



PENYATA RASMI
OFFICIAL REPORT

DEWAN RA'AYAT
House of Representatives

PARLIMEN KETIGA
Third Parliament

PENGGAL PARLIMEN PERTAMA
First Session

KANDONGAN-NYA

JAWAPAN² MULUT BAGI PERTANYAAN² [Ruangan 3793]

USUL:

Penyata Jawatan-kuasa Peratoran² Meshuarat Dewan Ra'ayat Yang Ketiga [Ruangan 3803]

RANG UNDANG²:

Rang Undang² Menchegah Rasuah (Pindaan) [Ruangan 3807]

Rang Undang² (Perbadanan) Synod Diocese Malaysia Barat [Ruangan 3837]

Rang Undang² Senjatapi (Penalti Lebih Berat) [Ruangan 3839]

Rang Undang² (Perbadanan) Institiut Negara bagi Penyelidikan Sains dan Perusahaan [Ruangan 3853]

MALAYSIA
DEWAN RA'AYAT YANG KETIGA

Penyata Rasmi

PENGGAL YANG PERTAMA

Hari Selasa, 27hb Julai, 1971

Meshuarat di-mulakan pada pukul 2.30 petang

YANG HADHIR:

- Yang Berhormat Tuan Yang di-Pertua, DATO' CHIK MOHAMED YUSUF BIN SHEIKH ABDUL RAHMAN, S.P.M.P., J.P., Dato' Bendahara Perak.
- „ Menteri Kewangan, Y.A.B. TUN TAN SIEW SIN, S.S.M., J.P. (Melaka Tengah).
- „ Menteri Kesihatan, Yang Berbahagia TAN SRI HAJI SARDON BIN HAJI JUBIR, P.M.N. (Pontian Utara).
- „ Menteri Perdagangan dan Perusahaan, TUAN MOHAMED KHIR JOHARI (Kedah Tengah).
- „ Menteri bagi Hal Ehwal Sarawak, Yang Berbahagia TAN SRI TEMENGGONG JUGAH ANAK BARIENG, P.M.N., P.D.K., P.N.B.S., O.B.E., Q.M.C. (Ulu Rajang).
- „ Menteri Buroh dan Tenaga Ra'ayat, Yang Berbahagia TAN SRI V. MANICKAVASAGAM, P.M.N., P.J.K. (Klang).
- „ Menteri Pertanian dan Tanah, Yang Berbahagia TAN SRI HAJI MOHAMED GHAZALI BIN HAJI JAWI, P.M.N., D.P.C.M. (Kuala Kangsar).
- „ Menteri Pembangunan Negara dan Luar Bandar, TUAN ABDUL GHAFAR BIN BABA (Melaka Utara).
- „ Menteri Pengangkutan, DATO' HAJI ABDUL GHANI GILONG, P.D.K., J.P. (Kinabalu).
- „ Menteri Pelajaran, TUAN HUSSEIN BIN DATO' ONN, P.I.S., M.B.E. (Johor Bahru Timor).
- „ Menteri Teknologi, Penyelidikan dan Kerajaan Tempatan, DATO' ONG KEE HUI, P.N.B.S. (Bandar Kuching).
- „ Timbalan Menteri Jabatan Perdana Menteri, TUAN ABDUL TAIB BIN MAHMUD (Samarahan).
- „ Timbalan Menteri Pertahanan, Y.M. TENGKU AHMAD RITHAUDEEN BIN TENGKU ISMAIL, P.M.K. (Kota Bharu Hilir).
- „ Timbalan Menteri Hal Ehwal Dalam Negeri, TUAN MOHAMED BIN YAACOB, P.M.K., S.M.T. (Tanah Merah).
- „ Setiausaha Parlimen kepada Menteri dengan Tugas² Khas dan Menteri Penerangan, TUAN SHARIFF AHMAD (Langat).
- „ Setiausaha Parlimen kepada Menteri Pengangkutan, TUAN MOHAMED BIN UJANG, A.M.N., P.J.K. (Jejebu-Jempol).

Yang Berhormat NIK ABDUL AZIZ BIN NIK MAT, J.P. (Kelantan Hilir).

„ DATO' DR HAJI ABDUL AZIZ BIN OMAR, D.J.M.K., J.M.N., J.M.K., S.M.K. (Tumpat).

„ Y.A.M. TUNKU ABDULLAH IBNI ALMARHUM TUANKU ABDUL RAHMAN, P.P.T. (Rawang).

„ TUAN HAJI ABDUL RASHID BIN HAJI JAIS, A.D.K. (Sabah Selatan).

„ DATO' HAJI ABDUL RAZAK BIN HAJI HUSSIN, D.S.W., J.S.M. (Lipis).

„ TUAN HAJI ABDUL WAHAB BIN YUNUS (Dungun).

„ PENGHULU ABIT ANAK ANGKIN, P.P.N. (Kapit).

„ TUAN ABU BAKAR BIN UMAR (Kubang Pasu Barat).

„ TUAN HAJI AHMAD BIN ARSHAD, A.M.N. (Muar Utara).

„ TUAN AHMAD BIN HAJI ITHNIN (Melaka Selatan).

„ PENGIRAN AHMAD BIN PENGIRAN INDAR (Kinabatangan).

„ TUAN HAJI AHMAD BIN SAID, J.P. (Seberang Utara).

„ TUAN HAJI AHMAD DAMANHURI BIN HAJI ABDUL WAHAB, P.M.P., P.J.K. (Hilir Perak).

Yang Berbahagia TAN SRI HAJI NIK AHMED KAMIL, D.K., S.P.M.K., S.J.M.K., P.M.N. (Ulu Kelantan).

Yang Berhormat PUAN BIBI AISHAH BINTI HAMID DON, A.M.N., P.J.K. (Kulim Utara).

„ DR AWANG BIN HASSAN, S.M.J. (Muar Selatan).

„ TUAN AZAHARI BIN MOHD. TAIB, S.M.K., A.M.N., J.P. (Sungei Patani).

„ DATO' PENGARAH BANYANG ANAK JANTING, Q.M.C., P.B.S., P.N.B.S. (Julau).

„ CHEGU BAUDI BIN UNGGUT (Bandau).

„ TUAN BOJENG BIN ANDOT (Simunjan).

„ TUAN BUJA BIN GUMBILAI (Tuaran).

„ AWANG BUNGSU BIN ABDULLAH (LIMBANG-LAWAS).

„ TUAN HAJI AWANG WAL BIN AWANG ABU (Santubong).

„ TUAN CHAN FU KING (Telok Anson).

„ TUAN CHAN SIANG SUN, A.M.N., P.J.K., J.P. (Bentong).

„ DR CHEN MAN HIN (Seremban Timor).

„ TUAN PETER PAUL DASON (Pulau Pinang Utara).

„ TUAN EDWIN ANAK TANGKUN, A.B.S. (Batang Lupar).

„ DATIN HAJAH FATIMAH BINTI HAJI ABDUL MAJID, J.M.N., P.I.S. (Batu Pahat Dalam).

„ TUAN GOH HOCK GUAN (Bungsar).

„ TUAN HANAFIAH HUSSAIN, A.M.N. (Jerai).

„ TUAN HASHIM BIN GERA (Parit).

„ TUAN HOR CHEOK FOON (Damansara).

„ TUAN HUSSAIN BIN HAJI SULAIMAN (Besut).

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

„ TAN SRI KHAW KAI BOH, P.M.N., P.J.K. (Ulu Selangor).

- Yang Berhormat TUAN KHOO PENG LOONG, O.B.E. (Bandar Sibu).
- „ TUAN LATIP BIN HAJI IDRIS (Mukah).
- „ TUAN LEE SECK FUN, K.M.N. (Tanjong Malim).
- „ TUAN LIM CHO HOCK (Batu Gajah).
- „ TUAN LIM KIT SIANG (Bandar Melaka).
- „ TUAN LIM PEE HUNG, P.J.K. (Alor Star).
- „ TUAN LOH JEE MEE (Batang Padang).
- „ TUAN WALTER LOH POH KHAN (Setapak).
- „ TUAN LUHAT WAN (Baram).
- „ TUAN ANDREW MARA ANAK WALTER UNJAH (Betong).
- „ TUAN HAJI MAWARDI BIN LEBAI TEH (Kota Star Utara).
- „ DR MOHAMED BIN TAIB, P.M.K., P.J.K. (Kuantan).
- „ TUAN MOHAMED ARIF BIN SALLEH, A.D.K. (Sabah Dalam).
- „ DATO' HAJI MOHAMED ASRI BIN HAJI MUDA, S.P.M.K. (Kota Bharu Hulu).
- „ TUAN MOHD. DAUD BIN ABDUL SAMAD (Kuala Trengganu Selatan).
- „ TUAN MOHD. NOR BIN MD. DAHAN, A.M.N., J.P. (Ulu Perak).
- Yang Berbahagia TAN SRI MOHAMMAD SAID BIN KERUAK, P.M.N., S.P.D.K. (Kota Belud).
- Yang Berhormat TUAN MOHD. SALLEH BIN DATO' PANGLIMA ABDULLAH (Darvel).
- „ 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 HAJI MOHD. ZAIN BIN ABDULLAH (Bachok).
- „ WAN MOKHTAR BIN AHMAD, P.J.K. (Kemaman).
- „ TUAN HAJI MOKHTAR BIN HAJI ISMAIL (Perlis Selatan).
- „ TUAN MUHAMMAD FAKHRUDDIN BIN HAJI ABDULLAH, J.P. (Pasir Mas Hilir).
- „ TUAN MUSTAPHA BIN HUSSAIN (Seberang Tengah).
- „ TUAN JONATHAN NARWIN ANAK JINGGONG (Luboh Antu).
- Yang Berbahagia TAN SRI SYED NASIR BIN ISMAIL, P.M.N., J.M.N., D.P.M.J., P.I.S. (Muar Dalam).
- Yang Berhormat TUAN NG HOE HUN (Larut Selatan).
- „ RAJA NONG CHIK BIN RAJA ISHAK, P.J.K. (Kuala Selangor).
- „ TUAN OTHMAN BIN ABDULLAH, A.M.N. (Perlis Utara).
- „ TUAN RAMLI BIN OMAR, K.M.N., P.M.P. (Krian Darat).
- „ TUAN SEAH TENG NGIAB, P.I.S., S.M.J. (Muar Pantai).
- „ DR S. SEEVARATNAM, P.J.K. (Seremban Barat).
- „ DATO' S. P. SEENIVASAGAM, D.P.M.P., P.M.P., J.P. (Menglembu).
- „ TUAN THOMAS SELVARAJ GABRIEL (Pulau Pinang Selatan).
- „ TUAN HAJI SHAFIE BIN ABDULLAH, A.M.N., B.C.K. (Baling).
- „ TUAN SINYIUM ANAK MUTIT (Bau Lundu).
- „ DR A. SOORIAN (Port Dickson).
- „ TUAN SU LIANG YU (Bruas).
- „ TUAN SULAIMAN BIN BULON, P.J.K. (Bagan Datoh).
- „ WAN SULAIMAN BIN HAJI IBRAHIM, S.M.K. (Pasir Puteh).
- „ DR SULAIMAN BIN MOHAMED ATTAS, J.P., P.J.K. (Rembau-Tampin).
- „ TUAN SULAIMAN BIN HAJI TAIB (Krian Laut).

- Yang Berhormat PENGIRAN TAHIR BIN PENGIRAN PETRA (Kimanis).
- „ TUAN TAI KUAN YANG, A.M.N., P.J.K. (Kulim-Bandar Bharu).
- „ TUAN TAJUDIN BIN ALI, P.J.K. (Larut Utara).
- „ DR TAN CHEE KHOON (Batu).
- „ TUAN TAN CHENG BEE, A.M.N., J.P. (Bagan).
- „ TUAN TIAH ENG BEE, P.I.S. (Kluang Utara).
- „ TUAN JAMES STEPHEN TIBOK, A.D.K. (Penampang).
- „ TUAN TIBUOH ANAK RANTAI (Rajang).
- „ TUAN TING MING KIONG (Bintulu).
- „ TUAN JOSEPH UNTING ANAK UMANG (Kanowit).
- „ TUAN V. VEERAPPEN (Seberang Selatan).
- „ DATO' JAMES WONG KIM MIN, P.N.B.S. (Miri-Subis).
- „ TUAN YEH PAO TZU, A.M.N. (Tawau).
- „ TUAN YEOH TECK CHYE (Bukit Bintang).
- „ TUAN STEPHEN YONG KUET TZE (Padawan).
- „ TUAN HAJI YUSOF BIN HAJI ABDULLAH *alias* HAJI YUSOF RAWA (Kota Star Selatan).
- „ TENGGU ZAID BIN TENGGU AHMAD, D.P.M.K., J.M.K., S.M.K. (Pasir Mas Hulu).

YANG TIADA HADHIR :

- Yang Amat Berhormat Perdana Menteri, Menteri Luar Negeri dan Menteri Pertahanan, Y.A.B. TUN HAJI ABDUL RAZAK BIN DATO' HUSSEIN, S.M.N. (Pekan).
- „ Timbalan Perdana Menteri dan Menteri Hal Ehwal Dalam Negeri, Y.A.B. TUN DR ISMAIL BIN DATO' HAJI ABDUL RAHMAN, S.S.M., P.M.N., S.P.M.J. (Johor Timor).
- Yang Berhormat Menteri Kerja Raya, Pos dan Talikom, Y.A.B. TUN V. T. SAMBANTHAN, S.S.M., P.M.N. (Sungei Siput).
- „ Menteri Ta' Berpotfolio, TUAN LEE SIOK YEW, A.M.N., P.J.K. (Sepang).
- „ Menteri Kebudayaan, Belia dan Sokan, DATO' HAMZAH BIN DATO' ABU SAMAH, D.S.R., S.M.K. (Raub).
- „ Menteri Kebajikan Masharakat, Yang Berbahagia TAN SRI FATIMAH BINTI HAJI HASHIM, P.M.N. (Jitra-Padang Terap).
- „ Timbalan Menteri Kewangan, TUAN ALI BIN HAJI AHMAD (Pontian Selatan).
- „ Timbalan Menteri Pembangunan Negara dan Luar Bandar, DATO' ABDUL SAMAD BIN IDRIS, J.M.N., P.J.K. (Kuala Pilah).
- „ Timbalan Menteri Buroh dan Tenaga Ra'ayat, TUAN LEE SAN CHOON, K.M.N. (Segamat Selatan).
- „ Setiausaha Parlimen kepada Perdana Menteri, WAN ABDUL KADIR BIN ISMAIL, P.P.T. (Kuala Trengganu Utara).
- „ Setiausaha Parlimen kepada Menteri Pelajaran, TUAN MOHAMED BIN RAHMAT (Johor Bahru Barat).
- „ Y.T.M. TUNKU ABDUL RAHMAN PUTRA AL-HAJ, K.O.M., C.H., D.M.N. (Kuala Kedah).
- „ DATO' HAJI ABDUL-RAHMAN BIN YA'KUB, P.N.B.S. (Payang).

Yang Berhormat **TUAN AJAD BIN O. T. UYONG** (Labuk-Sugut).

„ **TUAN CHAN YOON ONN** (Ulu Kinta).

„ **TUAN CHEN KO MING, P.B.S., A.M.N.** (Sarikei).

„ **DR CHU CHEE PENG** (Kluang Selatan).

„ **TUAN V. DAVID** (Dato Kramat).

„ **TUAN RICHARD HO UNG HUN** (Sitiawan).

„ **TUAN EDMUND LANGGU ANAK SAGA, P.B.S.** (Saratok).

„ **DR LIM CHONG EU** (Tanjong).

„ **TUAN PETER LO SU YIN** (Sandakan).

„ **TUAN CHIK JOHARI ONDU MAJAKIL** (Labuan Beaufort).

„ **DATO' ENGKU MUHSEIN BIN ENGKU ABDUL KADIR, D.P.M.T., J.M.N.** (Trengganu Tengah).

„ **TUAN MUSA BIN HITAM** (Segamat Utara).

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

Yang Amat Berbahagia **TUN DATU HAJI MUSTAPHA BIN DATU HARUN, S.M.N., P.D.K., K.V.O., O.B.E.** (Marudu).

Yang Berhormat **DATO' PANG TET TSHUNG, P.D.K.** (Kota Kinabalu).

„ **PENGARAH RAHUN ANAK DEBAK** (Serian).

„ **TUAN R. C. M. RAYAN *alias* R. C. MAHADEVA RAYAN** (Ipoh).

„ **TUAN SOH AH TECK, A.M.N.** (Batu Pahat).

YANG HADHIR BERSAMA:

Yang Berhormat Peguam Negara Yang Berbahagia **TAN SRI ABDUL KADIR BIN YUSOF, P.M.N., P.J.K.** (Di-lantek).

DO'A

(Tuan Yang di-Pertua *mempengerusikan Meshuarat*)

JAWAPAN² MULUT BAGI PERTANYAAN²

PINJAMAN² KAPADA MIDE/ SHARIKAT² KERJASAMA

1. Tuan Abu Bakar bin Umar minta Menteri Kewangan menyatakan berapa banyak pinjaman² dari Kerajaan kepada Sharikat Permodalan Kemajuan Perusahaan Malaysia Sendirian Berhad (SPKPM) dan sharikat² kerjasama untuk menghapuskan padi kuncha dan kadar faedah yang dikenakan ka-atas-nya.

Menteri Kewangan (Tun Tan Siew Sin):

Tuan Yang di-Pertua, pinjaman tanpa bunga sa-banyak \$37.5 juta telah di-pinjamkan kepada Sharikat Permodalan Kemajuan Perusahaan Malaysia Sendirian Berhad dalam tahun 1963. Sa-lanjut-nya pinjaman sa-banyak \$100 juta telah pun di-luluskan pada tahun ini dan bunga-nya ia-lah antara 6½% sa-tahun yang di-keluarkan dalam tempoh 3 tahun bermula dari tahun 1971. Setakat ini \$30 juta dari pinjaman itu telah pun diberikan.

Pinjaman untuk menghapuskan padi kuncha di-salorkan kepada sharikat² kerjasama melalui Bank Kerjasama. Jumlah yang diperuntukan ia-lah \$3.5 juta dengan kadar bunga sa-banyak ¼% sa-tahun.

KERAJAAN REPUBLIK RA'AYAT CHINA—URUSAN BADAN PERNIAGAAN

2. Tuan Abu Bakar bin Umar minta Menteri Perdagangan dan Perusahaan menyatakan nama badan yang akan di-beri hak menjadi perwakilan tunggal Malaysia untuk menguruskan dengan Kerajaan Republik Ra'ayat China mengenai hal² perniagaan.

Menteri Perdagangan dan Perusahaan (Tuan Mohamed Khir Johari): Tuan Yang di-Pertua, berasaskan kepada chara perdagangan yang di-buat di-negeri China dijalankan oleh Perbadanan² Perdagangan negeri tersebut, maka Kerajaan berpendapat haruslah sa-buah badan yang sama di-lantek untuk mengendalikan perdagangan dengan negeri itu. Dengan keadaan yang demikian ada-lah di-fikirkan badan yang sesuai sa-kali di-lantek menjadi wakil perdagangan dengan negeri China itu ia-lah PERNAS. Perdagangan eksport yang sedang di-selenggara dan di-uruskan oleh pihak swasta yang tertentu akan terus di-buat oleh mereka sa-bagaimana biasa.

Tuan Haji Ahmad bin Arshad: Soalan tambahan. Dengan ada-nya siaran suara revolusi daripada ra'ayat Kerajaan China menuju kepada Kerajaan kita, ada-kah siaran ini menjejaskan usaha kita dalam perusahaan dan perdagangan yang ada sekarang.

Tuan Mohamed Khir Johari: Tidak.

PUSAT² PEMERIKSAAN KASTAM— BILANGAN

3. Tuan Haji Ahmad bin Arshad minta Menteri Kewangan menyatakan berapa bilangan pusat² pemeriksaan kastam yang di-ada-kan dalam Malaysia untuk menchegeh penyeludupan, dengan memberikan juga:

- (a) bilangan kes² penyeludupan yang telah di-da'awa di-Mahkamah sejak Malaysia di-tubuhkan;
- (b) jenis² dan banyak-nya barang² yang di-rampas; dan
- (c) sama ada barang² yang di-rampas itu telah di-musnahkan, di-lelong atau di-jadikan hasil negara.

