pemberi² pinjaman itu. Ini ada di-peruntokkan dalam pindaan pada sekshen 12 Ordinance itu.

Pada masa yang sama juga perlu juga di-naikkan had undang² jumlah pinjaman dalam negeri sekarang yang sa-banyak \$2,200 juta itu kepada tingkatan \$3,700 juta. Jumlah pinjaman yang maseh belum di-bayar yang di-dapati dalam pasaran dalam negeri

ia-lah \$2,450 juta dan perlu-lah menaikkan had undang² sekarang kerana keperluan yang berterusan untuk mendapatkan pinjaman bagi tujuan² pembangunan.

Tuan (Timbalan) Yang di-Pertua: Panjang lagi?

Tuan Ali bin Haji Ahmad: 2 minit.

Tuan (Timbalan) Yang di-Pertua: Pantaskan sadikit.

Tuan Ali bin Haji Ahmad: Di-sini juga di-chadangkan supaya peratoran pendahuluan yang di-terima oleh Bank Negara dan Perbendaharaan di-benarkan untuk di-gunakan bagi membayar balek pinjaman² yang cukup tempoh-nya bila masa pembayaran itu jatuh sa-belum satu pinjaman baharu boleh di-dapati. Dua chadangan di-masokkan dalam pindaan pada sekshen 3 dan 16 Ordinance ini.

Tuan Yang di-Pertua, saya mohon menchadangkan.

Tuan Ibrahim bin Abdul Rahman: Tuan Yang di-Pertua, saya mohon menyokong.

Tuan (Timbalan) Yang di-Pertua: Meshuarat ini di-tanggohkan hingga pukul 4 petang ini.

Persidangan di-tanggohkan pada pukul 12 tengah hari.

Persidangan di-sambong sa-mula pada pukul 4.00 petang.

(Tuan Yang di-Pertua *mempengerusikan Meshuarat*)

THE LOAN (LOCAL) (AMENDMENT) BILL

Bachasan Kali Yang Kedua dan Ketiga
Perbahathan di-sambong sa-mula.

Tuan Ali bin Haji Ahmad: Tuan Yang di-Pertua, saya telah menamatkan ucapan saya bacaan kali kedua pagi tadi.

Usul di-kemuka bagi di-putuskan, dan di-persetujukan.

Rang Undang² di-bachakan kali yang kedua dan di-serahkan kapada Dewan sa-bagai Jawatan-kuasa.

Rang Undang² di-timbangkan dalam Jawatan-kuasa.

(Tuan Yang di-Pertua *mempengerusikan Jawatan-kuasa*)

Fasal 1 hingga 6 di-perentahkan menjadi sa-bahagian daripada Rang Undang².

Rang Undang² di-laporkan dengan tidak ada pindaan: di-bachakan kali yang ketiga dan di-luluskan.

THE CRIMINAL PROCEDURE CODE (AMENDMENT) BILL

Bachasan Kali Yang Kedua dan Ketiga

Menteri Ke'adilan (Tuan Bahaman bin Samsudin): Tuan Yang di-Pertua, dengan hormat-nya saya menchadangkan Rang Undang² Kanun Achara Jenayah (Pindaan) tahun 1969 di-bachakan pada kali yang kedua.

Tuan Yang di-Pertua, Tuan, sa-bagai di-nyatakan dalam huraian, maksud Rang Undang² yang sekarang ini di-bentangkan di-dalam Dewan ini ia-lah untuk meminda Kanun Achara Jenayah yang berkuat-kuasa dalam Negeri² Tanah Melayu bagi menjalankan mana² pengamal perubatan berdaftar yang di-ambil bekerja dalam Universiti Malaya dalam perkhidmatan Rumah Sakit Universiti itu menjalankan kerja post-mortem bagi maksud Kanun Achara Jenayah.

Pada masa ini peruntokan² Kanun Achara Jenayah berkenaan pemereksaan² post-mortem ada-lah berupa satu kewajipan yang di-kenakan oleh Undang² atas Pegawai² Perubatan Kerajaan oleh kerana mereka ada-lah Pegawai² Awam.

Doktor² yang di-ambil bekerja di-Universiti Malaya bukan-lah Pegawai² Perubatan walau pun mereka boleh jadi pengamal² perubatan berdaftar dan pathologist² yang berkelulusan, hanya doktor² dalam Perkhidmatan Perubatan Kerajaan, sahaja-lah Pegawai² Kerajaan.

Universiti Malaya mengadakan perkhidmatan 24 jam saperti Rumah Sakit Umum, Kuala Lumpur dan ada mempunyai satu unit kemalangan dan

kechemasan. Pesakit² yang menderita dari kemalangan, rachun dan lain² keadaan yang berupa medico legal ada-lah di-bawa ka-sini. Oleh kerana doktor² yang di-ambil bekerja oleh Rumah Sakit Universiti tidak boleh pada masa ini di-sisi undang² melakukan post-mortem, mayat² pesakit yang mati di-Rumah Sakit Universiti ada-lah di-hantar ka-Rumah Sakit Umum untuk post-mortem medico legal.

Ini ada-lah di-fikirkan tidak memuaskan dari segi pemandangan sanak saudara dan sahabat² si-mati itu dan juga dari segi rancangan pelajaran Rumah Sakit Universiti itu sendiri. Kursus dari hal Forensic Medicine di-Rumah Sakit Universiti, seperti juga di-mana² fakulti perubatan yang lain, termasuk-lah pemerhatian oleh penuntut² perubatan atas post-mortem medico legal dan ajaran² daripada-nya yang di-perolehi daripada-nya. Oleh yang demikian ada-lah di-fikirkan mustahak supaya ini di-laksanakan di-Rumah Sakit Universiti sa-kira-nya rancangan pelajaran-nya di-kehendaki sempurna.

Rumah Sakit Universiti juga ada-lah di-i'tiraf sa-bagai Rumah Sakit mengajar pegawai² pelatoh dan beberapa orang pegawai² telah pun di-ambil berlatoh sekarang ini. Dalam masa setahun sa-belum mereka di-daftarkan, maka perlu-lah bagi mereka melihat post-mortem² medico legal kerana apabila mereka menjadi Pegawai² Perubatan bekerja di-Kementerian Kesihatan, mereka di-jangka akan mengadakan post-mortem² dan mengemukakan laporan². Maka kaki-tangan² dalam Jabatan Patholoji Rumah Sakit Universiti mempunyai kelulusan yang sa-penoh-nya untuk melakukan post-mortem² dan mereka akan memberikan laporan² yang perlu dan keterangan dalam mahkamah sa-bagaimana yang di-kehendaki.

Tuan Yang di-Pertua, Tuan, dengan hormat saya menhadangkan.

Dato' Haji Abdul-Rahman bin Ya'kub: Tuan Yang di-Pertua, saya mohon menyokong.

Tuan Haji Abu Bakar bin Hamzah: Tuan Yang di-Pertua, dengan rengkas-

nya saya meminta izin hendak berchakap sadikit di-dalam Rang Undang² ini. Pada dasar-nya, Tuan Yang di-Pertua

Tuan Yang di-Pertua: Kalau hendak berchakap sa-memang ada, tidak payah meminta izin.

Tuan Haji Abu Bakar bin Hamzah: Tuan Yang di-Pertua, pada dasar memang elok kita memberi hak dari segi undang² pada doktor² yang ada di-universiti yang mengajar di-dalam bahagian kedokteran itu, tetapi dalam keterangan tadi, Tuan Yang di-Pertua, ada tersebut bahawa salah satu daripada sebab-nya ia-lah tidak elok di-bawa mayat² itu ka-Hospital Umum pada pandangan warith atau pun adek-beradek si-mati yang hendak di-jalankan post-mortem itu. Di-waktu itu juga Yang Berhormat Menteri kita memberitahu bahawa kalau di-jalankan post-mortem itu di-Teaching Hospital di-Universiti maka itu akan lebeh menguntungkan pelajar², penuntut², supaya mereka itu dapat menyaksikan perkara² itu. Jadi ini, Yang di-Pertua, kalau yang pertama tadi merasakan tidak sedap kepada pihak warith² maka bagi pihak tempat yang kedua pula menjadikan badan² itu sa-bagai benda² yang di-jalankan latehan tentu-lah lebeh tidak elok lagi. Saya tidak tahu maksud yang sa-benar-nya daripada mengapa Rang Undang² ini di-adakan. Kalau-lah benar² kita mengatakan bahawa Rang Undang² ini mustahak oleh kerana post-mortem itu boleh dijalankan oleh sa-siapa juga doktor yang bertauliah yang mempunyai kebolehan yang sama, tetapi mereka itu bukan pegawai Kerajaan tentu-lah dikaitkan pula oleh undang² ini dengan taraf mereka itu sa-bagai pegawai Kerajaan tidak sa-bagai doktor yang duduk di-Universiti Hospital atau pun Teaching Hospital di-Universiti.

Yang kedua, Tuan Yang di-Pertua, pihak Kerajaan tidak memasukkan di-dalam ini satu perkara yang amat penting ia-itu bagi masyarakat kita di-Tanah Melayu, ada orang berpendapat bahawa post-mortem ini berlawan dengan ajaran Islam dan ada sa-tengah-nya mengatakan post-mortem ini mengazabkan mayat dan bermacam².