Tun Tan Siew Sin: Tuan Yang di-Pertua, pada masa sekarang ada 41 tempat² peme-

iksaan kastam di-Malaysia untuk menchegeh penyeludupan, 22 di-Malaysia Barat dan 19 di-Malaysia Timor:

- (a) Bilangan kes² penyeludupan yang telah di-da'awa di-Mahkamah² sejak Malaysia di-tubuhkan berjumlah 11,265.
- (b) Jenis² dan banyak-nya barang² yang di-rampas ada-lah seperti berikut:

Chandu mentah ...	31,191 paun 3.62 ozs.
Chandu masak ...	698 paun 15.46 ozs.
Ganja ...	10,414 paun 12.58 ozs.
Morphine ...	401 paun 12.8 ozs.
Kukusan ...	2,569
Tapai ...	577,052.79 gelen
Tuak ...	4,762.81 gelen
Samsu ...	19,588.08 gelen
Kenderaan ...	989
Perahu ...	427
Tembakau ...	316,781.52 paun
Kain ² dan pakaian bernilai ...	\$2,546,911.97
Intan Permata ...	bernilai \$39,691.12
Alat ² solek ...	bernilai \$123,993.73
Jam tangan ...	bernilai \$111,922.90
Daun terup ...	bernilai \$46,927.57
Lain ² barang ...	bernilai \$4,461,534.49

- (c) Barang² yang tidak di-halangkan di-jual kepada orang ramai sa-chara lelong melainkan kenderaan², beras dan daun tembakau yang di-jual sa-chara tender. Barang² seperti alat² kukus untuk memasak samsu dan dadah² merbahaya (yang di-perakukan oleh Jabatan Kimia) ada-lah di-musnahkan. Ada kala-nya Kementerian Kesihatan berkehendakkan morphine itu. Kalau tidak morphine yang di-rampas akan di-musnahkan.

Tuan Luhut Wan: Soalan tambahan, Tuan Yang di-Pertua, boleh-kah Menteri yang berkenaan menerangkan dari mana datang-nya ganja² dan opium² yang di-bawa masuk ka-dalam negeri kita Malaysia ini. Ada-kah Menteri yang berkenaan telah menyiasat hal ini.

Tun Tan Siew Sin: (*Dengan izin*) Tuan Yang di-Pertua, of course these goods come from various sources, but I do not think it is in the public interest to reveal what we know or what we do not know, for that matter.

Tuan Haji Ahmad bin Arshad: Soalan tambahan, walau pun banyak pusat bagi kita menchegeh penyeludupan ini, tetapi penyeludupan ini bertambah dari sa-tahun ka-satahun. Ada-kah Kementerian ini berchadang mengeshorkan kepada Kerajaan supaya di-hukumkan lebeh berat lagi kepada ahli² penyeludup ini?

Tun Tan Siew Sin: Tuan Yang di-Pertua, the Treasury and the Department of Royal Customs and Excise are forever reviewing our methods and practices and I don't think that it is quite correct to say that smuggling is on the increase. I think rather the revenue yield from customs duties, that is import duty, export duty and excise is increasing and hence I think the premise implied by the Honourable Member is not quite correct. In spite of that, we are continually, as I said, revising again our methods and procedures and recently the Honourable Members may have noticed that we announced a very substantial increase in the payment of rewards and we feel this would be an incentive to an added flow of information. I say this because we did this in the case of income tax and since we announced many years ago a substantial increase in rewards for the receipt of information, I think the yield from income tax has shown a very substantial increase.

Tuan Haji Abdul Wahab bin Yunus: Soalan tambahan, saya ingin mendapat penjelasan daripada Yang Berhormat Menteri yang berkenaan, kenapa penyeludupan ini makin bertambah di-negara kita. Ada-kah ini dengan sebab pengawalan kita tidak begitu ketat, atau pun tidak begitu lengkap?

Tun Tan Siew Sin: Tuan Yang di-Pertua, in reply to the question of the last Honourable Member but one, I thought I had given a fairly full account of what we had done in the past and what we intend to do in the future, and I think that disposes of the question of the last Honourable Member.

RANCHANGAN PARIT DAN TALI- AYER JOHOR—ANGGARAN

4. Tuan Haji Ahmad bin Arshad minta Menteri Pertanian dan Tanah menyatakan sama ada Kerajaan akan melaksanakan ranchangan² raksaksa parit dan taliayer di-negeri Johor yang di-anggar akan menelan belanja lebeh kurang \$215 juta dan jika ya, sa-takat mana-kah yang telah di-jalankan sekarang ini.

Menteri Pertanian dan Tanah (Tan Sri Haji Mohamed Ghazali bin Haji Jawi): Tuan Yang di-Pertua, kajian awal bagi projek pembangunan pertanian Johor Barat meliputi ranchangan² perayeran dan saloran bagi Johor Barat dan Johor Selatan telah siap di-susun oleh Kementerian Pertanian dan Tanah untuk pertimbangan Kerajaan. Sa-bagaimana yang saya telah terangkan dalam Dewan ini juga, ia-itu pada masa sekarang ini kajian yang lebeh mendalam sedang di-jalankan oleh pehak² yang berkenaan, terutama sa-kali untuk membahagikan ranchangan itu kepada beberapa peringkat dan pehak Kerajaan akan berikhtiar untuk melaksanakan sa-peringkat demi sa-peringkat mengikut keadaan masa dan kebolehan daripada segi kewangan, pegawai dan lain² lagi.

PEKEBUN² KECHIL MENANAM SA-MULA—BANTUAN

5. Tuan Haji Ahmad bin Arshad minta Menteri Perdagangan dan Perusahaan menyatakan ada-kah benar bahawa Kementerian sedang membantu pekebun² kechil menanam sa-mula dusun² mereka dengan membekalkan pekebun² tersebut dengan anak² pokok kahwin dan jika benar nyatakan sama ada Kementerian boleh menjamin bahawa anak² pokok ini nanti akan menguntongkan pekebun² kechil dengan hasil-nya.

Tuan Mohamed Khir Johari: Tuan Yang di-Pertua, tidak ada ranchangan di-bawah Kementerian saya bagi menanam sa-mula dusun². Akan tetapi di-bawah Ranchangan Tanam Sa-mula Getah untuk Pekebun² Kechil, bantuan ada-lah di-beri kepada pekebun² kechil yang berhajat hendak menanam sa-mula tanah² getah mereka dengan pokok buah²an.

Di-bawah ranchangan ini pekebun² kechil hanya di-benarkan menanam dengan benih yang bermutu supaya menjamin pengeluaran hasil kebun² mereka.

Tuan Haji Ahmad bin Arshad: Soalan tambahan. Dengan ada-nya rancangan ini bagi pehak pekebun² kechil kita telah dapat beneh² yang bermutu dalam tanaman dusun, ada-kah Kementerian sedar bahawa dengan sebab banyak-nya buah²an ini seperti rambutan, durian hingga barang² ini tidak laku. Ada-kah Yang Berhormat Menteri ini mengikhtiarkan satu masa kelak supaya mengadakan satu kilang bagi mengtin buah rambutan ini, atau kilang memperoses durian?

Tuan Mohamed Khir Johari: Tuan Yang di-Pertua, ini ia-lah tanggung-jawab Kementerian Pertanian dan Tanah dan juga saya perchaya rakan sa-jawat saya Yang Berhormat Menteri Pertanian dan Tanah akan menjawab kalau sa-kira-nya di-tanya, bahawa beliau sedang menyusun Persatuan² Peladang guna untuk menolong petani² kita dalam hal pemasaran untuk buah²an mereka itu.

TEMPAT² KEDIAMAN—TINDAKAN MAHKAMAH TERHADAP MAJIKAN²

6. Tuan Haji Abdul Wahab bin Yunus minta Menteri Buroh dan Tenaga Ra'ayat menyatakan sama ada tindakan mahkamah telah di-jalankan terhdap majikan² yang tidak menyediakan tempat² kediaman, kemudahan² perubatan dan lain² bagi pekerja² mereka dan jika ada, beri butir² mengenai kes tersebut dan jika tiada nyatakan sebab²-nya.

Menteri Buroh dan Tenaga Ra'ayat (Tan Sri V. Manickavasagam): Tuan Yang di-Pertua, undang² berkenaan dengan perumahan untuk pekerja² terkandung dalam Akta (Minima Perumahan) Pekerja, 1966. Akta ini menetapkan taraf² perumahan yang minima untuk menjaga kesihatan serta keselamatan pekerja². Akta itu sa-benar-nya tidak menetapkan supaya para majikan menyediakan tempat tinggal untuk para pekerja mereka. Apa yang di-katakan oleh undang² itu ia-lah di-mana sa-saorang majikan itu menetapkan atau membenarkan di-tempatkan sa-barang pekerja di-dalam mana² bangunan yang di-punya-nya atau memilik-nya, maka bangunan itu mesti-lah mematuhi perbekalan² Akta itu.

Menurut kanun² buroh di-negeri² Malaysia Barat, majikan² yang terikat dengan kontrak atau pun perjanjian untuk menyediakan tempat tinggal untuk buroh² yang di-ambil bekerja oleh mereka di-ladang², lombong²

dan lain² jenis tertentu tempat pekerjaan terikat di-sisi undang² untuk mengadakan juga bagi para pekerja itu:

- (a) persediaan tempat hospital serta dengan peralatan-nya,
- (b) perhatian dan rawatan perubatan termasuk makanan di-hospital,
- (c) bekalan ubat yang chukop dan baik mutu-nya.

Pegawai² Kementerian, dengan kerap menjalankan pemeriksa²an ka-atas tempat² pekerjaan yang terlibat dengan perbekalan² Kanun² yang berkaitan ini, memastikan bahawa majikan² mematuhi kehendak² undang². Undang² pada keselurohan-nya di-patuhi. Akan tetapi, majikan² yang tidak terikat oleh kontrak mahu pun perjanjian untuk menyediakan tempat tinggal ini tidak terkena dengan undang² tersebut.

Tentang pekerja yang tidak bekerja di-ladang² dan lombong², tidak ada undang² pada waktu ini untuk menetapkan supaya majikan² menyediakan kemudahan² perubahan bagi mereka. Bagaimana pun, pada amalan-nya, banyak majikan menyediakan kemudahan² perubatan dan lain² kepada para pekerja mereka.

Soal tindakan undang² terhadap para majikan yang tidak terikat oleh undang² untuk menyediakan perumahan atau kemudahan² perubatan tidak timbul.

Tuan Haji Abdul Wahab bin Yunus: Soalan tambahan. Ada-kah Yang Berhormat Menteri yang berkenaan berchadang hendak mengadakan undang² supaya bukan sahaja majikan² di-lombong² dan ladang² sahaja mesti menyediakan tempat untuk pekerja² malah perusahaan² yang lain pun perlu berbuat demikian demi kepentingan kaum pekerja?

Tan Sri V. Manickavasagam: Tuan Yang di-Pertua, seperti mana yang saya katakan tadi sunggoh pun pada masa sekarang ini tidak ada undang², kebanyakan majikan² ada-lah menyediakan kemudahan² perubatan dan lain² kepada pekerja²-nya. Jikalau kita dapati yang kebanyakan-nya tidak mendapati, kita akan timbangkan atas perkara ini.

Tuan Haji Abdul Wahab bin Yunus: Soalan tambahan. Sa-kira-nya satu² majikan tidak ada menyediakan tempat tinggal bagi pekerja² itu, ada-kah pehak Kementerian

yang berkenaan berchadang untuk membuat usaha supaya pihak majikan dapat memberi sedikit imbohan untuk membayar sewa rumah, atau sa-bagai-nya kepada pekerja² tersebut?

TABONG MATA MALAYSIA—BIJI² MATA DI-DERMAKAN

7. Tuan Haji Abdul Wahab bin Yunus minta Menteri Kesihatan menyatakan:

- (a) bilangan biji² mata yang telah di-dermaikan kepada Tabong Mata Malaysia dari dalam dan luar negeri serta negeri² mana-kah yang telah menderma;
- (b) bilangan pemindahan mata yang telah di-jalankan dalam negeri ini dan kejayaan yang telah di-chapai.

Menteri Kesihatan (Tan Sri Haji Sardon bin Haji Jubir): Tuan Yang di-Pertua, Tabong Mata Malaysia belum lagi di-tubuhkan oleh kerana kelulusan bagi Akta Human Tissue maseh di-pertimbangkan. Walau bagaimana pun sa-bilangan daripada pakar² mata kita di-Malaysia Timor dan Barat telah pun menjalankan pembedahan cornea mata bagi kes² yang sesuai apabila cornea di-dapati dari negeri² luar. Sa-hingga ini sa-banyak 40 bahan cornea telah pun di-terima dari negeri² luar yang mana 18 daripada-nya di-terima dari Amerika Sharikat dan 22 daripada Ceylon. Tidak ada pendermaan cornea sa-chara sukarela yang di-buat oleh sa-siapa pun dari dalam negeri ini untuk pembedahan tersebut. Tidak ada pembedahan untuk pemindahan mata di-jalankan di-dalam negeri ini. Pembedahan² mata ada-lah terhad kepada pembedahan cornea graft sahaja dan sa-hingga ini jumlah pembedahan ini ada-lah 45, yang mana 40 ada-lah pembedahan cornea dengan menggunakan cornea yang di-dermaikan dan 5 lagi sa-chara di-pusingkan, ia-itu dengan menggunakan cornea pesakit sendiri. Dan kejayaan yang terchapai sa-hingga ini ia-lah lebih kurang 30 peratus yang dapat chukop pandangan, yang lebih-nya itu tidak dapat pandangan yang sa-penoh-nya.

Tuan Haji Abdul Wahab bin Yunus: Soalan tambahan. Apa yang saya tahu, apakala masaalah pemindahan mata ini di-hebuhkan di-Malaysia ini timbul keraguan tentang hukum ugama dan sa-bagai-nya. Apa-kah Yang Berhormat Menteri Kesihatan

sa-hingga ini telah pun selesai menghilangkan keraguan² saperti itu di-kalangan masharakat kita khas-nya di-kalangan umat Islam?

Tan Sri Haji Sardon bin Haji Jubir: Tuan Yang di-Pertua, Ahli Yang Berhormat dari Dungun ini daripada pihak PAS barangkali dia pun faham dan tahu lebih kurang-nya. Tetapi daripada rasmi-nya kita sedang menunggu yang akhir sa-kali fatwa² itu sa-belum kita boleh dapat melaksanakan undang² yang di-tunggu itu.

Tuan Haji Abdul Wahab bin Yunus: Sudi-kah Yang Berhormat Menteri yang berkenaan memberitahu fatwa² itu daripada mana?

Tan Sri Haji Sardon bin Haji Jubir: Fatwa² daripada Majlis Raja² yang di-nasihatkan oleh wakil² ugama tiap² buah negeri yang mana termasuk juga negeri Trengganu, negeri Ahli Yang Berhormat itu.

MEMPEROSES CHANDU—BILANGAN DI-TAHAN

8. Tuan Haji Abdul Wahab bin Yunus minta Menteri Kesihatan menyatakan adakah benar bahawa chandu ada di-peroses dalam Malaysia, jika benar, nyatakan di-mana chandu² ini di-peroses, bilangan mereka yang telah di-tahan atas tuduhan terlibat dalam usaha memperoses chandu serta nyatakan juga sama ada pakar² asing ada terlibat.

Tan Sri Haji Sardon bin Haji Jubir: Tuan Yang di-Pertua, chandu di-dalam apa bentuk rupa tidak di-peroses di-mana² tempat di-Malaysia ini. Chandu yang terdapat di-negara ini telah di-seludupkan dan ini adalah bertentangan dengan peruntukan Ordinan Ubat² Bahaya tahun 1952. Dalam tempoh tiga tahun yang lalu sa-jumlah 158 orang telah di-da'awa berthabit dengan perkara ini, tetapi tidak ada sa-orang asing yang terlibat. Walau bagaimana pun chandu yang telah di-rampas oleh pihak Polis atau Kastam mungkin boleh di-peroseskan oleh Kerajaan di-makmal ubat Kementerian Kesihatan, Petaling Jaya untuk kegunaan perubatan.

Tuan Haji Abdul Wahab bin Yunus: Soalan tambahan. Ada-kah Menteri yang berkenaan itu sedar bahawa banyak benar ra'ayat di-negeri kita ini yang menjadi penageh² chandu yang mana itu mendatangkan banyak pembawakan masok ka-Malaysia ini.

Tan Sri Haji Sardon bin Haji Jubir: Saya ta' tahu tentang banyak-nya itu. Ta' tahu-lah kalau di-Dungun barangkali banyak, saya ta' tahu (*Ketawa*) kerana ini salah pada sisi undang².

Tuan Haji Ahmad bin Arshad: Tuan Yang di-Pertua, soalan tambahan. Ada-kah Yang Berhormat ini sedar bahawa pokok chandu juga telah di-tanam oleh ra'ayat Malaysia dalam tanah ayer kita ini. Kalau sedar, apa langkah yang sedang di-buat untuk menjahanamkan pokok chandu ini.

Tan Sri Haji Sardon bin Haji Jubir: Yang saya tahu, Tuan Yang di-Pertua, chandu ini daripada kopi. Kopi tidak ada di-tanam dalam negeri kita. Barangkali ini terkeliru tentang yang lain. Ada satu pokok marijuana yang memang telah pun di-ambil tindakan oleh pehak Polis dan Kastam dan tempat² itu telah pun di-tebas, di-jahanamkan dan di-musnahkan.

Tuan Haji Ahmad bin Arshad: Pokok yang di-jahanamkan tadi, ada-kah dalam kawasan Yang Berhormat Menteri Kesihatan kita (*Ketawa*).

Tan Sri Haji Sardon bin Haji Jubir: Saya ta' tahu, saya ta' pereksa.

USUL

PENYATA JAWATAN-KUASA PERATORAN² MESHUARAT DEWAN RA'AYAT YANG KETIGA

Tun Tan Siew Sin: Tuan Yang di-Pertua, saya mohon menchadangkan:

Bahawa Laporan Pertama Jawatan-kuasa Peratoran² Meshuarat (Penggag Pertama) Dewan Ra'ayat Yang Ketiga, yang telah di-bentangkan dalam Dewan Ra'ayat sabagai Risalat No. DR. 2 tahun 1971 di-terima.

Ahli² tentu bersetuju bahawa Peratoran² Meshuarat Dewan Ra'ayat yang asal-nya telah di-gubal pada bulan September 1959 oleh Setiausaha Dewan Ra'ayat pada masa itu, dengan bantuan sa-orang pegawai British House of Commons, hendak-lah di-pinda dari masa ka-masa mengikut pengalaman kita sendiri. Ahli² Yang Berhormat tentu-lah ingat bahawa Dewan Ra'ayat telah menerima

pindaan² yang di-perakukan oleh Jawatan-kuasa Peratoran² Meshuarat pada bulan November 1959, Disember 1960, Jun 1962 Oktober 1962, Mach 1965 dan Julai 1966. Dengan itu lima tahun telah berlalu semenjak kita mengambil langkah meminda dan perubahan² yang di-perakukan oleh Jawatan-kuasa Peratoran² Meshuarat pada kali ini boleh-lah di-anggap tepat pada waktu-nya.

Penyata itu menchadangkan 3 pindaan yang penting juga dan oleh itu saya ingin menerangkan dengan panjang lebar tentang pindaan² tersebut. Mula², Peratoran Meshuarat 76 (1), 77 (1), 78 (1), 79 (1) dan 80 (1) menetapkan bahawa Jawatan-kuasa Pemilih, Jawatan-kuasa Kira² Wang Negara, Jawatan-kuasa Peratoran² Meshuarat, Jawatan-kuasa Dewan dan Jawatan-kuasa Hak Istimewa hendak-lah di-lantek pada tiap² sidang atau session Parlimen. Ini berm'a-bahawa tempoh Jawatan-kuasa itu ada-lah untuk sa-tahun sahaja, walau pun pada amalan-nya Ahli² Yang Berhormat itu biasa-nya di-pilih sa-mula tiap² tahun sa-panjang umur satu² Parlimen.

Oleh itu ada-lah di-chadangkan bahawa tempoh Jawatan-kuasa itu hendak-lah juga sa-panjang umur Parlimen, ia-itu 5 tahun, untuk menghapuskan amalan biasa yang membazirkan masa Dewan ini.

Yang kedua, ada-lah juga di-chadangkan supaya Peratoran² Meshuarat 77 (2) di-pinda untuk membolehkan Jawatan-kuasa Kira² Wang Negara di-luaskan hingga 12 orang ahli berbanding dengan bilangan maksima 6 orang, tidak termasuk Pengerusi. Maksud pindaan ini ia-lah untuk merapatkan lebeh ramai penyokong² dari kedua belah pehak dalam Dewan ini dengan aspek² kewangan Kerajaan oleh kerana ada-lah di-rasa'i bahawa kerja Jawatan-kuasa ini boleh membantu Kerajaan lebeh banyak lagi untuk mengelakkan perbelanjaan yang tidak perlu dan membazir.