Ini telah pun di-suarakan oleh, kalau tak salah, doktor yang menjaga, doktor pathologist, yang menjaga masalah² post-mortem ini dan saya dapat tahu apabila hendak di-jalankan post-mortem itu bukan sahaja orang² kampung yang merasa ragu² tetapi disokong pula oleh Menteri², Pegawai² Tinggi Kerajaan, Wakil² Ra'ayat konon-nya tak payah di-belah, tak payah di-jalankan post-mortem untuk hendak menja hati² orang kampung itu. Ini, Yang di-Pertua, bagi saya, saya memohon bahawa Kerajaan memasukkan dalam penerangan atau pun di-dalam undang² ini pada masa akan datang bahawa post-mortem itu ada-lah mustahak pada masa² yang tertentu-nya dan tidak boleh-lah walau pun orang itu Menteri, atau Menteri Besar, atau Pegawai Tinggi Kerajaan masuk champor dalam perkara itu. Saya ada bukti² bahawa Pegawai² Tinggi Kerajaan masuk champor dalam perkara ini. Jadi, Tuan Yang di-Pertua, ini tidak pernah di-suarakan oleh Kerajaan kita.

Yang akhir-nya, Tuan Yang di-Pertua, yang saya hendak sebut di-sini ia-lah berkenaan dengan menjalankan post-mortem di-Universiti Hospital ia-itu di-tempat latehan perubatan di-Hospital di-satengah² negeri.

Tuan Yang di-Pertua, untuk mengelakkan perkara ini menjadi bahan² latehan maka mereka itu membawa orang² yang accident atau pun orang² yang tidak ada warith yang hendak menuntut-nya tetapi kita di-sini dengan meluluskan undang² ini boleh jadi doktor itu hendak menjalankan badan itu sa-bagai tempat latehan. Ini, Tuan Yang di-Pertua, lagi sa-kali akan menimbulkan berbagai² tidak puas hati di-kalangan ra'ayat. Kerajaan sa-patut-nya mengeluarkan-lah satu bulletin, atau pun satu kertas yang menerangkan di-sagenap segi, kerana benda ini sangat mustahak terutama di-kawasan yang kita terpaksa menjawab-nya. Ini, Tuan Yang di-Pertua, bukan sahaja Yang Berhormat Menteri kita ini tidak menyatakan di-ketika Yang Berhormat itu berubah menjadi Menteri tetapi di-ketika beliau memegang jawatan Kementerian Kesihatan pun tidak

pernah di-sebutkan. Ini-lah yang saya harapkan penerangan daripada yang berkenaan.

Tuan Bahaman bin Samsudin: Tuan Yang di-Pertua, pindaan undang² ini ia-lah supaya membolehkan doktor² yang bekerja di-Universiti Hospital di-Petaling Jaya yang bukan-nya Pegawai Kerajaan, membuat post-mortem atas mayat² di-Hospital ini kerana doktor² itu bukan daripada Pegawai² Kerajaan seperti di-Hospital² Umum, dan bila doktor² itu di-benarkan dalam undang² ini maka mereka boleh bekerja menjalankan post-mortem itu dan sambil mereka menjalankan post-mortem itu murid² yang belajar itu dapat memerhatikan. Itu-lah dia tujuan undang² ini.

Kedua-nya kerana boleh doktor² yang bekerja di-Universiti Hospital itu membuat post-mortem maka tidak payah-lah mayat di-Hospital Universiti itu di-hantar ka-Hospital Umum lagi. Kalau tidak terpaksa di-arak mayat dari satu tempat, ka-lain tempat. Ini tidak baik pada pandangan ra'ayat.

Berkenaan dengan mayat orang Islam yang di-katakan oleh Ahli Yang Berhormat itu, sa-memang ada peratoran-nya tetapi kebanyakan ketua² tak tahu-lah Menteri—tetapi kebanyakan ketua² kita termasuk-lah wakil² ra'ayat selalu salah faham. Dia fikir yang berkuasa membuat post-mortem itu atau pun menyuruh mengadakan post-mortem itu ia-lah doktor—bukan-nya. Doktor itu menerima perintah daripada polis. Sa-belum puas hati polis atas mayat itu tidak di-sebabkan oleh kejadian jenayah sa-kira-nya diperintah polis doktor membuat post-mortem, mesti doktor menjalankan-nya. Jadi ini-lah yang selalu saya samasa saya menjadi Menteri Kesihatan dahulu di-rempoh atau di-desak supaya saya champor tangan doktor itu jangan di-benarkan membuat post-mortem, tetapi yang berkuasa memerintah post-mortem itu bukan-lah doktor ia-itu polis. Jadi, patut kapada polis-lah minta kebenaran itu, tetapi ada kala-nya tidak payah di-adakan post-mortem, jika mithal-nya warith² itu semua berpuas hati yang si-mati itu kena tenggelam ayer atau pun terjatoh dan ada keterangan yang chukup

komatian tidak dengan cara jenayah maka kerana itu tidak payah di-adakan post-mortem itu. Kuasa itu terletak di-tangan polis mengikut Criminal Procedure Code, bukan-nya kepada doktor.