Akhir sa-kali, tugas² Jawatan-kuasa Dewan telah di-luaskan untuk memasokkan bukan sahaja perkara² yang berhubung dengan kesenangan dan keselesaan Ahli² Yang Berhormat, tetapi juga perkhidmatan² dan kemudahan² yang di-untukkan untuk Ahli² Yang Berhormat. Keputusan-nya, Jawatan-kuasa ini patut menjalankan kerja yang lebeh berguna dengan bertambah-nya tugas²-nya. Tugas Jawatan-kuasa ini patut-lah membolehkan Ahli² Yang Berhormat hidup lebeh

selesa sa-masa mereka di-dalam bangunan ini, sunggoh pun saya chepat menyatakan lagi bahawa perubahan² yang di-chadangkan ini tidak akan mengurangkan mereka dari bertikam lidah dalam Dewan ini sendiri.

Lain² pindaan yang di-perakukan oleh Jawatan-kuasa ini dalam Penyata yang di-bentangkan dalam Dewan ini ada-lah kechil dan tidak penting. Pindaan² itu ada diterangkan dengan jelas di-dalam Penyata Jawatan-kuasa ini dan, oleh yang demikian, saya tidak berchadang menerangkan-nya dengan panjang lebar lagi.

Saya juga suka menegaskan di-sini bahawa pindaan² yang di-perakukan di-dalam Penyata itu telah di-persetujui dengan sa-bulat suara oleh Ahli² Jawatan-kuasa yang mengandongi Yang Berhormat Tuan Yang di-Pertua sa-bagai Pengerusi, dan Ahli² Yang Berhormat sa-lain dari diri saya sendiri, saperti berikut—

Y.B. Tan Sri Nik Ahmed Kamil,

Y.B. Tuan Abdul Taib bin Mahmud,

Y.B. Tuan Peter Lo Su Yin,

Y.B. Tuan Richard Ho Ung Hun, dan

Y.B. Tuan Abu Bakar bin Umar.

Oleh itu, saya ada-lah berharap Dewan ini akan menyokong Usul ini.

Tuan Abu Bakar bin Umar (Kubang Pasu Barat): Tuan Yang di-Pertua, saya bangun untuk menyokong Usul yang di-bawa oleh Yang Berhormat Menteri Kewangan di-dalam Dewan ini untuk meminda Peratoran² Meshuarat yang telah di-bentangkan pada hari ini.

Tuan Yang di-Pertua, di-dalam menyokong Usul ini saya berpendapat sa-bagai salah sa-orang daripada Jawatankuasa, peratoran ini ada-lah sesuai dan ada-lah satu pembaharuan di-dalam Standing Order bagi Dewan Ra'ayat kita pada masa ini.

Pindaan ini, Tuan Yang di-Pertua, di-buat ia-lah berdasarkan kapada semangat Perlembagaan yang ada sekarang ini. Sa-bagai satu contoh-nya, Tuan Yang di-Pertua, kita telah menghapuskan satu lafadz Clerk digantikan dengan lafadz "Setiausaha".

Dan yang kedua, Tuan Yang di-Pertua, dengan menambah Ahli² Jawatankuasa Kewangan atau pun Public Accounts Committee daripada 6 menjadi 12. Ini menunjukkan

yang bahawa Standing Order ini telah memberikan satu kuasa yang besar kapada Ahli² Dewan untuk menjaga hal² kewangan yang di-belanjakan oleh Kerajaan dan dengan ini saya menyeru segala² Ahli Yang Berhormat dalam Dewan ini turut menyokong Usul yang di-kemukakan oleh Yang Berhormat Menteri Kewangan.

Tuan Haji Ahmad bin Said (Seberang Utara): Tuan Yang di-Pertua, saya bangun untuk menyokong Pindaan kapada Peratoran Majlis Meshuarat Dewan Ra'ayat dan saya ingin menarek perhatian perkara 8 yang berbunyi:

Bahasa² rasmi Majlis ada-lah bahasa Melayu dan menurut sharat² dalam Fasal 2 dan 3 dalam perkara 152 dalam Perlembagaan ada-lah juga bahasa Inggeris.

Tuan Yang di-Pertua, kita sudah merdeka hampir² 15 tahun dan bahasa kebangsaan ia-lah bahasa Melayu dan kita maseh dapati banyak di-antara Ahli² Majlis yang maseh lagi berchakap dalam bahasa Inggeris. Oleh yang demikian, saya berharap Jawatankuasa ini akan membuat satu keputusan bila-kah had atau tempoh-nya yang boleh kita berchakap bahasa Inggeris sa-lepas daripada itu tegahkan sama sa-kali, tidak boleh berchakap bahasa Inggeris. Jadi saya harap-lah kapada Jawatankuasa ini memikirkan dan bagi tempoh, bagi peluang pada Ahli Meshuarat Undangan Persekutuan, ia-itu satu Majlis yang tertinggi sa-kali dalam negara ini supaya kita menunjok tauladan kapada ra'ayat jelata bahawa kita-lah orang yang boleh mengendalikan supaya ra'ayat kita boleh ikut kehendak² Perlembagaan kita.

Yang kedua, Tuan Yang di-Pertua, ia-lah Perkara 35 (vi) di-sini menyatakan:

Sa-saorang Ahli tidak boleh membacha uchapan-nya tetapi boleh di-bacha-nya chabutan² daripada buku² atau surat² kerana hendak menyokong hujjah²-nya dan boleh di-tengok-nya peringatan² bagi mengingatkan balek apa yang hendak di-chakapkan-nya itu.

Tuan Yang di-Pertua, bagaimana saya sebutkan tadi 14 tahun lebeh yang kita telah pun mengadakan satu Parlimen yang boleh di-katakan dalam Tenggara Asia kalau termasuk Asia ini Parlimen kita-lah yang sa-baik² sa-kali kerana kita ada chukup Peratoran, chukup tatatertib, tidak ada pergadohan. Ada sa-tengah² Parlimen di-kunchi Speaker itu dia tidak boleh keluar. Jadi

nampak-nya Parlimen kita ia-lah satu Parlimen yang baik di-harap supaya Jawatankuasa ini akan menentukan sama ada sa-orang itu kalau dia betul² tidak boleh berchakap bahasa kebangsaan, Tuan Yang di-Pertua, boleh benarkan dia bacha dalam bahasa kebangsaan. Kalau dia tidak boleh berchakap bahasa kebangsaan, suroh dia belajar sunggoh² supaya belajar bahasa kebangsaan. Jadi, dua perkara ini-lah, Tuan Yang di-Pertua, saya berharap dapat pandangan daripada Jawatankuasa supaya dapat mengkaji dengan sa-baik²-nya supaya maruah, atau moral, atau kemuliaan Parlimen ini akan di-sanjong tinggi. Terima kaseh, Tuan Yang di-Pertua.

Tun Tan Siew Sin: (*Dengan izin*) Tuan Yang di-Pertua, the two points raised by the last Honourable Member are in fact not covered by the amendments to the Standing Orders which this House is asked to approve. One of them, I think, involves a matter which lies within your prerogative; the other one too very much lies within your prerogative. So I think it is really not necessary for me to reply to him.

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

Di-putuskan,

Bahawa Laporan Pertama Jawatankuasa Peratoran² Meshuarat (Penggah Pertama) Dewan Ra'ayat Yang Ketiga, yang telah di-bentangkan dalam Dewan Ra'ayat sa-bagai Risalat No. DR. 2 tahun 1971, di-terima.

RANG UNDANG²

RANG UNDANG² MENCHEGAH RASUAH PINDAAN

Bachaa Kali Yang Kedua dan Ketiga

Atoran Urusan Meshuarat di-bachakan bagi menyambong sa-mula perbahathan atas Masaalah, "Bahawa Rang Undang² ini di-bachakan kali yang kedua sekarang" (26hb Julai, 1971).

Perbahathan di-sambong sa-mula.

Tuan Hashim bin Gera (Parit): Tuan Yang di-Pertua, Rang Undang² Penchegah Rasuah yang di-bentangkan di-dalam Majlis yang mulia ini, saya perchaya tidak ada sa-orang pun Ahli² Dewan yang hadir akan

menentang dan saya perchaya akan mendapat sokongan 100 peratus sama ada dari pehak Pembangkang, atau pun dari pehak Kerajaan, sebab-nya saya berkata demikian rasuah ada-lah satu musuh kapada negara. Sa-lain daripada kominis yang mahu merosakkan ketenteraman negara di-hutan² di-sempadan Malaysia kita tetapi juga rasuah ada-lah satu musuh yang sedang berkeliaran di-pejabat² Kerajaan, di-pejabat², kilang² perusahaan, di-bandar², di-pekan² di-negara kita.

Jika sa-sabuah negara yang rasuah-nya menjadi², maka kelak tidak-lah dapat Undang² yang di-buat oleh Kerajaan itu berjalan dengan pesat-nya kerana orang ramai akan berani melanggar Undang², dia boleh, akan terlepas kerana menggunakan rasuah. Kelak menjadi-lah negeri kita huru-hara dan dengan ranchangan² Malaysia Yang Kedua atau sa-bagai-nya akan tidak dapat di-jalankan dengan chukup sempurna dan menjatuhkan imej negara kita.

Tuan Yang di-Pertua, orang² yang melakukan rasuah ini kerap kali kita dapati dari kakitangan² Kerajaan yang berpangkat rendah dan ada kala-nya kakitangan² Kerajaan yang berpangkat atasan dan terlibat juga ahli² politik di-dalam negeri ini. Yang dapat memegang satu² keistimewaan dalam satu² bahagian; ada di-antara ahli² politik itu yang telah melupakan kepentingan negara dan ra'ayat dia mengambil keputusan kuasa yang di-berikan kapada-nya untuk merebakkan rasuah. Sa-hingga ada di-antara negeri² di-Malaysia Barat ini ra'ayat berkata mari kita mengadu hal kapada Wakil Ra'ayat. Apakah kata ra'ayat sa-tengah-nya, apa guna minta tolong Wakil Ra'ayat itu? Wakil Ra'ayat 4B. Tuan Yang di-Pertua,

Tuan Yang di-Pertua: Wakil Ra'ayat apa itu?

Tuan Hashim bin Gera: 4B. Nanti saya terangkan (*Ketawa*). Kita biasa mendengar Belia 4B, tetapi hari ini ada sa-tengah Wakil Ra'ayat—ma'afkan saya—bukan semua yang di-gelar oleh ra'ayat Wakil Ra'ayat 4B. Apakah B yang pertama: "bijeh". Dia sa-telah menjadi Wakil Ra'ayat merebakkan rasuah dengan membuka tanah lombong bijeh.

B yang kedua dia berusaha sa-boleh²-nya merebakkan rasuah dengan membuka hutan "balak" di-negeri ini.

B yang ketiga datang-lah lagi satu ia-itu "botol", minuman keras.

B yang keempat mengireng-lah dia dengan wanita² ia-itu perempuan—"betina" (*Ketawa*). Ini akibat daripada ahli² politik yang gila dengan rasuah.

Tuan Yang di-Pertua, apa-kah sebab-nya rasuah ini tidak dapat di-hapuskan di-negara kita. Walau bagaimana di-usahkan oleh Pejabat Penchegeh Rasuah dengan pegawai², dengan kakitangan²-nya yang cherdek-pandai, tetapi pada pendapat saya, Tuan Yang di-Pertua, pertama Kerajaan tidak tegas pada mentafsirkan rasuah, hanya Kerajaan mentafsirkan rasuah itu sa-mata² menerima wang dari sa-orang kapada kakitangan Kerajaan kerana satu² hajat, tetapi Kerajaan tidak mengambil tafsir bahawa ada juga rasuah itu di-lakukan oleh satu pehak yang lain kapada satu pehak yang lain dengan menggunakan gadis² jelita dan wanita. Dan ada juga rasuah yang di-gunakan oleh satu pehak yang lain kapada satu pehak yang lain, kerana memenohi hajat-nya dengan membawa kebendaan ka-rumah pegawai² itu.

Mithal-nya, Tuan Yang di-Pertua, jika ra'ayat memberi wang kapada alim-ulama' di-panggil sedekah. Jika ra'ayat memberi wang atau satu² benda atau barang kapada kaki-tangan Kerajaan, di-panggil buah tangan. Kapada ra'ayat memberi sa-suatu kapada Menteri di-dalam Majlis Jamuan, di-panggil chendera mata. Kalau ra'ayat memberikan sa-suatu ka-Bawah Duli Yang Maha Mulia Raja² di-katakan persembahan dari ra'ayat. Padahal semua pemberian itu ada dengan ma'ana, ada dengan tujuan. Maka tidak-kah itu di-panggil rasuah juga? Ini-lah yang menjadikan satu masaalah kapada ra'ayat dan menjadi satu masaalah yang tidak di-takuti oleh orang ramai. Yang kedua, ia-lah chara pengadilan. Mithal-nya sa-suatu perkara rasuah yang telah dapat di-selideki oleh Pegawai² Kaki-tangan Pejabat Rasuah dan di-bawa kapada keadilan. Chara pengadilan itu tidak menepati, kerana ada di-dapati ada orang yang melakukan rasuah, di-beri nasihat suroh bersara, tetapi ada pula orang yang berasuah di-tangkap, di-penjara ka-Pudu, tinggal-lah anak dan isteri-nya dengan menderita. Jadi kata pepatah Melayu: ada pilehkaseh. Dan umpama panas, kata orang Melayu, tidak panas di-padang, tetapi kalau panas di-padang,

semua-nya panas. Ini panas di-belukar, ada bertompok², bawah pokok rimbun tidak panas.

Ini-lah satu-nya mengelirukan ra'ayat. Sebab itu istilah rasuah yang pada asal-nya pada zaman dahulu sa-belum penjajah dan merdeka di-kata tumbok rusok, hari ini di-panggil rasuah:

Istilah baharu di-panggil rasuah,
Selalu tertangkap orang di-bawah,
Orang di-atas di-biarkan mewah,
Pokok-nya rimbun lebat berbuah (*Ketawa*).
Di-tangkap peon, kerani, mata²,
Gaji-nya kechil, gelap-lah mata,
Di-hantar ka-Pudu berdinding bata,
Anak dan isteri tinggal menderita.

Yang demikian ini-lah saya dengan ikhlas merayu kapada Kerajaan dan pehak Kementerian yang berkenaan supaya berhati² dan supaya lebih teliti menjalankan kewajipan ini supaya dapat di-hapuskan rasuah itu di-negara kita ini. Maka saya berpendapat bukan sahaja undang² ini patut di-sokong, tetapi patut di-tambah ia-itu pegawai² Kerajaan yang di-dapati rasuah patut harta-nya di-rampas, sa-telah di-kaji latar-belakang-nya harta itu dari mana dia dapat supaya jangan pula menderita anak dan isteri-nya, tetapi yang berlebihan itu di-rampas sama sa-kali dan terus di-hukum, jangan pileh kaseh sa-bagaimana yang saya katakan tadi. Dan lagi satu sa-telah di-beri kuasa penoh kapada Pegawai² Penchegeh Rasuah menjalankan tugas²-nya, jangan ada satu kuasa tangan yang lain yang boleh menghalang pegawai itu daripada bertindak menghukumkan orang yang di-tudoh dalam perkara rasuah ini. Dengan sa-chara yang demikian dapat-lah Jabatan Penchegeh Rasuah ini di-jalankan dengan lichin, tidak memileh kaseh. Mudah²an rasuah ini hapus dari negara kita ini, kalau semua ra'ayat-nya mahu mengikut dan ta'at kapada Rukunegara. Sekian-lah, Tuan Yang di-Pertua. Terima kaseh.

Dr Chen Man Hin (Seremban Timor):
(*Dengan izin*) Tuan Yang di-Pertua, I would like to say a few words about three aspects of corruption. The first is on the question of political corruption. Quite often at elections, Ministers and other high-ranking officers of the Party in Government offer land or money to the voters as an incentive to vote for them. I would like to know whether the Anti-Corruption Agency considers these

offers of money and land as constituting political corruption, and if so, whether it considers taking necessary action if such offers are to be made in the future whether it be by Minister or high-ranking party officials. There are today even instances of giving land only to members of the ruling party, that is to say, provided they become members of that political party, otherwise land would not be given to them: whether it be F.L.D.A. schemes or other land schemes.

There is the other aspect of corruption—moral corruption. Corruption in the wider sense can also include corruption of moral standards among the people by such fads as sexual permissiveness and drug habits. These fads may be practised in developed countries, and they may get away with it. But in a country like ours, a developing country like Malaysia, I do not think the youths need this type of culture that evolves purely around sex and drugs. At a crucial time in this Nation's history, when economic development and progress are yet to be achieved, the youth must be fed on discipline and good health if they are to contribute their much needed role to boost the country's economy. If the potential of youth is to be undermined by sexual permissiveness and drugs, then it would be difficult to launch off the Second Malaysia Plan.

The D.A.P. is not suggesting an absolute ban on films claiming to educate the people about sex, such as the "X" films, nor are we suggesting the adoption of prudish standards for sex. But much of the popularity of the "X" films is due to curiosity of the public about sex. This is the result of an absence of sex instruction in schools and in the homes.

Tuan Haji Mohamed bin Yaacob: Tuan Yang di-Pertua, on a point of order. Adakah perkara yang di-chakapkan oleh Ahli Yang Berhormat ini kena-mengena dengan Undang² Menchegah Rasuah ini. Kita berchakap (Pindaan) Undang² Anti-Corruption.

Tuan Yang di-Pertua: Ya. (*Kapada Dr Chen Man Hin*) Will you please take note of that?

Dr Chen Man Hin: Yes, Sir. I would urge the Minister of Education to take this into consideration and have a course on sex instruction for students in schools.

Continuing, I would like to point out the other aspect of corruption as it is generally defined and known in this country, which implies the acceptance of a bribe by a Government official in return for services performed or imparting vital but profitable information. It is a practice that is prevalent in most countries in the world, and even in developed countries. But in developing countries, the practice is more dangerous because it can seriously undermine the efficiency of governmental machinery and also drastically affect the economy of the country. Glaring examples can be seen by the damage done to economies of neighbouring countries because of rampant and uncontrolled corruption.

In an apparent attempt to wipe out corruption, an Anti-Corruption Agency has been formed. Some results have been achieved, but these are largely peripheral. The core of corruption is hardly touched at all. Big time corruption by financiers and corruption in high places have been left alone. The A.C.A. is quite powerless to deal with them, because of the countervailing influence of nepotism and politics. If the Agency is to be given a free hand, then it should be free from all political and extraneous pressures; and the best way for this would be to let the Agency be answerable directly either to the Judiciary or to Parliament, the supreme legislative body in the country.

An absolutely honest and incorruptible image should be set up by members of the Cabinet and other high ranking officials. This type of example can be a source of inspiration to all Government servants and aid them to be clean and honest. The success or failure of the Second Malaysia Plan will also depend largely on an incorrupt and efficient Government, and so much depends on its success, such as unemployment and discontent among the have-nots. I, therefore, call upon the Government that:

- (1) All Ministers and Government officials should immediately declare their assets to this Parliament; and
- (2) To set an example of clean and austere living to the people.

You can preach indefinitely about the evils of corruption, and the necessity of stamping it out. But it is time now to set the example and it is by sheer example and performance

that can drive the message home of the necessity to have a clean government and an equally clean-minded people. Thank you.

Tuan Tan Cheng Bee (Bagan): (*Dengan izin*) Mr Speaker, Sir, I rise to support this Bill. I see that the Opposition is still harping on the sincerity of the Government to stamp out corruption. Sir, the fact that the Alliance Government has set-up an Anti-Corruption Agency and passed the Prevention of Corruption Act, 1961 is proof of the Government's sincerity to wipe out corruption. It has been difficult to get convictions on such cases charged by the Penal Code, because it is always not possible to get corroboration in such cases, and that is the reason, I presume that this Act was promulgated in 1961. With the record of successful cases dealt with by the Agency, I really cannot understand how the Opposition could still doubt the sincerity of the Government.

Sir, yesterday one of the Opposition Members for Sarawak suggested that MPs who changed camps or even MPs from the Opposition who were chosen to be Ministers in the Government, should be charged. Sir, I feel this is asking for the law to be stressed so far as to be absurd. Surely, it is a good and fair Government that gives chances to intelligent, experienced and above all honest MPs, even from the Opposition, to hold Ministerial positions. If an MP changes camp it is because he/she does not still accept the ideology of the party to which he or she belongs, or lost hope of the effectiveness of his/her party gaining further support from the public. I do hope therefore that the Government will not interfere with the wishes of such disillusioned MPs; otherwise politics would be meaningless. Thank you.

Tuan Peter Paul Dason (Pulau Pinang Utara): (*Dengan izin*) Mr Speaker, Sir, the fact that has been stated by the Honourable Member for Bagan that the Government has created the Anti-Corruption Agency and brought about this law to prevent corruption does not prove in itself that the Government has the intention of truly and really, ruthlessly and mercilessly rooting out corruption, but it does prove something else. It is a confession on the part of the Government that corruption is rampant in this country. That is what it proves and Government Ministers, Mr Speaker, Sir, have, outside this House and inside this House, admitted that there is

corruption and that it is a serious problem. But what they have not admitted, Mr Speaker, Sir, is that there is corruption in high places and this for very obvious partisan political reasons.

Mr Speaker, Sir, we have been urged and the workers in this country have been urged to exercise restraint, to discipline themselves for the good of the country, so that economic development can take place, so that foreign investments can come in. It is all very good, Mr Speaker, Sir. But how does one expect workers and members of the public to exercise restraint where wages are concerned—the demand for higher wages—to exercise discipline when they see all around them that there is no restraint, that there is no discipline amongst those that are higher up. That is, in fact, Mr Speaker, Sir, asking for too much. Government officers who hold low ranks, in the lower hierarchy, Mr Speaker, Sir, are not super human beings. They are not super human beings, they are just simple ordinary people, and it is asking for almost the impossible, Mr Speaker, Sir, to expect them to keep to the straight and narrow path, when they know that those above them indulge in corruption.

Mr Speaker, Sir, if the only consequence of corruption were to be that corrupt politicians and Government servants, both high and low, were to obtain unearned and untaxable income, if that is the only consequence of corruption, I for one would imagine that Malaysia could tolerate it: I am not suggesting that it should but it could tolerate it, and it would not be so disastrous for the country. But is that, and can that, be the only consequence—that government officers and politicians derive or obtain some untaxable and unearned income? We know that cannot be the only consequence. There must be social repercussions, because corruption induces in those who are corrupted, Government servants or politicians, attitudes of mind, Mr Speaker, Sir, that are not conducive to the idea of selfless public service. Corruption breeds greed and more greed. It creates an attitude of mind that continually asks what is there in it for me, before they either move their feet or their pen. It creates a mental blockage towards the ideal of doing things that ought to be done, that are good for society as a whole. Corruption inevitably brings about this attitude—I only do something where I get something, not because I

am paid my salary—something extra must come in before they move. Furthermore, Mr Speaker, Sir, corruption has serious economic repercussions for the country. Economic activities that in the normal course of events, in the absence of corruption, would be carried out, ought to be carried out, are unnecessarily delayed, from the activities of big business to the activities of the little man, and in the process of unscrambling the delays caused by the existence of corruption in Government Departments and amongst the politicians, millions of man-hours are wasted on unproductive pursuits.

Take the case of a small man who has to go to a Government department five or six times because somebody is waiting to be offered something. Five, six times may cause the little man a few hours, maybe 10, 15 hours, but those are working hours, Mr Speaker, Sir, those hours could be put to good productive use and they are here being wasted.

Furthermore, Mr Speaker, Sir, a very serious aspect of corruption is that it destroys the respect that society ought to have for law and order. Members of the public come into contact very regularly with Government officials and politicians and they often come across corrupt Government officials and politicians, from those very high up to those holding very low posts. It is from these experiences of these corrupt officials and politicians that their impressions of what the law is and of those who enforce the law in this country are created. These impressions, Mr Speaker, Sir, are not flattering, instead they breed contempt and disdain for the law and for those who enforce the law.

Mr Speaker, Sir, corruption, as has been said, is a national affliction. And it is high time that the Government takes hold of itself and stamp out corruption ruthlessly and mercilessly at all levels.

Dato' Haji Mohamed Asri bin Haji Muda (Kota Bharu Hulu): Tuan Yang di-Pertua, soal rasuah ini ada-lah suatu soal penyakit. Penyakit ini bukan-lah penyakit baharu, penyakit yang saya kira sejak beribu² tahun yang telah lalu. Dalam Islam sendiri pun telah menyatakan satu hukuman bahawa menjadi dosa besar atau di-kutok Tuhan bagi orang yang memberi rasuah dan orang yang menerima rasuah. Maka nyata-lah bahawa soal rasuah ini ia-lah soal yang telah menjadi

penyakit pusaka dalam kehidupan manusia sejak daripada dahulu sampai sekarang ini. Soal yang timbul sekarang ini ia-lah bagaimana chara²-nya supaya dapat kita menghapuskan rasuah ini atau sa-kurang²-nya mengurangkan penyakit rasuah ini.

Kerajaan kita telah pun menubuhkan Badan Penchegah Rasuah atau pun satu ejensi bagi menghapuskan rasuah ini semenjak tahun 1961 lagi dan walau bagaimana sa-kali pun kita dapat akui juga bahawa semenjak badan ini di-tubuhkan banyak hal² rasuah ini telah dapat di-kemukakan dalam Mahkamah. Ini kita dapat akui, tetapi kita tidak dapat menafikan di-dalam amalan pada masa² yang telah lalu bahawa ada kala-nya soal² rasuah ini banyak sangat di-champor tangan oleh gulungan² lain untuk kepentingan² lain. Mengikut ma'lumat atau pun mengikut pengetahuan yang di-ketahui umum, ada beberapa buah kes yang terpaksa ditunggu sampai berbulan², kadang² bertahun² sampai fail-nya menjadi lebu, hampir² hancor, kerana menunggu lampu hijau daripada pehak² yang tertentu untuk di-laksanakan tindakan-nya dan pada akhir-nya ada kes² tertentu yang di-fikirkan oleh orang ramai, tindakan itu akan berlaku dengan hebat dan hukuman-nya mungkin berat tiba² apa yang berlaku ia-lah suatu hukuman pada dasarnya sahaja hukuman² yang terlalu ringan. Nyata-lah bahawa soal pokok yang hendak di-kajikan sekarang ini ia-lah bagaimana chara-nya supaya Badan Penchegah Rasuah ini akan benar² bebas dan merdeka di-dalam melakukan tugas-nya.

Pada fahaman saya, Tuan Yang di-Pertua, di-dalam saya menyokong Rang Undang² yang ada di-hadapn kita ini, patut-lah pehak Kerajaan memikirkan untuk masa akan datang membentok satu rupa Badan Penchegah Rasuah yang benar² merdeka dan berdiri di-atas kaki-nya sendiri, satu badan yang di-berikan amanah oleh Seri Paduka Baginda Yang di-Pertuan Agong atau oleh Majlis Raja² Melayu dengan kuasa² yang tertentu dan sa-patut-nya siapa sahaja yang hendak memegang sa-bagai Pengarah Badan Penchegah Rasuah ini hendak-lah di-berikan taraf yang sama dengan taraf Hakim² dalam negeri ini. Dengan demikian keselesaan Pengarah dan anggota-nya menjalankan kerja lebeh terjamin daripada apa yang ada pada masa sekarang ini.

Perasaan dan chara bertindak sa-chara bebas ini ia-lah satu daripada syarat bagi menjamin pelaksanaan pencegahan rasuah dalam negeri ini. Walau pun mungkin ada orang akan memberi pendapat bahawa kalau pun di-berikan taraf seperti itu, kalau pun Pengarah Badan Pencegah Rasuah ini di-berikan taraf sa-bagai Hakim sa-kali pun, mungkin jawapan akan menjadi sama, dengan kerana yang menjalankan tugas ini ada-lah manusia biasa tidak terlepas juga daripada soal pengarah² luar lebeh² lagi pengarah² yang menjadi kepentingan diri. Tetapi soal ini, Tuan Yang di-Pertua, ada-lah soal yang terlalu nesbi—terlalu payah kita hendak raba, kalau hendak di-katakan kita sa-bagai manusia biasa semua-nya tidak terlepas daripada soal² penyakit² tertentu, neschaya kalau itu-lah menjadi asas pokok-nya, kita tidak akan dapat menjalankan sebarang pekerjaan; yang menjadi persoalan-nya ia-lah kejujuran dan ka-ikhlasan dalam menjalankan serta rasa tanggung-jawab terhadap negara kita ini sendiri.

Saya percaya bahawa kalau Badan Pencegah Rasuah ini di-beri taraf yang lebeh bebas, yang lebeh merdeka dan Pengarah-nya di-beri taraf sa-bagai Hakim, keselesaan dalam menjalankan tugas itu lebeh merupakan suatu pemberian semangat dalam melakukan tugas ini dengan lebeh luas, dengan lebeh ikhlas, dengan lebeh amanah, dengan lebeh jujur dan saya percaya hasil daripada tindakan Badan ini pada masa akan datang lebeh memberi kesan daripada masa yang sudah². Terima kaseh.

Dato' James Wong Kim Min (Miri-Subis): (*Dengan izin*) Mr Speaker, Sir, I think we all agree, Sir, from the both sides of this House that corruption is a cancer which creeps into our society and must be stamped out. I think we also agree, Sir, being realistic people that it is not entirely possible to stamp out corruption, but the very name of this Bill infers that prevention of corruption, which gives us a clue as to how we should deal with this problem.

Before I proceed, Sir, permit me to say that judging from reports I have heard and from conversations with people in the country, the Anti-Corruption Agency has done a good job, or rather they have been doing work which I think has borne some fruits, but I do not think they have done enough, Sir. Here I would like to make a constructive suggestion

rather than criticism because I feel that this is a problem which is not a matter only for the Government to deal with but it is a problem of the country and it is for us as representatives of the people that we should offer our services as well as our suggestions on ways and means to deal with this problem.

Mr Speaker, Sir, I agree with the Honourable Member on this side of this House who has just spoken that one of the ways to deal with this is to give the Anti-Corruption Agency and the Chief of the A.C.A. who deals with this problem, sufficient powers to be able to be independent and act independently. I think this is very, very important, as accusations have been made in the past, and people feel that they have reported the matter and so far nothing has been done. You know, the big fish gets away and the small fish gets caught and so on and so forth. We have read so much of these in the papers, Sir, but there is no use of recriminations, therefore, I make suggestions, Sir, I suggest, Sir, that a Watch-dog Committee should be formed in every State and this Watch-dog Committee should consist of the Chief of the A.C.A. in that particular State together with representatives of the Opposition as well as the Government to be incorporated in the Committee and also some members of the public, people of integrity, I do not know who is going to appoint this, probably a Judge will do the appointment or probably the Governor could do the appointment in the State or the Sultan. But these people appointed, Sir, would be sworn to secrecy and sworn to do their jobs, and they will meet in secret. I would suggest also that the Executive Secretary of this State Anti-Corruption Committee should be the Chief of the A.C.A. in the State. I think if we do this, Sir, it would go a long way to prevent corruption. The mere fact that we have a Committee which consists of especially Members of the Opposition will give the public more confidence to report what they know to this Committee. I would, Sir, strongly suggest that this suggestion be taken into consideration by the Government. I repeat here, Sir, that this is a problem which belongs to all of us.

Another thing, Sir, in advocating this is that in certain States, we have the Opposition in power and in certain States, we have the Alliance Government in power; therefore, it is probably desirable in certain States where you have the Opposition Party in power to

choose an Alliance Member as the Chairman of that Committee and where the Alliance is in power, you have an Opposition Member there as the Chairman of that Committee with the A.C.A., and the Police there to make sure that it is run properly.

Mr Speaker, Sir, I have advocated this again, this question of the State Committee, because different States have different *adats*. One Honourable Member has spoken earlier on that even gifts, for instance, to the administrative officers of the Government, especially the District Officers, who have to deal with the public inviting them, for instance, to functions and for dinners, possibly would be misconstrued or construed as corruption. But is this corruption? And these are people who have to deal with the public in the day-to-day administration, who must get close to the public, especially in the rural areas, where they have got to be there 24 hours a day. They have got to meet the public. Some of them have to go to coffee shops to deal with the public, so that they will know the problems and be close to the public in order to help the public. Are these corruption? Well, in Sarawak, I know, Sir, that for 100 years, these are not considered as corruption—for District Officers to join in the coffee shops and drink with friends in the town. Therefore, Sir, every different State probably has different *adats* and different customs and therefore a State Committee which consists of State people would know whether that chap has gone a little too far beyond his duty in accepting presents or even drinks.

Now, Sir, the other matter which I would like to bring up is what the Honourable Member for Bagan has said. He said he disagreed with what one Honourable Member from this side of the House has suggested that party members who wish to cross the floor should be dealt with by the law and should not be allowed to do so. Furthermore, the Honourable Member for Bagan said that Honourable Members who are elected, if they change their ideology, they should cross the floor. But this is precisely what must not be allowed, Sir. I feel, Sir, that a person who is elected by the people on the manifesto which is tabled before the people at that time, must stick by it. If he later on decides to change his ideology, then the right thing for him to do is to hand back his mandate to the people and say, "Here you are, take it

back; and I stand here for election on a new manifesto. If you agree to elect me, I get elected." Otherwise, Sir, I think you must accept the fact and I am sure Honourable Members on this side of the floor will agree with me, that normally, Sir, there are certain inducements for people to cross the floor. Whether it constitutes corruption or not, I don't know, but they definitely have a corrupting influence. I therefore, Sir, strongly support what the Honourable Member on this side of the House has spoken of, that Members of political parties should not cross the floor, as I feel very strongly, Sir, that this is against the tenets of Rukunegara where it says something about *Keluhoran, kesopanan* or moral behaviour. If Honourable Members of this House could not give an example of moral behaviour, then I think, Sir, you can't expect others to follow. Well, that is all, Sir, I have to say on this question. Thank you.

Tuan Haji Abdul Wahab bin Yunus (Dungun): Dato' Yang di-Pertua, saya ingin mengambil bahagian untuk membahaskan Akta Menchegehah Rasuah, 1961 yang dipinda dan di-bentangkan di-hadapan kita hari ini.

Sa-lain daripada apa yang telah diperkatakan berhubung dengan masalah benchi-nya manusia terhadap rasuah, maka saya ingin mengatakan pula bahawa sa-sungguh-nya penyakit rasuah ini ada-lah penyakit yang di-benchi oleh semua manusia. Sa-bahagian besar orang ada-lah benchi kapada rasuah. Demikian juga sa-bagaimana manusia banyak benchi kapada jin dan iblis, tetapi selalu manusia membuat perkara² saperti yang demikian dengan sebab kehendak² manusia memerlukan demikian.

Saya kira, Dato' Yang di-Pertua, ini ada-lah di-sokong oleh semua pehak ia-itu mereka² yang menentang penyakit rasuah ini bersetuju dengan undang² yang di-bentangkan di-sini dan mungkin undang² yang lebeh ketat daripada itu akan di-sokong oleh kita semua.

Dato' Yang di-Pertua, sa-benar-nya rasuah ini berlaku ada-lah datang daripada fahaman tiap² sa-orang yang menerima atau pun yang memberi rasuah, kerana banyak fahaman orang² yang menerima dan memberi rasuah itu ia-lah untuk hanya kapada diri sa-saorang, atau pun kapada diri-nya sendiri, sedangkan mereka tidak mengingatkan

keadaan di-belakang-nya atau pun kuasa² yang mereka gunakan untuk demikian itu.

Dato' Yang di-Pertua, untok mengatasi masalaah penyakit rasuah ini dengan hanya mengadakan undang² yang ketat sahaja, saya berpendapat itu tidak chukup, kerana undang² ini di-adakan, tetapi sa-balek-nya manusia akan menentang undang² itu, sebab manusia ini, Dato' Yang di-Pertua, memang suka sangat tidak mengikut undang². Kalau ada undang² dia akan lawan dengan undang². Kalau dalam Islam melarang perkara² yang sa-macam ini, dia akan membuat apa yang di-larang oleh Islam, dan kalau undang² Islam, dan kalau undang² negara melarang bagini, dia akan membuat apa yang di-larang oleh undang² negara itu.

Jadi, saya rasa, Dato' Yang di-Pertua, chara penentangan dengan chara dzahir semata² tidak akan chukup, tetapi saya mengeshorkan supaya kita menanam semangat keinsafan di-dalam jiwa tiap² pemimpin² negara kita dan juga di-dalam jiwa tiap² pegawai² kita.

Dato' Yang di-Pertua, kapada pemimpin², atau pun tokoh² negara, saya mengeshorkan supaya mereka lebih banyak menunjokkan chontoh² perbuatan, bukan chontoh² perkataan, kerana perbuatan ada-lah lebih berkesan daripada perkataan. Kalau tokoh² negara berchakap menentang rasuah, menentang rasuah dan benchikan kapada rasuah, tetapi sa-balek-nya ada kata² daripada orang ramai yang melihat bahawa pehak pemimpin² yang tersebut ada menerima hadiah², chendera-mata dan sa-bagai-nya, maka perasaan yang terpendam di-dalam jiwa orang² bawahan, tidak akan dapat di-hapuskan dan perasaan mereka ia-lah bahawa pehak pemimpin² di-sabelah atas lebih utamakan berchakap daripada perbuatan.

Jadi alang-kah baik-nya kalau pemimpin² pehak negara, pemimpin negara lebih utamakan perbuatan daripada perchakapan. Sa-lain daripada berchakap menentang rasuah, tetapi perbuatan-nya ada-lah menjauhkan diri daripada penyakit² yang tersebut walau pun sa-chara kesabaran sa-mata².

Tuan Yang di-Pertua, sa-lain daripada itu, saya ingin mengeshorkan supaya Kerajaan mengadakan kursus² atau pun mengadakan pengajaran² untok memberi fahaman ka-dalam jiwa pegawai² kita dan menyedarkan

mereka bahawa mereka telah di-beri gaji yang lumayan, gaji yang chukup di-nisbah dengan orang² lain, atau pun di-nisbah dengan ra'ayat biasa yang berpendapatan terlampau rendah, tetapi kita sudah lumayan, sudah \$2 ribu dan lebih gaji-nya.

Jadi, oleh kerana wang yang kita dapat ini ada-lah wang negara, wang yang di-pungut daripada ra'ayat, hasil² daripada orang ramai, maka alang-kah baik-nya kita menjalankan pentadbiran kita dengan sa-chara ikhlas dan jujur, ikhlas yang di-kehendaki ia-lah dengan menjauhkan diri daripada membuat atau pun melakukan kerja² rasuah dan perbuatan saperti itu.

Jadi, pada akhir-nya saya mengshorkan supaya lebih banyak kursus² kesedaran di-beri kapada kalangan² pegawai² Kerajaan dan kapada pemimpin² hendak-lah membuat chontoh² dengan perbuatan bukan sahaja dengan perkataan. Terima kaseh.

Tuan Hor Cheok Foon (Damansara):
(Dengan izin) Tuan Yang di-Pertua, frankly this debate on the prevention of corruption I must admit is quite a personal debate between the Members on this side of the House with the Members on the other side of the House. I say this because perhaps after I have stood up and have spoken, probably I will lose all my friends who are corrupted or corruptible and shall have remained the rest who do not.

To analyse on corruption, corruption exists when only you are connected with powers and authorities, and we have here in this House on the Government side persons who are vested with a wide range of power, able to execute anything, and of course we on this side of the House, the Opposition, do not share the same fate. Therefore, I say the debate is between this side of the House and the other side of the House and it will be getting a bit personal. I would like here, in view of the prevention of corruption, say that this Bill now being introduced is quite modest and designed not to hurt anybody because it tantamounts to say before you commit corruption we must prevent you from doing so, otherwise when you are caught it is not so nice. So therefore, I say, if we were to establish an investigation—a high powered investigation—to investigate the position and the assets of the Government personnels including the civil servants

in the private establishments, that is to say, private enterprises, private manufacturers, firms, finance houses, well, I suppose people who hold extreme power in the Government should not have anything to do with any extra income other than from the rightful position in which they are paid for.

Secondly, I would like to repeat, which has already been said in this House, a form of corruption in which elected members cross the floor after obtaining a large sum of money or are promised with a large sum of money, or other personal rewards, that elected Members, either in the State level or in the Parliamentary level, because of the personal interest then cross the floor and betray the verdict of the people, and I must say in the nearest future there must be another Bill to be introduced into this House to prevent Members from crossing the floor, and if they do so their election will be announced as null and void and by-elections shall be effected thereof.

Finally, and also to be very frank—after all we are all living in this materialistic world—we see people have plenty of money, millionaires, plenty of materials, cars, big houses. Well, fair enough. People who are vested with power try to acquire those things. I think the best thing to prevent corruption is to work out the human desire, the desire for possession. All right, say in the case of deciding pensions for people who have served either in the Government or in the civil service, give pensions which are enough to look after themselves when they have passed the stage of their responsibility and serving period, and also looking after the stocks and insurance of Government officers or perhaps the Ministers. Well, in this light if you have the reward the other way round, probably you will find that the temptation for corruption will eventually balance, when one has to think of—“Well, if I forego all these temptations, I have still got the other arrangement, that is to say, the other reward.” Then probably that is the better way to prevent one from committing corruption. Therefore I say it would be quite practicable. At the same time also those in the Government service, in the Police Force, who are under the Government payroll and who have powers must be financially and materially rewarded properly; otherwise we will be, you know unintentionally creating a condition where corruption will thrive. On this note I say thank you very much.