Tuan Haji Abu Bakar bin Hamzah: Tuan Yang di-Pertua, yang saya maksudkan tadi ia-lah tidak masuk champor tangan itu bagaimana kalau sa-saorang itu hendak pada pandangan polis patut di-jalankan post-mortem. Ini bagi saya, Tuan Yang di-Pertua, tidak boleh di-masok champor lagi oleh warith sa-kali pun sebab yang di-katakan oleh polis itu ia-lah sa-suatu dari segi criminal, terkadang² pehak orang kampung dia sayang atau kasehan kepada mayat itu, dia kata tak apa-lah kami puas hati asalkan jangan di-belah. Pada hal kalau di-jalankan post-mortem boleh kita trace di-situ beberapa kejadian criminal lagi. Jadi kalau kita berharap kepada orang² kampung, orang² kampung itu berpuas hati tujuan asal daripada perintah polis itu tidak berjalan. Jadi ini-lah yang saya katakan pehak Kerajaan kita tidak memberi penerangan dalam perkara ini sa-hingga sekarang.

Tuan Bahaman bin Samsudin: Tuan Yang di-Pertua, sa-masa saya menjadi Menteri Kesihatan dahulu saya telah mengeluarkan satu circular kepada semua wakil² ra'ayat tentang perkara mayat orang Islam ini, tetapi kalau Ahli Yang Berhormat itu tidak menerima boleh-lah sa-kali lagi saya hantar. Jadi kuasa itu sama ada membenarkan atau pun tidak mayat itu di-post-mortem ia-lah kepada polis, jadi kalau polis berpuas hati tak payah di-adakan post-mortem dengan dapat keterangan daripada warith² dan orang lain, orang² awam lain, itu terpulang kepada polis.

Usul di-kemuka bagi di-putuskan, dan di-setujukan.

Rang Undang² di-bachakan kali yang kedua dan di-serahkan kepada Dewan sa-bagai Jawatan-kuasa.

Dewan bersidang sa-bagai Jawatan-kuasa.

(Tuan Yang di-Pertua *mempengerasikan Jawatan-kuasa*)

Fasal 1 dan 3 di-perentahkan menjadi sa-bahagian daripada Rang Undang².

Rang Undang² di-laporkan dengan tidak ada pindaan: di-bachakan kali yang ketiga dan di-luluskan.

ATORAN URUSAN MESHUARAT (USUL)

Tuan Bahaman bin Samsudin: Tuan Yang di-Pertua, saya mohon menandatangani satu usul ia-itu:

Bahawa menurut Peratoran Meshuarat 14 (2) Majlis ini mengambil ketetapan ia-itu sa-baik² sahaja The Criminal Procedure Code (Amendment) Bill yang tertera sa-bagi perkara 8 dalam Atoran Urusan Meshuarat hari ini selesai di-timbangkan, Majlis ini akan menimbangkan The Commonwealth Fugitive Criminals (Amendment) Bill ia-itu perkara 11 dalam Atoran Urusan Meshuarat yang tersebut.

Menteri Perdagangan dan Perusahaan (Tan Sri Dr Lim Swee Aun): Tuan Yang di-Pertua, saya mohon menyokong.

Usul di-kemuka bagi di-putuskan, dan di-setujukan.

Di-putuskan,

Bahawa menurut Peratoran Meshuarat 14 (2) Majlis ini mengambil ketetapan ia-itu sa-baik² sahaja The Criminal Procedure Code (Amendment) Bill yang tertera sa-bagai perkara 8 dalam Atoran Urusan Meshuarat hari ini selesai di-timbangkan Majlis ini akan menimbangkan The Commonwealth Fugitive Criminals (Amendment) Bill ia-itu perkara 11 dalam Atoran Urusan Meshuarat yang tersebut.

THE COMMONWEALTH FUGITIVE CRIMINALS (AMENDMENT) BILL

Bachasan Kali Yang Kedua dan Ketiga

Tuan Bahaman bin Samsudin: Tuan Yang di-Pertua, dengan hormat-nya saya menandatangani Rang Undang² Penjenayah² Larian Commonwealth (Pindaan), 1969 di-bacha pada kali yang kedua-nya.

Tuan Yang di-Pertua, Dewan ini harus ingat bahawa The Commonwealth Fugitive Criminals Act (Act Penjenayah² Larian Commonwealth) telah di-luluskan dalam tahun 1967 yang mengandongi peruntokan²

mengenai penjenayah² larian dalam negeri² Commonwealth. Suatu masaalah telah timbul tentang perlaksanaan Act ini di-sebabkan oleh Kerajaan Singapura telah meluluskan The Singapore Extradition Act, 1968 (Act Serah Balek bagi Singapura, 1968) yang berkuat-kuasa mulai 1hb Ogos, 1968. Masaalahnya ia-lah bahawa suatu peruntokan khas yang terkandung dalam bahagian 5 Act Singapura itu berkenaan dengan penangkapan penjenayah² larian dalam Malaysia sa-rupa dengan bahagian 3 Act kita sendiri ada-lah di-pakai bagi Malaysia sa-chara otometik dengan tiada apa² urusan yang mengikat dikehendaki di-buat antara Malaysia dengan Singapura. Manakala pemakaian Act kita bagi negeri² Commonwealth ada-lah berdasarkan sistem urusan yang mengikat amalan memakai Undang² Timbal Balas antara negara².