Tuan Haji Ahmad bin Arshad (Muar Utara): Dato' Yang di-Pertua, saya bangun menyokong Rang Undang² Menchegah Rasuah (Pindaan) berhubung dengan rasuah yang telah di-kemukakan oleh Menteri yang berkenaan dan saya mengambil bahagian membuatkan satu hujjah atau pandangan² yang belum di-sampaikan oleh rakan sa-jawat saya terdahulu daripada saya ini.

Yang pertama, Dato' Yang di-Pertua, yang saya nampak bahawa Badan Penchegah Rasuah ini hendak-lah di-tumpukan pada mengambil tindakan kapada mereka yang memberi rasuah, sebab biak-nya rasuah ini, Dato' Yang di-Pertua, ia-lah datang daripada mereka yang memberi.

Yang kedua, Dato' Yang di-Pertua, saya minta mengambil tindakan kapada mereka yang menjadi broker, yang menjadi tali barut rasuah. Ini juga patut di-ambil tindakan, sebab bila keluar satu² perkara, Dato' Yang di-Pertua, satu² projek Kerajaan, maka broker ini datang-nya daripada orang yang memberi dan juga kadang² datang-nya daripada orang yang menerima rasuah.

Yang ketiga, Dato' Yang di-Pertua, saya minta Badan ini memberikan perhatian kapada mereka yang memberikan kerjasama kapada Badan ini di-berikan sagu hati dan juga di-berikan perlindungan. Maka dengan ini, saya nampak usaha Kerajaan hendak mengatasi, menchegah rasuah ini akan dapat di-beri kerjasama oleh ra'ayat dalam negeri.

Yang keempat-nya, Dato' Yang di-Pertua, Badan ini hendak-lah mengambil wanita² bekerja, pada bahagian² yang tertentu, sebab dengan tipu helah, dengan kepintaran wanita juga dia dapat menangkap, memberkas daripada orang yang memberi rasuah dan juga orang yang menerima rasuah. Saya nampak, Dato' Yang di-Pertua, wanita sangat penting dudok dalam Badan Penchegah Rasuah. Itulah sahaja, Dato' Yang di-Pertua, yang dapat saya berikan.

Tuan Mohamed bin Yaacob: Tuan Yang di-Pertua, sahabat saya Yang Berhormat Peguam Negara akan mengulas berkenaan dengan pindaan undang² ini, tetapi izinkan saya mengambil peluang sedikit untuk memberi satu dua jawapan berkenaan tuduhan² yang di-buat oleh Ahli² Yang Berhormat dari Parti D.A.P. terutama-nya, tetapi sayang-nya sa-tengah² Ahli D.A.P. itu ta' ada pula sekarang ini, tetapi saya harap wakil-nya akan

menjawab sedikit soalan yang saya akan menanyakan kepada Ahli² Yang Berhormat daripada D.A.P.

Dengan izin saya berchakap dalam bahasa Inggeris sedikit, Tuan Yang di-Pertua.

(*Dengan izin*) The Honourable Member for Bandar Melaka yesterday and other Members of the D.A.P. today accused in a similar tone that the Government is lacking in the will and sincerity in wanting to stamp out corruption. The Members from the D.A.P. stubbornly refused to accept the statement and the undertaking made by the Honourable Deputy Prime Minister, who is also the Minister for Home Affairs, on the 19th July, 1971 during his winding up of the debate on the 1971 Development Estimates. Sir, if I may refer this House to the statement made by the Honourable Deputy Prime Minister on the 19th July, 1971, page 120 of the Hansard, it reads:

“Ahli Yang Berhormat dari Bandar Melaka dalam perbahathan-nya telah juga menyebutkan tentang perkara rasuah. Saya memberi jaminan kepada Dewan ini bahawa ada-lah menjadi hasrat Kerajaan bagi menghapuskan rasuah di-kalangan segala peringkat jentera Kerajaan. Badan Penchegah Rasuah sentiasa menyiasat dan menchari bukti² bagi membasmikan rasuah. Ahli Yang Berhormat itu atau sa-siapa pun yang ada bukti² tentang rasuah ada-lah berhak mengemukakan kepada Badan Penchegah Rasuah untuk di-siasat. Tindakan² yang di-ambil oleh Badan itu ada-lah berasaskan kepada Undang², tidak-lah sesuai bagi Badan ini memberi penjelasan satu-persatu berkenaan dengan sa-suatu kes yang di-siasat. Oleh kerana keadilan menghendaki jika tidak ada bukti² yang cukup nama sa-saorang tidak-lah patut di-chemarkan dengan chara memberi penjelasan kepada mana² pihak yang mungkin berkehendakkan penjelasan itu untuk kepentingan politik mereka atau apa² kepentingan yang lain.”

With your permission, Sir, may I ask Honourable Members of the D.A.P. whether since that day, i.e. 19th July, 1971, they have submitted any names that they have seen or they have found or they have alleged to have been corrupted to either the Attorney-General or to the Anti-Corruption Agency or to our Ministry?

Tuan Richard Ho Ung Hun (Sitiawan): (*Dengan izin*) Mr Speaker, Sir, I will be glad to answer that question provided the Honourable Member gives me two weeks written notice. This is not Question Time, Sir.

Tuan Mohamed bin Yaacob: You can give the reply now. Say whether you have submitted the names or not. If you say “No”, if you could say “No”, yes, why not? Please name them now. (*Pause*) Nampak-nya . . .

Tuan (Timbalan) Yang di-Pertua: We are not going to be involved in Question Time now.

Tuan Mohamed bin Yaacob: Very well, Sir. The Honourable Member for Bandar Melaka, followed by his colleagues today, spoke almost in a similar tone that the Anti-Corruption Agency in carrying out their duty only selected the small fry by taking them to Court. Sir, if I may read a little from yesterday's *Hansard* and this is what the Honourable Member for Bandar Melaka has said:

“I have said that the most intractable problem is corruption in high places. Unless efforts are directed towards punishing corruption of those higher ups, as higher officials, political leaders, bid bribers in the business class, the disease of corruption all the way down to petty bribery will be protected. All that the Anti-Corruption Agency has done is to catch the small fry, by prosecuting and punishing a few lower-bracket officials. But the sharks, the ikan yus, have all been untouched.”

The other Member of the D.A.P. repeated the same allegation today and yet they refused to say or to admit that they have not given the names of these people of the higher-ups. It is best advice to the Honourable Members that they should not talk just for the sake of talking or politicking. Repeating similar criticisms does not help the issue. To the contrary it may hurt and frustrate the Anti-Corruption Agency officers who are dedicated, well-selected for the job. They sacrifice their own popularity for a good cause. They are shunned and hated even by their own friends and colleagues.

The Honourable Members are fully aware that we have to have evidence to take a person to a Court of Law irrespective of

whether he is ikan bilis or ikan yu. In effect, our Anti-Corruption Agency law has transgressed already the rule of natural justice. According to our Criminal Procedure Code, the statement made by the accused person to Police during the course of investigation cannot be used in Court. The Court cannot accept such evidence, but in the case of corruption, such statement is admissible. There is also provision where the Court can order confiscation of property of a person who is not even charged in Court if it finds that the property was improperly obtained by such person or his agent; and with these provisions plus today's amendments, all goes to prove that the Alliance Government has taken necessary measures to eliminate corruption in this happy country of ours. Thank you, Sir.

Peguam Negara (Tan Sri Abdul Kadir bin Yusof): Tuan Yang di-Pertua, bagi menjawab ucapan² Ahli² Yang Berhormat di-Dewan ini di-atas Undang² ini, saya minta-lah izin Tuan Yang di-Pertua, kadang² berchakap dalam bahasa Kebangsaan dan kadang² saya berchakap dalam bahasa Inggeris.

Dato' Yang di-Pertua, yang di-bawa kepada Dewan Ra'ayat ini ia-lah pindaan bagi menguatkan lagi Undang² Penchegah Rasuah atau Prevention of Corruption Ordinance yang telah boleh di-katakan chukup ketat-lah satu undang² kalau di-bandingkan dalam negeri Asia dan Afrika ini. Undang² Penchegah Rasuah (Prevention of Corruption Ordinance) Malaysia ini ia-lah jadi satu tauladan atau model yang chukup ketat kata-nya dan tinggi sa-hingga ada negeri² lain meminjam undang² kita untuk di-pakai pada negeri² lain. Sunggoh begitu pun kita bagi pehak Kerajaan, Dato' Yang di-Pertua, belum puas hati lagi. Di-perbetul, di-kuatkan, di-tampal yang mana ada loop-hole supaya lebeh lagi kuat dan undang² dan senang di-jalankan.

Tetapi sunggoh pun pindaan yang begitu sedikit yang di-bawa ka-mari telah timbul satu perbahathan, tegoran yang hangat juga di-Dewan ini dalam banyak perkara. Dalam pandangan saya, Tuan Yang di-Pertua, mendengar pada Ahli Yang Berhormat yang beruchap itu, ada sa-tengah²-nya, pada pendapat saya, boleh jadi salah atau tidak, saya tidak perchaya Yang Berhormat itu telah membacha The Prevention of Corruption Ordinance No. 42/61 dengan sa-penoh-nya.

Kerana kalau dia sudah membacha dengan sa-penoh-nya banyak perkara² yang di-sebut dan di-uchapkan di-situ boleh mentertawakan orang² yang tahu undang² berkenaan dengan Ordinance No. 42/61. Kerana perkara yang di-sebut itu, ia-lah ada semua di-dalam Undang² menunjokkan tegoran ikut sedap lidah, tetapi tidak tahu apa yang di-chakapkan-nya.

Yang sa-betul-nya Undang² ini semenjak tahun 1950 sudah ada fasal-nya dan di-pinda pula pada tahun 1961—consolidate—di-pinda lagi hingga sekarang. Undang² ini masa itu berjalan bagaimana Undang² lain dan apa kesalahan di-bawah Undang² ini di-jalankan oleh pehak Polis, tetapi pehak Kerajaan memandang hendak mengemaskan lagi berkenaan dengan hendak menchegeh rasuah ini di-adakan, bukan dengan Undang², dengan pentadbiran. Satu badan khas di-gelarkan BPR atau Badan Penchegeh Rasuah yang mana di-dalam-nya di-ketuai oleh sa-orang daripada Pejabat Peguam Negara yang chukup tinggi pengalaman dan pangkat-nya dan ada pula MCS di-dalam-nya, ada pula Pegawai² Polis di-dalam-nya, Pegawai Kastam, Pegawai lain² yang di-khaskan di-beri kuasa masing² menjalankan. Pendek kata apa yang di-jalankan itu ia-lah sa-bagai Pegawai Undang² dan Pegawai Polis saperti biasa dahulu. Tinggal lagi di-khaskan pentadbiran itu sa-mata² hendak bertumpu khas kerana hendak menchegeh rasuah—itu tujuan-nya.

Pentadbiran Badan Penchegeh Rasuah, Pentadbiran Jabatan ia-lah di-bawah Kementerian Hal Ehwal Dalam Negeri. Segala perkara² berkenaan dengan rasuah, kalau hendak di-bawa ka-Mahkamah ada di-sebut dalam Undang² ini ia-lah di-kuasa² oleh Public Prosecutor ia-itu Peguam Negara.

Macham² chadangan datang di-bawa ka-mari memintakan chara² di-ubah berkenaan dengan menchegeh rasuah dan apa tindakan yang di-ambil. Tetapi perkara itu semua tidak boleh dapat di-jalankan, kerana banyak chadangan² itu akan berlawanan dengan adanya Perlembagaan. Perlembagaan ada menyatakan kuasa sa-orang Peguam Negara yang terchatet di-dalam Perlembagaan—Kita memerintah negeri ini mengikut Perlembagaan—The Rules of Law, atau perentah Undang² bukan chadangan yang melulu di-bawa ka-dalam Dewan Yang Berhormat ini, Tuan Yang di-Pertua. Ada di-sebut di-sini

dalam Article—saya ulangkan beberapa kali hari itu 145 (3)—Tanggong-jawab dan kuasa Peguam Negara :

Peguam Negara ada-lah mempunyai kuasa, dan kuasa itu hendak-lah di-jalankan menurut budibichara-nya, bagi membawa, menjalankan atau memberhentikan apa² pembicharaan mengenai sa-suatu kesalahan lain daripada pembicharaan dihadapan mahkamah Shari'ah, mahkamah bumiputra atau mahkamah tentera.

(*Dengan izin*): Sir, it is the sole discretion of the Attorney-General whether to prosecute, to proceed, to stop or not to prosecute. That is a responsibility given to him under the Constitution. Nobody could control him, not even the Cabinet or anybody else, and he is answerable to this House, to the people and if he believes in God, after death, he is answerable to God. I have stated that many times in this House and the Upper House. When performing the duties of the Public Prosecutor, he shall perform his duty as accorded to him by the Constitution, subject to his conscience, and if he is a religious man, subject to that belief, the judgment after death. If there is sufficient evidence of any corrupt act, it can easily be decided independently by the Ketua Badan Penjaga Rasuah the Director himself. I have delegated my power as the Public Prosecutor, to him in this respect, but should he have any difficulty or want to have consultations with me or want further approval, he can always come to see the Attorney-General who can further advise him how to exercise the powers, whether to prosecute or not to prosecute. But ordinarily, the Attorney-General or anybody else never interferes with his work in carrying out whether to prosecute or not to prosecute.

There are many suggestions to put this and that in the anti-corruption law, but I would mention here very briefly. Gratification here includes almost everything which is corrupt. Even to render services in any capacity or a promise of that, whichever service, even for a woman to surrender herself to a man, for that service is corrupt—it is very clear, not to say money and other things. Any aid, vote, consent or influence or pretended aid, vote, consent or influence or any promise, or procurement of any agreement, or endeavour to procure or the holding out of any expectation of any deed, loan, free reward, consideration or gratification is within the meaning of

this paragraph. And furthermore, an attempt, an offer to give any of those matters is an offence and a person who having given the offer refuses to report or did not report to the Police Station or to the Police is also committing an offence. I ask the Honourable Members of this House—suppose a member of his constituency were to see him to get his help to get a job, or to fix somebody to give a piece of land, or to do some favour for him or his son and then telling him, "you know, if you help me in this, even if you try and you did not get the job, I may help to get votes for you or I will vote for you." That is an offer of bribery. Now, during the last 10 years, how many Honourable Members of this House made a report to the Police Station that such an offer had been made to him and that the persons should be arrested for offering a Member of Parliament his vote for some work done—I ask the Honourable Members from the Opposition. Does this House believe that no one ever made such an offer? But we all know if the Honourable Member were to report, Dato' Yang di-Pertua, to the Police about the offer from a person in that constituency, his potential voter, God help him in the next election.

That is why we do not get these people. I give you an example of an extreme case where that is defined as bribe and failure to report that is an offence. I could have advised, for example, the B.P.R. for a number of "kakis" to be sent to make these offers to some of the Honourable Members and if we find no reports coming from them to the Police, then we may have to arrest them, but that is, you will say, an un-gentlemanly act. But we can quiet a number of them if we do adopt that. We are ruled by the rule of law and before we do anything we must have sufficient evidence before we take any action.

Now, we have heard here similar allegation being repeated time and again by Members of the Opposition about the big sharks—the ikan bilis and ikan yu being repeated again and again. Generalisation is baseless—saying that some politicians in high places are corrupt, some Government servants are corrupt, all sort of allegations. Now, if really they have the facts before them, they can easily report them to the Police or to the B.P.R. or name them in this

House. But they know very well, Mr Speaker, Sir, that they cannot do and they won't do it. Because if they report to the Police Station and if it is found to be a baseless report, it is an offence by itself and if they report it to the B.P.R. and it is a false report too, it is also an offence; and if they give names in this House, and if they cannot substantiate it, they can be punished by this House. So the best thing for them is to make a general and baseless accusation in order to voice it and to give publicity in this House.

Dato' Yang di-Pertua, in the course of my service—nearly eight or nine years as Attorney-General—we received a number of petitions, daily sometimes—quite a number of them generalisations—a letter, for example, accusing high officials of certain departments of being corrupt, many people in a certain Ministry of being corrupt—that kind of generalisation. What do I do with such kind of petitions? The only place for them is the wastepaper basket! That is what I do, and that is what we should do also, as regards the baseless general accusations in this House. But when I receive a letter, even if it is anonymous, specifying the date, the place and the person, and where money was given for corruption, we will go all out, even to *lubang chaching*, to trace and to find evidence for such kind of an allegation. I hope that in future when you have this kind of allegation, either report to the Police or to the B.P.R. or name it like a gentleman in this House, then we will see what will happen after that.

Ahli Yang Berhormat dari Batang Lupar accused that the B.P.R. is only going after Government servants all the time and does not seem to bother about politicians and non-Government servants. That is what he said yesterday. Well, Sir, I have figures which I will quote: these are cases which have been brought to court:

	1968	1969	1970	1971 (Up to May)
Kakitangan Kerajaan ... (Government servants)	58	152	66	15
Wakil Ra'ayat ... (Members of Parliament/ State Assemblymen)	2	4	2	Nil
Orang Awam ... (Members of the public/ non-Government servants)	157	99	150	50

It is very clear here that the majority of them are really members of the public. There are more members of the public who have been charged in courts, rather than Government servants. We have very good evidence; that is why we could very easily bring them to courts. But we have thousands of other files which have been thoroughly investigated and which we are still investigating—which I cannot disclose here—and we are waiting for the right time to nab them. It is no use nabbing them when the time is not ripe because, if the case goes to court and we have got not enough evidence, every time we bring them to court they will be acquitted. It will be unjust to arrest a person when there is no *prima facie* case, or not sufficient evidence, to warrant an arrest and charge him in court. So corruption has, as Ahli Yang Berhormat dari Kota Bahru has mentioned, been in existence since time immemorial and the Government is doing its best, by having the laws and the special Bureau to deal with corruption, to prevent corruption, and to eliminate it as much as possible.

We are proud to say that Malaysia here as compared to any other countries in Afro-Asia is one of the best, has one of the least cases, as far as corruption is concerned. Many of us have travelled abroad and have experienced the difficulties and the barriers we have to come across. I am proud to say that. But even then, we still go all out as far as possible to stamp out corruption. But corruption still remains because in order to weed out corruption, we need the co-operation—the full co-operation—of members of the public. Those members of the public who are out to make money, to accumulate riches, no matter what the consequence is, are that section of the communities who live for money and nothing but riches—because they say they cannot die unless they accumulate riches—who are willing to give any amount of money, willing to “buy” in order to get what they want. Those are people who should be taught, should be warned not to bribe. So the Government servants—they are all good Government servants—are being pestered time and again by this group of people who have no other object in life but to make riches by whatever means. That is why we still have corruption, not much because of customs—most of these customs of giving ang pows and hadiah² are mostly

dying out, except for the bare minimum—but the purpose of certain section of the people is to go all out to make riches and money, even to the extent of not only of giving money, but those who are very dear to them in order to achieve what they want. These are people we should stamp out first before we can stamp out corruption. Let us be frank and fair in this Honourable House. There are two ways. With one way we cannot work; unless we can stamp out both sides. We can educate people. The Government servants are being given classes; they know what to expect. If they are caught and if they are not arrested and brought to court, then we can take disciplinary action to dismiss them or even to retire them. But what courses should be given to the members of the public? Here I suggest, Dato Yang di-Pertua, that the Honourable Members of this House should go about in their constituencies to preach to the people not to offer bribery to anyone, even if it so tempting as to be able to get twenty times profit out of it, and to tell them also not to ask anything or to offer anything to Honourable Members too—even with the promise to vote them in the next election. Every Honourable Member should go to his constituency and give lectures on this subject of corruption. Then, I think, we can almost stamp out corruption.

On the question of trying to treat a Member of a party who jumps to another party as being corrupt, well I think it is too far-fetched or too absurd to make that as corruption, because the system of election here in Malaysia is different from the systems of election in certain other countries. In certain other countries they have, what they call, election by means of party; they have only the symbols with no names at all. There the people vote because of the symbol and if they get 50% of the vote according to the symbol, 50% of the members appointed will be from that party. But here people are elected by name, by the person who stands for election, and there is the symbol there. So you cannot blame an Honourable Member of a party, especially from the Opposition, for leaving that party to join another party. I think they are very worried (the Opposition Party Members), Sir, because they are afraid that more will be leaving their party and joining the Government—it is all in their minds. I don't blame them for leaving their party because they found out from what we have heard today of baseless allegations,

macam orang tidak ada modal lagi. So it is below their dignity to be with them; so they prefer to join another party, the Government in power for example. You call that corruption, when a Member of that party feels it below his dignity to be in that party, because of the behaviour of the Opposition which is almost bankrupt, with no ideas, but only making general allegations in this House? You cannot call that corruption. I call it wisdom!

I am very sorry to hear some Honourable Members making allegations against Government officials, Government servants, of which I was a member for 17 years. They are all here, but they are sitting silently behind, unable to answer and if there is any allegation against any one of them, to be fair to them, name them in this House or report it to the Police. But don't demoralise them who sacrifice themselves by working for the Government by general accusations, saying that quite a number of the Government servants are corrupted in high places and in low places. This is one thing I appeal to the Honourable Members of this House.

Kebanyakan, Tuan Yang di-Pertua, bila saya pandang chatetan² yang saya buat dalam ini, chadangan² yang ada dalam ini boleh di-katakan sudah ada semuanya dalam Prevention of Corruption Ordinance, 1971. Nampak-nya ada-lah membuang masa saya sahaja hendak menjawab satu-persatu, tetapi saya suka-lah menegaskan mana ada tegoran² daripada Ahli² Yang Berhormat, yang saya fikir tadi ada membena; bukan-lah semua-nya sa-kali pun tidak ada yang tidak membena, perkara itu adalah di-timbangkan. Tetapi mana yang di-fikiran oleh Kerajaan tidak menafa'at, semua itu akan di-tolak. Mithal-nya perkara memintakan, saya tegaskan di-sini, Ahli² Politik, Menteri², Wakil² Ra'ayat dan lain² kata-nya hendak-lah di-ishtiharkan harta masing² pada Parlimen dan lain². Perkara ini sudah beberapa kali di-jawab, sudah di-bawa kadalam Dewan ini, tetapi di-bangkitkan lagi. Ini-lah yang saya kata-kan tadi, "macam orang sudah tidak ada modal". Mithal-nya, saya bachakan chabutan daripada Penyata Rasmi Dewan Ra'ayat, Parlimen Ketiga, Penggal Parlimen Pertama, 12hb Mach, 1971, di-muka 41, sudah ada ucapan Yang Amat Berhormat Perdana Menteri apabila menjawab tegoran², pandangan² Ahli² Yang Berhormat terhadap dasar Kerajaan dalam Titah di-Raja-nya, kata-nya:

"Tuan Yang di-Pertua, saya suka menyebut sedikit berkenaan dengan pandangan Ahli Yang Berhormat dari Dato' Kramat. Perkara ini kerap kali telah dibawa dalam Dewan ini berkenaan dengan Menteri², Ahli² Dewan Ra'ayat, Ahli² Dewan Undangan Negeri supaya dikehendaki mereka itu mengumumkan atau declare harta benda mereka itu sa-belum memegang jawatan dalam Kerajaan. Berhubung dengan perkara ini langkah² telah di-jalankan semenjak mereka dahulu dan telah menjadi peratoran bagi Menteri², termasuk Menteri Muda mengumumkan atau declare harta benda mereka itu kepada Perdana Menteri. Peratoran yang tetap ini terus berjalan dan semua Menteri, Menteri Muda, Setiausaha Parlimen, atau Setiausaha Politik di-kehendaki membuat pengumuman tersebut kepada Perdana Menteri. Peratoran² yang sama tidak-lah mustahak di-kenakan kepada Ahli² Parlimen biasa atau Ahli² Dewan Negeri oleh kerana undang² yang sedia ada ini memadai untuk membolehkan pehak Badan Penchegah Rasuah mengambil tindakan di-atas sa-siapa juga di-antara mereka yang menyalah-gunakan kuasa mereka itu dan melakukan perbuatan² rasuah." Terang dan nyata di-sini.

Perdana Menteri ada-lah bertanggung-jawab atas kelakuan² Menteri² yang dilantek-nya, Timbalan² Menteri dan segala yang di-bawah-nya, beliau yang bertanggung-jawab, beliau yang berkehendakkan segala penyata² harta mereka itu. Kalau beliau tidak puas hati, beliau menyiasat pada kelakuan-nya, tata tertib sa-sorang Menteri, itu di-bawah jagaan Perdana Menteri dan bila beliau berkuasa, beliau boleh memberhentikan pada bila² masa mana² Menteri yang di-fikirkan tidak mengikut, berkenaan dengan kelakuan-nya atau berkenaan dengan rasuah atau lain² itu.

Kerajaan tidak bersetuju kita mengadakan sa-buah Jawatankuasa, konon-nya hendak memberi kuasa kepada pehak Pembangkang bersama² dalam memerhatikan.

Pada Ahli² Yang Berhormat dan juga kepada Ahli² Dewan Negeri, perkara itu samemang-lah—kalau di-bawa chadangan, diterima chadangan daripada Ahli² Yang Berhormat, kebanyakan di-hadapan saya tadi, mengatakan tiap² Ahli Yang Berhormat itu, lain daripada Menteri hendak juga membuat

deklarasi berkenaan dengan harta-benda; boleh jadi orang tidak hendak menjadi wakil ra'ayat pada masa akan datang, kerana perkara itu tidak kena-mengena dengan rasuah, harta anak bini, pesaka semua hendak di-keluarkan, di-bentangkan di-sini, yang tidak kena-mengena. Kalau ada dia menerima rasuah, bagaimana yang saya katakan tadi, undang² chukop, boleh menangkap. Kalau hendak betul di-jalankan, saya ulangkan lagi, saya menunggu kalau ada Ahli² Yang Berhormat mengadu kepada pehak Polis, atau kepada Badan Penchegah Rasuah, ada orang dalam kawasan-nya hendak memberi sa-suatu faedah kepada-nya, di-sebabkan pertolongan-nya kepada orang, itu, dan juga Ahli Yang Berhormat pula, kalau sedia mereka ada suka, sunggoh, atau chuba menerima, atau sanggup menerima apa² chadangan daripada orang lain kepada-nya, jangan salahkan Badan Penchegah Rasuah akan menangkap-nya pula pada masa yang akan datang.

Saya bagi pehak Kerajaan ada-lah memberi keperchayaan yang penoh kepada Badan Penchegah Rasuah atas segala² perbuatan tingkah laku dan tugas² yang di-jalankan pada-nya. Mereka itu semua-nya telah bertanggung-jawab dengan sa-penoh²-nya. Bagaimana kata rakan sa-jawat saya di-sabalah saya tadi, Yang Berhormat Timbalan Menteri Hal Ehwal Dalam Negeri, ahli² Badan Penchegah Rasuah itu boleh di-katakan di-pulau oleh sahabat handai dan kawan sahabat-nya, dengan sebab mereka² pandang kepada mereka itu, dengan menjalankan kerja tidak ada lain ia-lah mengintip, untuk hendak menangkap, mengendap, jadi di-benchikan oleh segala orang kepada-nya.

Patut pada pandangan saya, ta' usah di-keji, bagi pehak Kerajaan di-puji atas segala apa tindakan yang telah di-ambil oleh ahli Badan Penchegah Rasuah. Demikian-lah ucapan saya yang pendek, Tuan Yang di-Pertua, bagi menjawab hujah² dalam perbahathan ini.

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

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

Dewan bersidang sa-bagai Jawatankuasa.

Rang Undang² di-timbangan dalam Jawatankuasa.

(Tuan Yang di-Pertua *mempengerusikan meshuarat Jawatankuasa*)

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.

RANG UNDANG² (PERBADANAN) SYNOD DIOCESE MALAYSIA BARAT

Bachaan Kali Yang Kedua dan Ketiga

Tan Sri Abdul Kadir bin Yusof: Dato' Yang di-Pertua, saya mohon menchadangkan supaya Rang Undang² ini di-bachakan kali yang kedua.

Tujuan bagi Rang Undang² ini ada dinyatakan dalam Huraian-nya dan saya hanya ingin memberi sedikit sahaja lagi. Dewan sedia ma'alum ia-itu mengikut kelazimannya di-amalkan oleh Dewan ini Rang Undang² persendirian sa-umpama ini biasanya di-kemukakan oleh Menteri Kerajaan. Pada masa² yang lampau Rang Undang² sa-umpama ini telah banyak di-luluskan oleh Parlimen mithal-nya tidak lama dahulu Akta Memperbadankan Persatuan Budak² Pengakap Malaysia tahun 1968 dan terdahulu dari itu dalam tahun 1958 pula Parlimen telah juga meluluskan Ordinan Memperbadankan Persatuan Perkumpulan Wanita Kebangsaan, 1968.

Berhubung dengan Rang Undang² ini satu rayuan telah di-buat bagi pihak Anglican Church Malaysia Barat memohon supaya Rang Undang² ini di-luluskan bagi memperbadankan Synod Diocese Malaysia Barat untuk membolehkan Anglican Church Malaysia Barat menjalankan sendiri urusan hal ehwal-nya tanpa bergantung kepada Diocese Singapura. Pada masa ini di-sisi Undang² Diocese Singapura menjaga semua harta Synod Diocese Malaysia Barat dalam negeri selaras dengan kedaulatan negara kita setelah merdeka ada-lah wajar permintaan ini di-tunaikan dan Rang Undang² ini di-luluskan oleh Dewan ini sakalian.

Sa-bagaimana yang di-nyatakan dalam Huraian kepada Rang Undang² ini Diocese Malaysia Barat telah di-wujudkan dalam tahun 1970 sa-bagai satu chawangan kepada Diocese Singapura semata² dengan tujuan untuk membolehkan Anglican Church Malaysia Barat berkembang dengan sendirinya sa-bagai suatu badan bebas di-negeri ini dan bukan di-control dari Singapura.

Dato' Yang di-Pertua, saya mohon menchadangkan.

Tuan Mohamed bin Yaacob: Tuan Yang di-Pertua, saya mohon menyokong usul ini.

Tuan Abu Bakar bin Umar (Kubang Pasu Barat): Tuan Yang di-Pertua, saya bangun untuk memberi sedikit pendapat di atas Rang Undang² ini. Tuan Yang di-Pertua, dengan wujud-nya Rang Undang² yang dihadapan kita ini, maka bererti-lah satu badan mazhab Anglican di-Malaysia Barat ini akan mempunyai satu hak bebas daripada badan di-Singapura. Maka dengan ini, saya tidak-lah membangkang oleh kerana kita berdasarkan kepada Perlembagaan kita, walau pun ugama Islam ugama rasmi, tetapi ugama² yang lain di-benarkan berjalan juga. Tetapi apa yang saya ingin menarik perhatian di dalam Rang Undang² ini, jangan-lah hendak-nya dengan kita memberikan satu kuasa untuk mentadbirkan diri sendiri kepada badan ini akan menjadi satu badan yang berlawanan dengan perkembangan ugama Islam, ugama rasmi. Saya berharap supaya pihak Kerajaan untuk menjaga segala aktiviti mazhab ini, badan ini muga² tidak menjadi satu chabaran, atau pun satu musuh di-dalam perkembangan ugama Islam di-dalam negeri ini sa-bagaimana yang kita sedia tahu bahawa badan² ugama Kristian ini menjalankan dasar²-nya untuk memburok²kan ugama Islam untuk menarekkan sa-tengah² umat negara kita ini untuk menganut ugama-nya sendiri dan ini satu harapan daripada saya muga² di-samping kita memberi satu kuasa kepada mereka untuk bergerak dengan sendiri di-negara kita ini dapat pula Kerajaan mengintip atau pun menjaga aktiviti mereka supaya tidak menyentoh kesuchian ugama Islam.

Tan Sri Abdul Kadir bin Yusof: Dato' Yang di-Pertua, bagi menjawab Ahli Yang Berhormat dari Kubang Pasu Barat, Undang² ini sa-rupa-lah tidak ada beza-nya dengan Undang² di-Singapura yang mana masa ini Synod Diocese ini mendapat kuasa. Bagi hujong-nya itu dalam paragraph 5 dia kata: "Ordinan Synod Diocese Singapura, 1958 ada-lah dengan ini di-mansokhkan", di-repeal atau di-tarek balek. Undang² ini chuma menggantikan sahaja dari pada di-control Singapura menjaga-nya di-sini. Satu perkara baharu tidak timbul, itu pun Ahli Yang Berhormat shaki—dan menimbulkan keraguan, keraguan yang menyempang daripada tujuannya. Tujuan-nya hendak memperbadankan

di-beri kuasa atas harta dia, timbul pula suroh Kerajaan jaga, takut pula musoh² dengan ugama Islam dan lain². Perkara ini tidak timbul dan di-timbulkan macham ini yang menchurigai, niat yang berseh, Undang² yang berseh, timbul perkara yang macham ini. Pada hal kita tahu Undang² ugama Islam telah tersebut dalam Perlembagaan tidak payah di-chakapkan. Ada-lah menjadi satu kesalahan bagi Undang² tiap² negeri mana² negeri kerana Ugama Islam itu ada-lah hak Kerajaan Negeri, mana² ugama lain yang menjalankan da'ayah-nya pada orang² Islam, boleh di-tangkap dan di-hukum. Undang² ada, Perlembagaan ada, di-ungkit² dalam perkara ini, takut perasaan saya macham tersinggong pula ugama Kristian yang tidak sa-kali² niat saya membawa Undang² ini. menyentoh dalam perkara ini.

Tuan Yang di-Pertua: Dia tidak mengerti agak-nya.

Tan Sri Abdul Kadir bin Yusof: Itu-lah yang saya dapat terangkan.

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 meshuarat Jawatan-kuasa*).

Fasal 1 hingga 5 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 SENJATAPI (PENALTI LEBEH BERAT)

Bachaan Kali Yang Kedua dan Ketiga

Tan Sri Abdul Kadir bin Yusof: Tuan Yang di-Pertua, saya mohon menchadangkan supaya Rang Undang² bernama suatu Akta bagi mengadakan penalti lebeh berat kerana menggunakan senjatapi pada melakukan kesalahan² tertentu di-bachakan pada kali yang kedua.

Berkenaan dengan kesalahan²:

- (i) pemerasan;
- (ii) rompakan;

(iii) mengelak atau menentang penangkap; dan

(iv) lari dari jagaan yang sah,

dan perchubaaan atau bersubahat melakukan kesalahan² yang tersebut, hukuman² sekarang ini boleh di-kenakan mengikut Kanun Kesseksaan atau Penal Code dan hukuman² itu ia-lah penjara dari 6 bulan hingga sa-umur hidup (ia-itu sa-umur hidup itu 20 tahun). Sa-lain daripada itu, penalti tambahan adalah di-kenakan oleh Sekshen 30 dalam Akta Senjata No. 21 tahun 1960 apabila kesalahan² itu di-lakukan dengan menggunakan senjatapi, sungguh pun penalti yang di-kenakan itu berat, tetapi penalti² itu tidak berhasil untuk menchegehah penjenayah² daripada menggunakan senjatapi dalam melakukan kesalahan² tersebut.

Pada masa yang lampau tempat terdapat suatu Ordinan yang bernama Ordinan Membawa Senjata, No. 42 tahun 1947 yang berkuat-kuasa dari 10hb Oktober, 1947 hingga 30hb November, 1960. Sungguh pun Ordinan ini boleh di-lanjutkan kuat-kuasa-nya tahun demi tahun, tetapi Akta Senjata, 1960 telah memansokhkan Ordinan Membawa Senjata, 1947 sa-bagaimana juga Rang Undang² yang sedang di-pertimbangkan oleh Majlis ini menetapkan hukuman bunoh dan penjara sa-umur hidup bagi sa-saorang yang menggunakan atau chuba menggunakan senjata apabila melakukan kesalahan tertentu termasuk kesalahan merompak dan mencholek. Berikutan dengan penghapusan hukum bunoh dan penjara sa-umur hidup itu, bilangan rompak dan menggunakan senjata telah bertambah dari 87 dalam tahun 1960 dan 142 dalam tahun 1961, menjadi 265 dalam tahun 1966, 301 dalam tahun 1967 dan 284 dalam tahun 1968—itu tambahan. Sa-bagai bandingan pula kita dapati bahawa hukuman bunoh yang di-kenakan oleh Akta Pencholekan atau Kidnapping Act, No. 41 tahun 1961 ka-atas sa-orang yang melakukan pencholekan, telah berjaya mengurangkan kejadian mencholek dari 12 kejadian dalam tahun 1961 menjadi 3 kejadian sa-tahun mengikut hetongan pukul rata bagi tahun 1966, 1967 dan 1968. Berma'ana dari 12 tinggal (average) 3 tiap² tahun.

Tuan Yang di-Pertua, Kerajaan telah menimbangakan masaalah ini dan Rang Undang² yang di-kemukakan dalam Majlis ini ia-lah bertujuan untuk mengenakan hukuman bunoh kerana melepaskan tembakan dari senjatapi termasuk meletupkan bom atau grenade dan

hukuman penjara sa-lama tempoh tidak lebeh daripada 20 tahun, ia-itu pada masa ini menurut undang² ia-lah di-artikan penjara sa-umur hidup dan juga hukuman sebat kerana menunjokkan termasuk bom atau grenade—menunjokkan senjatapi ka-atas sa-saorang tatkala melakukan sa-suatu kesalahan yang di-nyatakan dalam kesalahan² dalam Rang Undang² ini—bukan semua undang² mana yang di-nyatakan dalam 4 perkara itu sahaja.

Saya ingin menarek perhatian Majlis ini kapada Fasal 3 Rang Undang² ini. Rang Undang² ini memperuntokkan bahawa adalah wajib bagi sa-orang Hakim menjatuhkan hukum bunoh sa-kira-nya sa-saorang itu di-thabitkan di-bawah undang² yang di-chadangkan. Ini perlu memperuntokkan memandangkan bahawa Hakim pada praktik-nya agak keberatan untuk menjatuhkan hukuman bunoh sa-kira-nya untuk menjatuhkan hukuman tersebut, Hakim itu boleh menggunakan budi bichara-nya. Dengan lulus-nya Undang² ini maka akan terpulanglah kapada Lembaga Pengampunan sahaja untuk menimangkan sama ada hukuman itu wajar di-laksanakan. Tidak shak lagi bahawa Lembaga Pengampunan akan menggunakan budi bichara-nya ini dengan saksama-nya.

Fasal 3 dan 4 dalam Rang Undang² ini membedzakan dengan jelas-nya antara—

- (a) ia-itu sa-benar-nya melepaskan tembakan dari senjata atau meletupkan bom atau grenade dengan tujuan—bagaimana saya pindakan akan datang itu—hendak membunuh atau menchederakan sa-saorang. Bagi kesalahan ini hukuman bunoh ada-lah di-wajibkan; dan
- (b) pula semata² menunjokkan sahaja senjatapi (termasuk bom atau grenade) tidak meletupkan sa-bagapi satu chara untuk memudahkan kesalahan itu di-lakukan untuk menakutkan sa-saorang itu untuk hendak merampas atau merompak mithal-nya, dan penalti atau hukuman atas kesalahan ini ia-lah penjara hingga 20 tahun dan di-sebat pula.

Rang Undang² ini akan mula berkuatkuasa pada suatu tarikh yang akan di-tetapkan oleh Menteri Hal Ehwal Dalam Negeri dan pula boleh di-batalkan menurut ketetapan yang di-luluskan oleh kedua² Majlis Parlimen kelak.

Tuan Yang di-Pertua, saya mohon menchadangkan.

Tuan Abdul Taib bin Mahmud: Tuan Yang di-Pertua, saya mohon menyokong.

Dr Tan Chee Khoo (Batu): Tuan Yang di-Pertua, saya mohon berchakap sadikit sa-banyak tentang Akta Senjatapi (Penalti Lebeh Berat) tahun 1971 yang di-kemukakan oleh Peguam Negara.

Tuan Yang di-Pertua, beliau menyatakan oleh sebab undang² yang berada sekarang tidak mencukupi untuk menchegeh jenayah di-negara kita maka Kerajaan sekarang telah membawa Rang Undang² ini ka-Dewan ini.

Tuan Yang di-Pertua, saya hendak sentoh tentang Clause 3, dan sa-belum itu, saya hendak menyatakan Kerajaan Pusat terpaksa menyiasat atau mengkaji mengapa-kah ada jenayah di-negara kita, mengapa-kah ada samseng² di-negara kita.

Di-sini, Tuan Yang di-Pertua, saya mohon berchakap dalam bahasa Inggeris juga.

(*Dengan izin*) Mr Speaker, Sir, in trying to prevent crime or to curb crime, we must not only pass repressive laws to achieve our purpose. We must also find out why is it that a person takes to crime. Why should a person who presumably was not born bad take to a life of crime, extortion, rob, kill? Now, surely one of the reasons why such young people take to a life of crime is because of the socio-economic conditions that he lives in, and to that extent if the Government, instead of concentrating on repressive laws to curb crime, were to improve the socio-economic conditions surrounding the youth of today, then I dare say that the incidence of crime will drop.