Kedudukan khas bagi Singapura dalam Act kita sendiri ia-lah hanya bahawa Menteri tidak boleh dengan perintah di-bawah Sekshen 1 (3) Act itu mengubah suai peruntokan yang di-pakai bagi Singapura oleh kerana Kerajaan Singapura telah memakai peruntokan² Act Serah Balek-nya yang berkait bagi Malaysia dengan tidak terlebih dahulu mengadakan urusan yang mengikat, maka ada-lah mustahak bagi Malaysia menimbal balas demikian itu juga dan memakai peruntokan bahagian 3 Act kita sendiri bagi Singapura sa-chara otometik. Kerajaan Singapura telah di-beritahu berkenaan dengan hal ini.

Tuan Yang di-Pertua, dengan hormat-nya saya menhadangkan.

Menteri Pertanian dan Sharikat Kerjasama (Tuan Haji Mohamed Ghazali bin Haji Jawi): Tuan Yang di-Pertua, saya mohon menyokong.

Usul di-kemuka bagi di-putuskan, dan di-setujukan.

Rang Undang² di-bachakan kali yang kedua dan di-serahkan kepada Dewan sa-bagai Jawatan-kuasa.

Dewan bersidang sa-bagai Jawatan-kuasa.

(Tuan Yang di-Pertua *mempengerusikan Jawatan-kuasa*)

Fasal 1 dan 2 di-perentahkan menjadi sa-bahagian daripada Rang Undang². Rang Undang² di-laporkan dengan tidak ada pindaan: di-bachakan kali yang ketiga dan di-luluskan.

RANG UNDANG² SAMAN (PERUNTOKAN KHAS) (SINGAPURA)

Bachau Kali Yang Kedua dan Ketiga

Tuan Bahaman bin Samsudin: Tuan Yang di-Pertua, dengan hormat-nya saya menhadangkan Rang Undang² Saman (Peruntokan Khas) (Singapura), 1969 di-bacha pada kali yang kedua.

Tuan Yang di-Pertua, Dewan ini harus ingat bahawa apabila Singapura maseh dalam Malaysia, satu Act telah di-luluskan bernama Warrants and Summonses (Special Provisions) Act, 1965 yang mengadakan peruntokan bagi perlaksanaan Waran Majistret dan penyampaian Saman Mejistret diseluruh Malaysia. Satu masaalah telah timbul apabila Singapura meluluskan Singapore Extradition Act, 1968 (Act Serah Balek bagi Singapura tahun 1968) yang pada hakikat-nya memansokhkan Act Malaysia tahun 1965 itu berkenaan dengan pemakaian-nya bagi Singapura. Menurut sekshen 7 Constitution Singapore (Amendment) Act tahun 1965 (Act Perlembagaan Pindaan Singapore 1965) Undang² yang berkuat-kuasa di-Singapura pada akhir sa-belum perpi-sahan-nya akan terus berkuat-kuasa sa-hingga di-mansokhkan oleh Badan Perundangan Singapura. Dengan mansokh-nya Warrants and Summonses (Special Provisions) Act, 1965 (Act Waran dan Saman (Peruntokan Khas), 1965) maka timbul-lah satu kekosongan dalam Undang² berkenaan dengan penyampaian saman di-antara Malaysia dan Singapura. Peruntokan² yang berkaitan dalam Kanun Achara Jenayah telah di-ganti oleh Act 1965 itu. Oleh yang demikian ada-lah mustahak bagi kita mengadakan sa-mula peruntokan² Undang² berkenaan dengan penyampaian Saman Mejistret antara Malaysia dan Singapura.

Oleh kerana itu Rang Undang² yang di-bentangkan dalam Dewan sekarang

ini ada-lah bermaksud untuk mengadakan peruntukan bagi penyampaian yang lebih segera Saman Mejistret antara Malaysia dan Singapura dan juga untuk menghapuskan peruntukan berkaitan dengan Singapura dalam Warrants and Summonses (Amendment) Act, 1965 oleh kerana Singapura tidak lagi dalam Malaysia.

Tuan Yang di-Pertua, dengan hormatnya saya menchadangkan.

Tan Sri Dr Lim Swee Ann: Tuan Yang di-Pertua, saya mohon menyokong.

Usul di-kemuka bagi di-putuskan, dan di-setujukan.

Rang Undang² di-bachakan kali yang kedua dan di-serahkan kepada Dewan sa-bagai Jawatan-kuasa.

Dewan bersidang sa-bagai Jawatan-kuasa.

Rang Undang² di-timbangkan dalam Jawatan-kuasa.

(Tuan Yang di-Pertua *mempengeruskan Jawatan-kuasa*)

Fasal 1 hingga 3 di-perentahkan menjadi sa-bahagian daripada Rang Undang².

Rang Undang² di-laporkan dengan tidak ada pindaan: di-bachakan kali yang ketiga dan di-luluskan.

THE BORROWING COMPANIES BILL, 1968

Bachan Kali Yang Kedua dan Ketiga Menteri Kewangan (Tun Tan Siew Sin) (dengan izin): Mr Speaker, Sir, I beg to move that a Bill intituled "An Act to regulate and control the activities of borrowing companies" be read a second time.

The principal object of this Bill, as the long title suggests, is to regulate and control the activities of borrowing companies which are normally known as finance companies, in order to protect the interests of their depositors. The title "Borrowing Companies Bill" has been chosen because the intention is to control the activities of finance companies which accept deposits from

the public but not companies which call themselves finance companies but which do not accept deposits from the public.

There is a fundamental national interest involved in the regulation and control of borrowing companies since deposits entrusted by the public to companies which accept these funds need to be adequately protected. During the last two or three years, there has been a substantial increase in the number of new finance companies formed to collect such deposits. At present, although the Companies Act and the Hire Purchase Act provide a certain degree of supervision of finance companies, they are concerned only with certain aspects of the activities of these companies. The Companies Act requires finance companies issuing an invitation to the public for deposits to issue prospectuses as well, so that depositors may be aware of the financial position of these companies, while the Hire Purchase Act regulates the terms and conditions of hire purchase agreements. There is no overall control and supervision of finance companies in the same way as there is of banks and insurance companies. As, like banks and insurance companies, finance companies obtain the bulk of their funds from the public, it is only right that they should be similarly regulated and controlled.

The general approach of the Borrowing Companies Bill has hence been to adopt the provisions of the Banking Ordinance, 1958, and where applicable, appropriate modifications have been made. Provisions relating to the licensing, regulation and inspection of borrowing companies are mainly based on similar provisions in the Banking Ordinance, 1958. Other provisions designed specially for the control and supervision of borrowing companies have also been introduced.

Sir, the Bill before the House is a fairly straightforward one and I need not take up too much of the time of Honourable Members by discussing the Bill in too great detail, but I would like to explain some of the more important provisions of the Bill.

Clause 3 provides that with the coming into force of this Bill, only companies which have been licensed under the Bill can accept deposits from the public. The clause also provides that only companies which have been incorporated in Malaysia can be granted licences under the Bill.

Part II deals mainly with the administrative aspects of the licensing of borrowing companies. Clause 7 provides, among other things, that the minimum paid-up capital of licensed borrowing companies should not be less than M\$1 million. Like licensed banks, finance companies derive the bulk of their resources from the deposits of the public, and therefore they should have a reasonable amount of paid-up capital to provide for some measure of security for their depositors. Clause 7 also provides for the exemption of certain companies which have been established for the purpose of financing economic and financial development and in which there is substantial Government participation, as well as for the exemption of discount houses. The clause also provides for the exemption of companies which only issue medium or long term debentures which have been approved by Bank Negara Malaysia, but which do not accept deposits from the public. Clause 8 empowers the Minister to suspend or revoke the licence of a borrowing company if it contravenes the provisions of the Bill or the regulations made thereunder.

Part III contains provisions for the control of licensed borrowing companies to ensure their financial stability. There are provisions requiring licensed borrowing companies to maintain a reserve fund, to publish their audited accounts and to maintain a minimum proportion of liquid assets in relation to their total deposits, as prescribed by Bank Negara. There are also provisions to prohibit licensed borrowing companies from declaring dividends until all capitalised expenditure has been completely written off, from holding risk assets, which have been defined to mean all assets other than liquid assets and reserves with Bank Negara, in excess of ten times their paid-up capital

and reserves, from granting unsecured advances to any one person in excess of \$5,000, from lending to directors and their families, and from investing in shares, immovable property or acquiring any beneficial interest in any firm without the consent of Bank Negara.

Part IV provides for the investigation by Bank Negara of the books and accounts of licensed borrowing companies including their wholly-owned subsidiaries as well as the inspection of the books and accounts of persons suspected of operating a borrowing business without a licence. It also provides for subsequent action which could be taken by Bank Negara arising out of the investigation. These provisions are highly desirable as they will enable Bank Negara Malaysia to ascertain whether a licensed borrowing company has contravened any of the provisions of the Bill and whether a borrowing company is managed with adequate regard to the interests of its depositors.

Part V contains miscellaneous and transitional provisions. Clause 39 prohibits bankrupts and persons who have been convicted of certain offences from managing licensed borrowing companies. The transitional provisions of clause 47 allow companies and firms which have been carrying on borrowing business on the coming into force of the Bill to carry on such business for a further period of six months, with provision for a further extension if considered necessary by the Minister. During the transitional period, companies which do not wish to continue their borrowing business are required to take steps to terminate such business, and those which wish to continue are required to comply with the provisions of the Bill and to apply for a licence within one month of the coming into force of the Bill.