Mr Speaker, Sir, from time to time one hears of the police crowing, and perhaps quite rightly so, that they have wiped out the "08 gang"; they have wiped out "Ang Bin Huay" and they have wiped out "Wah Kee Gang" in Chow Kit Road. Now, quite rightly, they have wiped them out. But sooner than the Secret Societies Branch of the Police know, another new crop of leaders spring up, and why do they spring up? Because of the socio-economic conditions that surround them, in particular their inability to get jobs, and because of their inability to get jobs, to earn an honest living, they gradually drift to a life of crime. Therefore, I would say that while it is necessary to pass laws to curb crime, it is more necessary to look after the socio-economic conditions that are the direct result of the youth of today taking to a life of crime.

Mr Speaker, Sir, in most countries that claim to be civilised—and I hope Malaysia is a civilised country—they have done away with the death penalty, because life is a very precious thing and no man on earth should take away the life of his fellow man. In Clause 3 it says:

“Any person who at the time of his committing or attempting to commit or abetting the commission of a scheduled offence discharges a firearm shall,”

Therefore, Mr Speaker, Sir, if he does all these, it is mandatory on the part of the Judge to pass a death sentence, and the scheduled crimes are listed here:

- “(1) Extortion;
- (2) Robbery;
- (3) The preventing or resisting, by any person, of his own arrest or the arrest of another by a police officer or any other person lawfully empowered to make the arrest; and
- (4) Escaping from lawful custody.”

If in committing these scheduled crimes the person discharges a firearm, whether or not the firearms at the time of discharge is aimed or thrown at any person or is discharged at random, it shall be mandatory on the part of the Judge to pass the sentence of death on the accused. Now, I say, Mr Speaker, Sir, this is a very terrible piece of legislation. I know the press has praised it; lots of people in this country—the so-called leaders in this country—have praised the Government for bringing this piece of legislation.

Let us take a youth of 18 and he gets into bad company. Somebody smuggled a firearm, a pistol from Siam, he probably gets it and he hires it for \$20 and says,

“Let us go and let us see whether we can get some cheap money.”

and while retreating from a shop that he has robbed, he sees 20 people running after him. He takes up the pistol and fires it into the air in order to frighten away his pursuers. Under this Act, if it is fired at random into the air and if it is proved that he has done that, it shall be mandatory on the part of the Judge to sentence the poor lad to death. There is no discretion left for the Judge. As the Honourable the Attorney-General has pointed out, the only saving grace is after he has been sentenced to death, he can appeal to the Pardons Board and thereby the Attorney-General comes into play. Now, I

say this is a piece of legislation that this House must think very carefully before it passes it, because, as I have pointed out, a youth in trying to run away from his pursuers fires into the air, and if it is proved that he has done that under this Clause 3 it shall be mandatory.

Tan Sri Abdul Kadir bin Yusof: That is amended already—I mentioned it just now.

Dr Tan Chee Khoo: Mr Speaker, Sir, I did not see it. Well, I am glad that the Government has thought it fit to amend this because this piece of legislation is a terrible piece of legislation, and I do not see the amendment on my table, but if it is amended to give the Judge discretion, then I would say that you must temper justice with mercy. Mr Speaker, Sir, I really am glad that the Attorney-General has now stood up to correct me because as I am listening to him and I read through again and again Clause 3, my conscience cannot and will not accept such a repressive piece of legislation that says that we must take away the life of a person, an eye for an eye, a tooth for a tooth, and I hope, Mr Speaker, Sir, although this is a very short piece of legislation, this House will think very carefully before we pass it. Thank you.

Tuan Su Liang Yu (Bruas): (*Dengan izin*) We of the P.P.P. on our part deplore any act of gangsterism and will support any move by the Government

Tuan Yang di-Pertua: May I ask the Honourable Member if he has got the Amendment slip attached to the draft Bill?

Tuan Su Liang Yu: Yes, Sir. We will support any move by the Government to curb the vicious activities of gangsters, robbers, extortioners and thugs. However, there may be instances where these gangsters, robbers and extortioners may fire a shot intentionally or otherwise towards the victim without causing death or hurt. The question then is whether death penalty should be imposed in such cases without giving even an option to the trial judge of imposing a jail term, even for life. The death penalty is mandatory and the trial judge has no option but to pass a sentence of death. There is a saying that even the devil himself knoweth not the mind of a man, and to pass the

sentence of death even for cases where no hurt is caused is most unwise. Hence if this Bill is passed without an amendment we will in fact be forcing those bad elements to make sure that their bullets strike the target without a miss because the punishment that will be meted out to them whether (1) death or hurt is caused, or (2) even when no death or hurt is caused is just the same, viz. death. Therefore, it is far better for these bad hats to kill the intended victim and also the eye witnesses, if any, and destroy all the identification and save themselves from punishment rather than merely open fire without killing or causing hurt and face the death penalty themselves. I feel that it is mid-summer madness to pass this Bill without an amendment. As the Bill stands, it is impossible for the trial judge to use his discretion and impose a death penalty or a jail term for life depending on the circumstances of the particular case. Thank you, Sir.

Tuan Lim Cho Hock (Batu Gajah): (*Dengan izin*) Mr Speaker, Sir, when I first read the Bill, I was horrified by the general and sweeping terminology used. The mens rea, i.e. guilty intent was so conspicuously missing that it gave me an idea that the Government

Tan Sri Abdul Kadir bin Yusof: On a point of explanation, Mr Speaker, Sir. We have amended that.

Tuan Yang di-Pertua: (*To Tuan Lim Cho Hock*) Will you give way?

Tan Sri Abdul Kadir bin Yusof: We have amended the mens rea there—Section 3 has been amended. There must be, it says, the intention to cause death. So, under the new amendment, mens rea intention, is required, and that we have amended. And he is talking that there is no intention.

Tuan Yang di-Pertua: May I ask whether the Honourable Member has got the Amendment Slip.

Tuan Lim Cho Hock: I know about it. I have read it two days ago. That was why I started off my speech by saying that when I first read the Bill, I was horrified. That was about a few weeks ago. So, I was horrified.

Tuan Yang di-Pertua: Oh! I see. You were horrified? All right, go on.

Tuan Lim Cho Hock: The mens rea or the guilty intent was so conspicuously

missing then that it gave me the idea at that time, four weeks ago, that the Government had wanted to create a statutory capital offence which entails a mandatory death penalty. Thanks to the representation made by His Lordship, the Chief Justice, the Government has now decided to amend the Bill making "intent" a necessary ingredient in the commission of an offence under the Bill.

The historical theory of punishment is based on deterrents. What a man has taken from another or society, he must be made to pay back in cash or in kind. Such a theory revolves on the principle of "an eye for eye" or "a tooth for tooth". Even this principle has been viewed to be too harsh, unconscionable and unnecessary in recent times.

But the Bill before us goes even further than that. Here, the Government is trying to extract an eye or a tooth from a criminal for a few dollars taken by him. The Government has gone far beyond the traditional principle of punishment. I deem that this move is a retrograde step for a modern civilised society to take. Most advanced countries have now placed greater emphasis on reformation rather than on punishment. We should find ways and means to educate and reform criminals with a view to bring them back to the society. With the passing of this Bill, the Government hopes to solve a social problem through punitive means. With the passing of this Bill, the Government hopes to administer the "Nazi" final solution to the problem of robbers, extortionists and escapists. I believe this is a useless exercise, and it will be a loss to the society when the life of a person, be he a good or a bad man, is snuffed out. Permit me to quote a few lines from an American book known as the "Principles of Criminology" by Sutherland; at page 263

Tuan Yang di-Pertua: What bearing has that got to do with this Bill?

Tuan Lim Cho Hock: It has, Mr Speaker, Sir, in supporting my argument

Tuan Yang di-Pertua: Well, your argument is already well put. That does not need any support by reading an American book.

Tuan Lim Cho Hock: Sir, society is the same everywhere.

Tuan Yang di-Pertua: It serves no useful purpose. Please cut your speech short.

Tuan Lim Cho Hock: Well, anyway, it is mentioned in this book that there was a trend away from death penalty in America; and in about thirty over countries death penalty has been abolished entirely; and in other countries, offences for which death penalty has been imposed has been generally limited to murder. In the United States, in 1959, one State had a mandatory death penalty; 40 States had a permissive death penalty; and seven States did not permit the death penalty.

Mr Speaker, Sir, whilst the Bill can be a great deterrent to those who intend to rob, extort or escape, it can also be a great motive for those who have committed robbery, extortion or escape from Police custody to commit the further crime of murder for they know that "dead men tell no tales." To support my arguments against this Bill, I would like to quote a short paragraph. Mr Speaker, Sir, permit me . . .

Tuan Yang di-Pertua: I would like to know where you are quoting from?

Tuan Lim Cho Hock: Yes, from Mr Gour, it is a penal law of India . . .

Tuan Yang di-Pertua: India? Indian Penal Law does not cover here. (*Ketawa*) No, I won't allow you to quote from any other law than the law of our own country.

Tuan Lim Cho Hock: In any case, Mr Speaker, Sir, our Penal Code is based on the Indian . . .

Tuan Yang di-Pertua: How many years ago?

Tuan Lim Cho Hock: Perhaps, some years ago.

Tuan Yang di-Pertua: Some years ago? You do not know! (*Ketawa*).

Tuan Lim Cho Hock: On page 315, because it is very relevant, Mr Speaker, Sir.

Tan Sri Abdul Kadir bin Yusof: Mr Speaker, Sir, I ask for a ruling as to whether it is allowed to read for days and days textbooks from outside in this House. Do you allow such things, Sir?

Tuan Yang di-Pertua: I would ask the Honourable Member to cut short his speech.

Tuan Lim Cho Hock: It will be very short

Tuan Yang di-Pertua: Please, otherwise I shall stop you.

Tuan Lim Cho Hock: Yes, Sir. It says:

"The offences for which the Court awards a sentence of death are thus really two, namely (a) treason and (b) murder. The authors of the Code had deliberately made the departure, adding that, to put robbers, ravishers and mutilators on the same footing with the murderers is an arrangement which diminishes the security for life. Then, as regards offences in which there is a close connection with murder, the draftsmen observe that as those offences were almost always committed under such circumstances, that the offender had in his power to add murder to his guilt, there would be no restraining motive if the punishment of the crime, which he has already committed was exactly the punishment for murder. A law which imprisons for rape and robbery and hangs for murder holds out to ravishers and robbers a strong inducement to spare the lives of those whom they have injured. A law which hangs for rape and robbery and which also hangs for murder, holds out indeed if it be rigorously carried into effect a strong motive to deter a man from rape and robbery but as soon as a man has ravished or robbed, it holds out to him a strong motive to follow up his crime with a murder."

Tuan Yang di-Pertua: How long more are you going to speak?

Tuan Lim Cho Hock: I am rounding up, Sir.

Tuan Yang di-Pertua: I will give you two minutes more.

Tuan Lim Cho Hock: Yes, Sir. Under the provisions of the Bill, the death penalty has been made mandatory, and there is no option of a lighter sentence. Once a person is convicted under this law, the Court has no option but to impose a death sentence.

The Court cannot hear a plea of extenuating circumstances for a reduced sentence. Would it not be more just and fair if an option of a lighter sentence is provided for? In America the available statistics do not justify an absolute conclusion regarding the value of the death sentence as a deterrent. The evidence, such as it is, shows a relatively unimportant relation between the murder rate and the death penalty. The argument of the advocates of the death penalty that it is the most effective deterrent is not at least substantiated by the data available. It is based on pre-conceptions rather than on data and the preconceptions are taken from the hedonistic psychology which assumes that the psychological processes are much less complex than they are in fact. Even premeditated murders are generally committed under the stress of great emotions and the penalty is seldom conceded.

On these grounds, I urge this House to refer this Bill to a Select Committee for further consideration. Alternatively, I request that the death penalty be made optional. If this Bill is passed, it will be nothing more and nothing less than the triumph of instinct over reason.

Tuan Abu Bakar bin Umar (Kubang Pasu Barat): Tuan Yang di-Pertua, saya bangun untuk menyokong Rang Undang² ini. Saya berpendapat Rang Undang² ini ada-lah satu Undang² yang bersemangat ke-Islaman yang berpandukan kepada keselamatan sa-saorang yang melakukan keganasan, merompak dan sa-bagai-nya dengan melakukan pembunuhan. Saya tidak-lah bersetuju dengan Ahli Yang Berhormat daripada D.A.P. supaya di-bawakan Rang Undang² ini ka-Select Committee dan saya berpehak kepada Kerajaan pada hari ini untuk menyokong dengan sa-bulat, dengan sa-penoh²-nya atas Rang Undang² ini dan Undang² ini mesti-lah telah di-jalankan dengan sa-berapa segera demi kepentingan keamanan dan demi kepentingan masyarakat supaya masyarakat negara kita ini ada-lah menjadikan satu masyarakat yang baik, yang tidak ada rompak, yang tidak ada samun, yang tidak ada bunoh-membunoh kerana penyamun. Sekian, terima kaseh.

Tan Sri Abdul Kadir bin Yusof: Tuan Yang di-Pertua, saya menguchapkan terima kaseh kepada Ahli Yang Berhormat dari Kubang Pasu Barat pada menyokong Rang Undang² ini. Kerana terang dan nyata Yang

Berhormat dan Ahli² bagi pehak PAS itu sedar kepentingan dan kebagusan Undang² yang telah di-bawa ka-Dewan ini.

Tuan Yang di-Pertua, saya minta izin berchakap sa-patah dua dalam bahasa Inggeris supaya dapat lebeh terang masok dalam kepala Ahli Yang Berhormat itu.

(*Dengan izin*) Dato' Yang di-Pertua, I never realised that there are quite a number of Honourable Members here championing and fighting on behalf of some of these gangsters and others using firearms in robberies and committing the four serious crimes as mentioned in the Bill. I thought that there were no supporters for them. Here they say, the judge sentenced the poor lad to death. The Honourable Member for Batu never realised that the robber just shot the poor policeman to death; it never occurred in the mind of the Honourable Member when he was discussing the poor lad being sentenced to death for carrying firearms. What we are bringing here is an amendment for an enhanced, a higher, penalty for committing robbery and kidnapping and other offences as stated there, four types, if they used firearms; if they used penukul, paku, or parang or any other weapon it is just like ordinary crime. But what we are going to kill is the use of firearms, bomb and grenade, when committing crimes because this is on the increase now. I do not know why the other side is against this, and I have said earlier that we do not want to put the burden on the Judges because the law says "shall be punished with death if there is the use of firearms with the intention of causing death, or the intention of causing harm." We have amended Section 3 saying that if you are running away or firing into the air in order to frighten somebody, then it shall not fall under that; it shall fall under the second one, which is 20 years imprisonment.

Most of them asked us to follow other advanced countries. They said, other advanced countries have been abolishing the death sentence. But I have said many, many times here that we pass laws in this country— of which the Government in power is responsible—to adapt to the circumstances, the social needs and the needs of this country, the national interests. We do not care what happens in other countries, what they are doing with their law. You advise the Government to follow those civilised countries in the western world which have abolished the death penalty. Does the Honourable Member

realise, Dato' Yang di-Pertua, that those civilised countries, if we follow them, they have legalised sodomy, for example. Those countries, they call civilised, and they want us to follow those countries. They are so civilised that they have gone too far—you see that. Even married men; here it is offence—7 years—and you say we are uncivilised, following those civilised countries. This is the mentality of the Honourable Members of the Opposition—blindly following those civilised countries. When we drafted this law we adapted it to the needs of this country, the social conditions, the national interest and the people when this news had gone to the papers, the majority of the people supported it, the Conference of Rulers supported it and demanded that whoever uses firearms shall be punished with death. And whether they will be sentenced or not, we leave it to the Pardons Board.

We need this to be a deterrent to prevent those using firearms. They may use other weapons, but not firearms because now the use of firearms is on the rampant, on the increase, and many people have been injured and killed because of the use of firearms. Dato' Yang di-Pertua, a mere show of firearms will frighten the wit out of anyone. It is different if it is a knife, a stick or other things; they may use the "Koontow", the "Silat Gayong" or what not. But with firearms, all those Silat and all the Koontow is not easy, and we are asking this House that if firearms are used with intention to cause death, it is punishable with death.

They are asking to find out the causes of committing crimes. We are talking on enhanced penalty for the crime of using firearms, and the Honourable Member for Batu was mentioning about the reason for crime as a whole. They have been saying that the main reason is because there is lack of employment and because of the economic condition of the country. We have already had one week's debate on the 5-year Plan, how to solve unemployment and to solve the economic problems, and the Honourable Member for Batu brought up the same matter up again, saying that Government has not done much to improve the socio-economic condition of the people—the same old modal. We know very well that it is not because they are jobless; this crime is not because of joblessness, it is because of the up-bringing.

Bagaimana chara anak² itu di-didek dari-pada segi moral, dari segi ugama, dari ibu

bapa-nya dan guru², bukan dengan sebab tidak ada kerja. Kalau orang yang kuat bagi didekan pada ugama dan lain² didekan dari ibu bapa-nya, yang betul, Tuan Yang di-Pertua, macham mana miskin sa-kali pun tidak menggunakan senjata untok merompak. Ini kata Yang Berhormat dari Batu lepas puak gangster dia aleh, timbul gangster yang baharu—menunjokkan economic condition, bukan. Sememang sudah tabie bangsa itu, community itu. Didekan dari ibu bapa-nya tentang dan kongsi gelap itu, bukan salah Kerajaan tidak ada ekonomi. Kus semangat yang miskin di-kampung², tidak dia gunakan senjata menjadi gangster—tidak ada. Kalau benda macham ini di-bawa minta jawapan, saya boleh beri satu persatu, lagi perit, kalau di-jawab, Tuan Yang di-Pertua. Itu-lah sahaja yang saya dapat ucapkan, terima kaseh.

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 meshuarat Jawatan-kuasa*)

Fasal 1 dan 2 di-perentahkan menjadi sa-bahagian daripada Rang Undang².

Fasal 3—

Tan Sri Abdul Kadir bin Yusof: Tuan Pengerusi, saya mohon menchadangkan pindaan Clause 3 sa-bagaimana yang telah di-edarkan kepada Ahli² Yang Berhormat. Pindaan-nya sendiri, berikut:

Fasal 3: Gantikan dengan yang berikut—

"3. Sa-siapa yang pada masa melakukan atau chuba melakukan atau ber-subahat melakukan sa-suatu kesalahan berjadual melepaskan tembakan dari sa-suatu senjatapi dengan niat hendak menyebabkan kematian atau kechederaan kepada sa-saorang hendak-lah di-hukum bunuh walau pun tiada apa² kechederaan di-lakukan."

Clause 3: Substitute the following—

"3. Any person who at the time of his committing or attempting to commit or abetting the commission of a scheduled

offence discharges a firearm with intent to cause death or hurt to any person, shall, notwithstanding that no hurt is caused thereby, be punished with death."

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

Fasal 3 yang di-pinda di-perentahkan menjadi sa-bahagian daripada Rang Undang².

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

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

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

RANG UNDANG² (PERBADANAN) INSTITUTE NEGARA BAGI PENYELIDEKAN SAINS DAN PERUSAHAAN

Bachaa Kali Yang Kedua dan Ketiga

Menteri Teknologi, Penyelidikan dan Kerajaan Tempatan (Dato' Ong Kee Hui): Tuan Yang di-Pertua, saya mohon menchadangkan ia-itu suatu Akta bagi menubuh Instituti Negara bagi Penyelidikan Sains dan Perusahaan dan bagi membuat peruntukan berkenaan dengan perkara² yang bersangkutan dengan-nya di-bachakan kali yang kedua sekarang.

Tuan Yang di-Pertua, Undang² Instituti Negara bagi Penyelidikan Sains dan Perusahaan telah di-kanunkan di-bawah Undang² Dharurat (Kuasa² Perlu) No. 44 tahun 1970. Menteri yang bertanggung-jawab bagi Instituti ini pada mula-nya ada-lah Menteri Perdagangan dan Perusahaan. Di-masa rombakan kechil Kementerian² pada 2hb Februari, 1971, Instituti ini telah di-letakkan di-bawah Kementerian Teknologi, Penyelidikan dan Kerajaan Tempatan, maka dengan itu beberapa pindaan ada-lah di-perlukan untuk menyesuaikan undang² itu dengan keadaan yang ada sekarang.

Tujuan utama ia-lah untuk menjadikan Undang² Dharurat (Kuasa² Perlu) ini sa-bagai satu Akta yang kekal. Pindaan² juga perlu di-buat untuk menyesuaikan undang² ini dengan keadaan yang ada sekarang ia-itu meletakkan Menteri Teknologi, Penyelidikan dan Kerajaan Tempatan sa-bagai Menteri yang bertanggung-jawab bagi Instituti ini. Di-dalam Undang² Dharurat (Kuasa² Perlu) No. 44 tahun 1970, wakil Kementerian Teknologi, Penyelidikan dan Kerajaan

Tempatan tidak menjadi Anggota Majlis Instituti ini. Dengan pemindahan Instituti ini ka-bawah jagaan Kementerian Teknologi, Penyelidikan dan Kerajaan Tempatan, maka perlu-lah sa-orang wakil Kementerian ini menjadi anggota Majlis Instituti itu.