Sir, these are the main provisions of the Bill. I am sure Honourable Members will agree that the Bill is timely and will provide the Government with essential but at the same time flexible powers for the regulation and control of finance companies

without impairing their legitimate business. The Government believes that this legislation will help generally to provide better standards of service by finance companies in Malaysia as well as safeguard the interests of their depositors, thereby contributing in no small way to the sound operation of these companies.

Sir, I beg to move.

Menteri Pengangkutan (Tan Sri Haji Sardon bin Haji Jubir): Tuan Yang di-Pertua, saya mohon menyokong.

Tuan Haji Abu Bakar bin Hamzah: Tuan Yang di-Pertua, pada dasarnya saya menyokong Rang Undang² ini oleh kerana sa-hingga sekarang ini belum lagi ada undang² di-dalam negeri kita yang mengawal sharikat² yang sa-macham ini. Tetapi, Tuan Yang di-Pertua, yang mendukachitakan saya ia-lah Clause No. 8, ia-itu No. 2, muka 5 yang berbunyi, "Keputusan Menteri ada-lah mu'tamad dan tidak-lah terta'alok kepada rayuan atau kepada ulangkaji dalam mana² mahkamah". Ini Tuan Yang di-Pertua, saya faham, ia-itu kalau sa-buah sharikat itu di-dapati salah atau di-dapati tidak patoh kepada peratoran, maka untuk membatalkan lesen itu ada-lah di-tangan Menteri. Apa-kah Kerajaan kita ini chuba meletakkan Menteri² itu sa-bagai hakim² yang tidak mempunyai bench dalam negeri ini? Jadi, hakim yang tidak ada kerusi hendak di-dudoki-nya.

Kemudian daripada itu yang lebeh menganjilkan lagi, No. (4) dalam Clause itu juga, mana² sharikat yang di-dapati mungkir janji dan sabit kesalahan-nya mesti-lah di-hukum denda tidak lebeh daripada \$500 dan hukuman yang di-kena ini pula di-mahkamah. Jadi, Tuan Yang di-Pertua, tentu-lah Menteri itu tidak menjatuhkan hukum \$500 itu. Jadi, Tuan Yang di-Pertua, yang pertama, kalau kompani atau sharikat itu bersalah, menentukan kesalahan-nya Menteri, dan mengapa pula Menteri sendiri tidak menjatuhkan hukum \$500—erti-nya "compound" terus di-situ? Itu lagi lebeh senang. Jadi, Sharikat yang kena tudoh itu di-bawa kamahkamah semata² untuk hendak

membayar denda sahaja, sebab dia tidak boleh lagi hendak membela diri-nya di-dalam mahkamah kerana Menteri sudah menjatuhkan sharikat itu bersalah dari sudah membatalkan lesen-nya, jadi di-bawa-lah pehak yang bertanggung-jawab kompani ini ka-inadapun mahkamah sa-mata² untuk membayar denda sahaja—\$500.

Kalau kompani atau sharikat itu hendak membela diri-nya maka bukti yang besar bagi constitution ia-lah kompani itu sudah pun bersalah. Kalau kompani itu tidak bersalah tentu-lah Menteri tidak membatalkan lesen-nya. Erti-nya membatalkan lesen di-tangan Menteri itu menjadikan satu hujah yang besar kepada constitution. Ini, Tuan Yang di-Pertua, Kerajaan kita ini sudah meletakkan Menteri² kita sa-bagai Hakim dan meletakkan sharikat² yang private ini dengan tidak dapat di-bela.

Tuan Yang di-Pertua, ini masalah serious, masalah wang, masalah harta, bukan masalah keselamatan dalam negeri. Kalau masalah keselamatan dalam negeri boleh kita serahkan kepada Kerajaan sebab saya suka Kerajaan yang mengkontrol negeri kita ini menjaga keselamatan dalam negeri. Tetapi ini part civil, part yang mengenai human rights, tidak patut-lah di-serahkan kepada Menteri, kerana Menteri pun kadang²-nya kalau dia juga meminjam, kemudian dia tidak boleh bayar, kita mana tahu dia, dia mengatakan kompani itu tidak patoh kepada undang², maka dia membatalkan lesen kompani itu, bawa ka-mahkamah, kena hukuk lagi \$500. Hendak bichara Menteri itu hutang dia sudah tidak ada hak lagi, sebab dia sudah tak ada legal personality dalam mahkamah.

Ini, Tuan Yang di-Pertua, menyenotok hak asasi manusia dan saya challenge Kerajaan supaya menarek balek bill ini di-bawa kepada Select Committee kemudian saya akan menyokong untuk perbahathan-nya. Sa-lagi Kerajaan tidak berani mererer kepada Select Committee maka saya memandang Rang Undang² ini dengan sendiri-nya akan mengurangkan undi pada tahun 1969 kerana

Kerajaan masok champor hak civil rights negeri ini.

Tun Tan Siew Sin (*dengan izin*): Mr Speaker, Sir, the Honourable Member who has just spoken, I think, probably does not quite understand the purposes of this Bill. It is very necessary to pass this Bill as soon as possible because the activities of certain finance companies—I do not say all—have been causing the Government some disquiet. It is necessary in the public interest to pass this Bill. So, I do not think it is desirable to commit it to a Select Committee.

In regard to the specific complaint raised by the Honourable Member in regard to Clause 8 of this Bill, I think he again misunderstands the purpose of reference to the Courts. You refer to the Courts when a legal point is in dispute, but Clause 8 deals with the facts of the case and I do not think that recourse to the Courts will help the cause.

The Honourable Member will probably be interested to know that one of the reasons why the Government has seen fit to withdraw one of the Bills which is on the Order Paper, namely, the Accountants (Amendment) Bill, is because the Association of Accountants in this country has made representations to me that it prefers the Minister of Finance to be the final judge rather than the Courts. So, I think there is sometimes a case for the Government rather than the Courts being the final arbiter, because it does save time and it certainly does save a lot of money by referring to the Government rather than to the Courts especially when the matter in dispute concerns facts rather than points of law.

Again, I do not quite understand why the Honourable Member is so disturbed about sub-clause (4) of Clause 8. He will find, if he reads this Clause carefully, that it is very flexibly worded. It is true that there is a lump sum fine of not more than \$5,000 and there is also a fine, in respect of a company which carries on, when it is

not supposed to carry on, not exceeding \$500 for every day during which the offence is continued. This is necessary, Sir, because unless we have this sort of provision, it is open to a company to risk paying a lump sum fine which may not be very much, but it can do considerable damage by carrying on business which it is not supposed to do; hence the necessity to have these two types of fines. But, as I have said already, this provision gives considerable flexibility because the penalty can be trimmed to the gravity of the offence.

Tuan Haji Abu Bakar bin Hamzah: Tuan Yang di-Pertua, saya minta penjelasan sedikit. Boleh jadi saya kurang faham atau pun Yang Berhormat Menteri tidak faham saya. Yang saya maksudkan bagini, ia-itu memberi kuasa kepada Menteri; saya tidak sebut Menteri yang ada sekarang ini, sa-barang Menteri ia-itu keputusannya muktamad membatalkan lesen. Di-dalam Perlembagaan kita bila satu right itu sudah di-beri kita tidak boleh tarek balek dengan kuasa Menteri, dia terpaksa dengan kuasa Yang di-Pertuan Agong, saya tidak ingat section itu, 5 (2) kah saya lupa. Jadi, kalau kita serahkan kepada Menteri jadi ini yang saya kata berlawanan dengan fundamental rights kita, kechuali kalau Menteri sudah puas hati dan ada reference-nya kepada clause di-dalam Perlembagaan, itu saya puas hati tetapi Menteri tidak refer kepada sa-barang article dalam Perlembagaan dalam hal ini.

Tun Tan Siew Sin: Mr Speaker, Sir, I think it is most unusual for an appeal of this nature to be referred to the Courts. If the Honourable Member will care to take the trouble to go through legislation not only in this country but elsewhere, he will find that a matter of this nature is never, as far as I know, and certainly in so far as civilised countries are concerned, referred to the Courts; it is usually decided by the Government.

Usul di-kemuka bagi di-putuskan, dan di-setujukan.

Rang Undang² di-bachakan kali yang kedua dan di-serahkan kapada Dewan sa-bagai Jawatan-kuasa.

Dewan bersidang sa-bagai Jawatan-kuasa.

(Tuan Yang di-Pertua *mempengerusikan Jawatan-kuasa*)

Fasal 1 hingga 50 di-perentahkan menjadi sa-bahagian daripada Rang Undang².

Jadual Pertama di-perentahkan menjadi sa-bahagian daripada Rang Undang².

Jadual Kedua di-perentahkan menjadi sa-bahagian daripada Rang Undang².

Rang Undang² di-laporkan dengan tidak ada pindaan: di-bachakan kali yang ketiga dan di-luluskan.

WAKTU MESHUARAT DAN URUSAN YANG DI-BEBASKAN DARIPADA PERATORAN MESHUARAT (USUL)

Tuan Bahaman bin Samsudin: Tuan Yang di-Pertua, saya mohon men-chadangkan satu usul, ia-itu sunggoh pun telah ada sharat² yang di-tetap-kan dalam Peratoran Meshuarat 12, Majlis ini hendak-lah di-tanggohkan sekarang sa-hingga pukul 10.00 pagi esok hari Sabtu, 11hb Januari, 1969.

Tan Sri Haji Sardon bin Haji Jubir: Tuan Yang di-Pertua, saya mohon menyokong.

Tuan Yang di-Pertua: Meshuarat di-tanggohkan sa-hingga pukul 10.00 pagi esok.

Meshuarat di-tanggohkan pada pukul 5.00 petang.