Tuan Yang di-Pertua, kandungan Rang Undang² ini ada-lah di-terangkan di-dalam Huraian di-bahagian akhir-nya dan saya tidak akan menyebut-nya satu-persatu. Walau bagaimana pun untuk pengakuan Ahli² Yang Berhormat yang telah menyenot mengenai tugas² NISIR (Institusi Negara bagi Penyelidikan Sains dan Perusahaan) dalam masa perdebatan Rancangan Malaysia Kedua di-Dewan ini. Saya suka dengan kebenaran Tuan Yang di-Pertua menghuraikan dalam bahasa Inggeris apa yang akan di-buat oleh NISIR.

Mr Speaker, Sir, the functions of NISIR are set out in Clause 4 of the Bill, but in order to make this clear to Honourable Members, I would like, with your permission to read extracts from a Paper prepared by the Project Manager of NISIR who has been seconded to us by the United Nations.

Mr Speaker, Sir, NISIR has been conceived as an essential instrument of industrial development. Balanced development of industries require not only the sophisticated large-scale units established in collaboration with foreign enterprises but also a whole range of supporting and secondary industries on medium and small scale. These latter will permit dispersal of industries equitably to the States and help to close the wide disparity that now exists between urban and rural populations. Also the small or medium scale industries are the more numerous as they produce goods and services either essential for human needs of food, clothing and shelter or considered utility in the broad sense of the word. Because such industries are generally set up by indigenous effort with limited know-how and expertise, they need to be provided with the required technology and adaptation to local raw materials and resource patterns, with the know-how and expertise, and with continuing assistance in overcoming problems of producing quality goods at competitive and comparable costs. Such assistance to be effective should have a national base, and it is to meet this need that NISIR is being established.

The functions of NISIR, Sir, have been formulated to meet the established needs of existing industry in Malaysia and the needs of research, consultancy and advisory services of new industries principally in the small and medium indigenous sector. The main object of the Institute is to facilitate industrial development in Malaysia by solving through research, existing and future problems relating to manufacture of consumer products and processing of indigenous raw materials to higher economic forms.

For existing industries it will provide a range of technical services which will include among others trouble shooting, industrial testing, technology modification and improvement, cost reduction, raw materials substitution, and industrial information. It would undertake applied research and pilot plant studies in carefully selected industrial sectors which have potentials of multiplication or maximised benefits to the economy in order to:

- (a) adapt or modify known processes and technologies to suit local resource patterns and thereby assist dispersal of industries;
- (b) find new or improved uses for locally available raw materials and by-products; and
- (c) develop new products and processes of manufacture based largely on indigenous raw materials.

As part of its service to the potential industrial entrepreneur, it will prepare detailed feasibility studies, offer advice on choice of technology and raw materials, offer information on selection and sources of appropriate machinery and their cost and assist in installation and production tests.

I hope, Sir, that this information will make Honourable Members of this House to better understand the role that NISIR will play in the years to come.

Tuan Yang di-Pertua, saya memohon menchadangkan supaya di-luluskan usul ini bagi bacaan kali yang kedua.

Tuan Abdul Taib bin Mahmud: Tuan Yang di-Pertua, saya mohon menyokong.

Tuan Goh Hock Guan (Bungsar): (*Dengan izin*) Sir, I would like to speak in support of

this Bill because scientific and technical research in Malaysia has been very badly neglected. This is one of the reasons why so many Government projects have failed before, because of inadequate basic knowledge which therefore resulted in faulty forecasts, hence failures. The Second Malaysia Plan will require a better factual background, data, which could only be obtained by a planned programme of research across the vital areas of our national life. My purpose today is to suggest the lines of research in which the Government can usefully embark upon for the benefit of all sections of our population. It is no accident, for instance, that the most successful countries in the world are those which have invested heavily in research programmes, notably the United States, Russia, China, Japan, Germany and Britain. The backward countries are also those characterised by the absence of research consciousness. It is easy, of course, for backward countries like Malaysia with low national incomes to find an excuse by saying that research is a luxury which they cannot afford. Research could be postponed to a later date when more wealth has been accumulated, but the truth is that economic development and research could not be separated, for it is scientific research which will produce the facts and the rational planning based on facts, rather than dogmas and prejudices, which can make the best use of available manpower and resources. Research skill is specially important in economies when attempt is made to secure planned development. An unplanned economy relies heavily on the initiative and intuition of the small businessman. Such a man need not be well informed; frequently he may just be a gambler willing to take risk on uncertain premises, but a modern Government, Sir, cannot afford to be a gambler, cannot afford to gamble away the expectations and the life of the people on mere guesses and intuitions. It must act on the basis of facts. It has the resources and the power to get those facts. What is needed is the will and the ability to decide on the fruitful areas of research with special relevance to local problems.

One very important field of research must lie in the whole concept under the Second Malaysia Plan which now deliberately attempts to transfer the rural people, mainly the Malays, into urban areas in order to redress the economic imbalances. I myself,

Sir, would fully support this development prong, if it is going to be a success. But I am not sure if this is the best way to help our Malay brothers and whether it might not end up in merely transporting rural distress through planned migration into the towns which already are afflicted by a higher rate of unemployment, over-crowding and all the other social ills of urban life. The city, Sir, is not a heaven, and given the choice there will be many who would prefer the fresh air and the beauty of the countryside, especially when that countryside is blessed by God, with abundant natural and mineral wealth. This is where I think research is absolutely essential and it is a matter of some wonder why the difficulties, the dislocations and the disruptions of city life have not been fully studied and spelt out first, before the Government arrogantly, to use its favourite phrase, launched the Second Malaysia Plan on that faulty premise. Will national unity be advanced by such a move or will it suffer more as a result of more competition for urban jobs which are already acutely scarce. It would seem to me that the answer to the Malay poverty could best be met by making the countryside more productive in terms of goods and earnings. But even this belief of myself should be subject to the same acid test by research and factual analysis. Rural job seekers filled with high expectations moving to urban centres from the countryside often lack the training and preparation for modern conditions of work and life in the cities. They do not, as a rule, have, to quote a leading educationist in this country, "The educational basis or the readiness to absorb new skills, the need for punctuality and regularity of sustained work in cramped surroundings which are so vastly different from the open air of the countryside, de-personalised working conditions and the necessity for individual responsibility, as distinct from group responsibility, are additional problems." Difficulties of adaptation to an urban life, which really represents a few decades of historical development from a rural existence may be aggravated further by cultural and racial conflicts and even by ignorance of the language currently used in the towns. Bad health, poor housing and diet add on to the toll and adversely affect work performance. The resultant low productivity combined with the over-supply of unskilled labour would depress wages to very low levels. A vicious circle is thus the inevitable result. Lacking stability and qualifications,

these rural hopefuls become rapidly disillusioned and it would be difficult to assimilate them. Failure to assimilate them results in their continuing to lack stability and qualifications. Results: despair, conflict, the Government suffers, national unity suffers and we all suffer. Such a policy would succeed if the urban centre are areas of economic boom and prosperity. But is this so? This is where prior research should have come in to study in depth into all aspects of such a drastic move.

Another vital area of research is the question of urban poverty. It is in the urban centre where about 70% of the Malay population congregate. Here the competition for everything is at its fiercest—for jobs, for precious little land, for space and for fresh air itself. Here also poverty is at its worst, for a majority who lives in squatter settlements, in new villages, in grossly overcrowded Petaling Street, Cecil Street, etc. What is the nature and extent of this poverty? Could these people afford the grossly insufficient low-cost flats the Government has built? How can Government really help them to win their hearts and minds, to confer them with the full benefits of good government. Again, research here is needed and it can be done easily and quickly. The Indian community also has its share of problems and the Government must quickly identify these and solve them. Research is a powerful tool which can assist Government to meet the grave challenges ahead. With the help of it, problems could be correctly identified and national unity may blossom forth one day. Without the use of it, there may well be greater national disunity, if we embark on the wrong road altogether.

Now, Sir, a word on the economic aspect of research. I would like to emphasise here again the almost total absence of research into the greater use of natural rubber and tin. These are still the twin-pillars of our economy, and a further erosion in their prices arising from U.S. Stockpile release and more importantly from further technological advances in synthetic rubber and now in synthetic tin, for the Japanese have discovered it, would create untold hardships on the poor Malays and the Chinese rubber small-holders and the small tin miners. The national economy would suffer also badly and the Second Malaysia Plan itself would be in serious difficulties. If by our research

we can find uses for natural rubber and tin, we can increase the demand for natural rubber and tin. We can build a whole range of industries based on natural rubber and tin as a raw material base in the same way as the plastic industry is now such a formidably successful industry, simply because of the investments and research put into it by the advanced countries.

Sir, we no longer live in an island. The world will not permit us to develop at our own slow pace. We cannot afford to lag behind. We are in competition with the best that other countries can produce, to succeed and to ensure a place in this world for ourselves and for our children, we must draw on the best talents in research know-how as in everything else that our multi-racial people possess. Talents must be recognised and put to good use. On that basis, there will be a future for all Malaysians.

The universities, the technical associations, scientific bodies, industries and Government itself, must together now form a joint council for research not just on scientific and industrial research but also on sociological and economic research so that the key issues of our country could now be seriously tackled. Thank you very much.

Tuan Mohd. Tahir bin Haji Abdul Manan (Kapar): Tuan Yang di-Pertua, sila beri saya berchakap sedikit berkenaan dengan Rang Undang² ini. Sa-bagai menyokong suka-lah saya menyatakan bahawa sudah-lah sampai masa-nya negara kita ini mengadakan satu Institute Negara bagi Penyelidikan Sains dan Perusahaan. Perkembangan penyelidikan negara kita ini boleh di-katakan jika di-bandingkan dengan negara² di-Afrika, negara kita ini ada-lah sedikit baik dan lebih maju-nya, tetapi jika di-bandingkan pula dengan Amerika Sharikat, England dan negara² di-Eropah maka di-dapati kita sangat-lah ketinggalan di-belakang. Dengan penubuhan Institute ini kedudukan-nya ia-lah sa-olah² di-simpang dua batang jalan maseh menunggu² untuk menentukan arah mana-kah yang sapatut di-tuju supaya dapat kita menchapai kemudahan² dan keelokan² bagi jenerasi² yang akan datang. Tugas ini ada-lah besar dan menjadi satu challenge kepada pegawai² yang akan di-lantek dan di-tugaskan.

Dengan ada-nya Institute ini, Kerajaan mesti-lah melantek pegawai² berkebolehan,

yang berdidikasi atau yang ta'at setia kepada negara. Kerajaan mesti-lah melantek orang² yang berotak dan professional dalam semua bidang. Supaya pegawai² yang di-lantek ini akan berkhidmat dan memberi kerjasama dan didikasi yang penoh, maka gaji mereka itu mesti-lah berpatutan dan sa-imbang dengan kebolehan dan pengalaman mereka.

Kita semua telah mengetahui, ia-itu Institute² seperti RRI, IMR dan FRI telah terkenal di-seluruh dunia ini dan memberi bermacam² pendapatan yang memberi faedah kepada negara dan ra'ayat. Saya yakin dengan penubuhan badan ini beberapa kejayaan akan di-chapai. Badan ini boleh menolong dan membantu dalam Rancangan Malaysia Yang Kedua atau pun Yang Ketiga atau pun yang sa-lepas-nya itu dan juga memberi nasehat² kepada semua bidang seperti terkandung dalam Rang Undang² ini Bahagian II perenggan 4.

Akhir-nya, Tuan Yang di-Pertua, suka-lah saya mengingatkan Kerajaan, ia-itu badan ini ia-lah fully scientific and technical. Maka perlantekan ahli² majlis mesti-lah datang-nya daripada orang² yang professional dan yang ada bertauliah. Sekian-lah, Tuan Yang di-Pertua, terima kaseh.

Dr Chen Man Hin (Seremban Timor): (Dengan izin) The DAP for once would like to agree with the Minister of Research, Technology and Local Government that this Act is quite necessary in the interest of the nation and we are also grateful to him for the report given by the United Nations expert on the objectives of this Research Institute. However, as the saying goes, the proof of the pudding is in the eating. So, I hope that he would take the few of our suggestions quite seriously in the hope that the pudding will later on become very good and will be sufficient for all Malaysians to eat. This Act will fill a long time need for Malaysia to have a National Institute for Scientific and Industrial Research. And we hope that it will not only direct and co-ordinate research but also play a most vital part in the transformation of Malaysia's traditional role as a leading producer of raw materials into a leading producer of manufactured goods.

The DAP has time and time again stressed the importance of research into the uses of rubber, tin and timber. By being largely an exporter of raw materials, this country's

economy has been influenced by the vagaries of primary commodity prices. If commodity prices rose the country enjoyed a boom, but when commodity prices fell, as is more often the case, and even now today the rubber has fallen, recession begins and unemployment rises. If a National Research Institute had been founded earlier, perhaps we will not be in this helpless position of widespread unemployment and low living standards for the have-nots.

However, the situation is not irretrievable and though late in coming, the National Institute for Research can perform a much needed service in the goal of a broad based and more rounded economy. It is quite obvious that the success of the Institute will depend on a very important factor, that is the availability of qualified men and women with talents for scientific and industrial research, and that these talented men must also be inspired at the same time by an undying love for the country to spur them to greater efforts. There are a number of graduates in Science from our universities and it will be the immediate task of the Honourable Minister for Research and Technology to initiate a campaign to attract these people to engage themselves in research activities. It will not be easy as we will have to compete with private sector for the services of these men. But if the incentives are attractive and correct, then these people will come forward. Many of these bright young men are sufficiently motivated with patriotism, but at the same time their pay and working conditions must also be favourable and conducive for the security and welfare of these people and their families. If in the initial stages, there is a shortage of suitably qualified Malaysian scientists, then it will be necessary to recruit foreign personnel to fill the vacancies, at least temporarily.

No one will deny that qualified foreign scientists of high calibre can be recruited or seconded from world scientific bodies with a little help from the United Nations. But, in the long run, we shall have to depend largely on our own people, on Malaysians, to do the job for us. The task of modernising research and science will fall on the shoulders of bright and patriotic Malaysians. These will be the people who can achieve the scientific break-throughs, industrial break-throughs for the country, and uplift

Malaysia to the status of an industrialised and developed nation. To ensure that there will be no dearth or no lack of Malaysian scientists, it is essential that the whole educational system be geared to science and technology. With a modernised educational syllabus we might have a small-size army of science and technical graduates in the future, and from this small-size, there might be a few who are sufficiently dedicated and talented enough to engage themselves in the field of scientific research. He must take heed that it takes a millennium, a thousand of years to produce an Einstein. Therefore the Honourable Minister must not delay longer to modernise the education system if he intends to staff the Institute of Science and Industrial Research with able and dedicated staff. As you all know, research demands very large capital if it is to be effective and, therefore, I hope here that the Government will ask and appeal to the private sector, industrial corporations to contribute generously to the Science Institute funds.

I also feel that three factors necessitate that research be conducted on a selective basis. In view of the shortage of funds, in view of the shortage of personnel, scientists, we must therefore utilise whatever capital we have, whatever men we have, and because of that, we cannot go into research in all fields indiscriminately. Research therefore be on a selective basis and because of the limited time available to alleviate poverty, to overcome unemployment and also to broaden and strengthen the Malaysian economy, therefore we must utilise whatever amount of capital we have without spending them on too much unnecessary research. It is therefore important that at least initially, research be confined to selected areas where Malaysia's economy is more likely to benefit. For example, it would be pointless for our scientists to engage themselves in rocket and space research but it would be pragmatic and fruitful if the research will concentrate on the ways and means to make Malaysia become internationally known as a leading manufacturer of rubber tyres and other rubber products. We all know that in Malaysia, there is only one factory manufacturing rubber tyres; and also margarine and other vegetable oil base products, of tin alloy and other metals and of timber products. It would make much sense if research efforts are directed to increasing

the catch of the fishing industry by going to all parts of the seas and find out which are the areas which have the biggest amount of fish. These are the areas where economy can benefit from sound, selective scientific research. Thank you.

Tuan Haji Ahmad bin Said: Tuan Yang di-Pertua, saya bangun untuk memberi sokongan yang penuh di-atas Rang Undang² ini yang mana saya percaya ini-lah satu langkah yang bijak bagi Yang Berhormat Menteri untuk mengadakan satu perbadanan yang membolehkan ahli² sains kita berikhtiar dan berusaha di-atas apa² juga langkah bagi memajukan negara kita ini.

Tuan Yang di-Pertua, sa-bagaimana yang kita sedia ma'alom negara kita ini ia-lah sa-buah negara pertanian, banyak bahan² yang ada dalam negara kita ini, chuma yang di-kehendaki ia-lah technical know how yang terdiri daripada ahli² sains. Dan dengan ada-nya institute ini, dapat-lah di-kumpulkan ahli² sains yang berkebolehan untuk berusaha dan berikhtiar supaya dapat kita mengeluarkan bahan² yang baharu bagi kegunaan negara kita juga, dan juga untuk mengeluarkan atau mengeksport pengeluaran yang di-buat itu.

Tuan Yang di-Pertua, saya mengeshorkan supaya bukan sahaja bagi pehak Kerajaan mengadakan institute ini dan menerima ahli² sains bekerja di-sana, bahkan Kerajaan patut memberi galakan kepada orang² persaorangan daripada warganegara kita ini ia-itu ahli² sains yang ingin bekerja sa-chara bersendirian untuk menchiptakan apa yang di-fikirkan boleh di-jadikan bahan² kegunaan bagi manusia. Dan saya mengeshorkan supaya Kerajaan mengadakan satu foundation, atau pun satu peruntukan wang, barang siapa dapat menchipta satu benda yang baharu yang belum lagi di-keluarkan di-mana², Kerajaan hendak-lah mengeluarkan hadiah kepada penchipta itu katakan-lah \$50,000 atau \$100,000 mengikut nilai atau pun taksiran daripada Kementerian ini atau Lembaga yang menguruskan-nya.

Dengan ini, Tuan Yang di-Pertua, akan memberi galakan kepada penuntut² kita yang maseh di-bangku sekolah lagi yang sedang mempelajari ilmu sains supaya mereka sendiri akan berikhtiar dan berusaha menchiptakan apa juga benda yang mereka fikir akan mendatangkan faedah kepada negara kita ini.

Jadi saya berharap sangat²-lah supaya pehak Kementerian ini akan mengambil perhatian di-atas apa yang saya kemukakan ini, mudah²an dapat memberi lebeh lagi galakan dan lebeh lagi kemajuan kepada negara kita ini. Terima kaseh, Tuan Yang di-Pertua.

Tuan Hor Cheok Foon (Damansara): (*Dengan izin*) Tuan Yang di-Pertua, the Bill itself, I am afraid, in my opinion, would be eventually turned into a piece of bureaucratic institute which probably will be an institute by itself with no bearing whatsoever where national development is concerned because we feel that a lot of institutes like this have been set up, the Chairman being appointed members called in and by and by, the people of the country forget the existence or not of an institute like this. Therefore, I would like to bring in some suggestions on a Bill like this which now we are debating in this House.

I feel that a National Institute of Scientific and Industrial Research should be not to create a laboratory by itself or close the door and go on and research for 10 years, 20 years and come out with the answer and tell the people "here we are, we have got the answer." I think the spirit and the intention of the Bill must not be geared towards that direction, otherwise it could definitely fail miserably. Therefore, the best way of direction and the orientation on how this Institute should organise itself is to turn and educate the entire nation and make the entire nation as a laboratory, that is to say, with the initiative and the direction of the Institute, the entire nation, regardless of whatever their racial origin, must be taught how to live and work scientifically and at the same time, of course, to produce and manufacture things in a scientific manner. Therefore, I feel that this should be the way how the Institute should be conducted.

To give an example, as you know, in the Second Malaysia Plan, you have got to start the nation with a promise that within 10 years, 20 years—one or two Malaysia Plans, this country will be fully developed, fully armed with scientific and technological know-how. Therefore, we must think, we must change, we must go for a change. Therefore, the Ministry of Education must come in to change the people in the way how people lived in the past and how people

should work in the future. That is to say, Tuan Yang di-Pertua, in the past, Malaysia, being one of the Asian countries, nutrition was poor and most of our citizens, regardless of their racial origin, are most undernourished and because of the wrong way in bringing up children, bringing up the young, the infants, therefore the development has been obstructed. Mentality, brain, and physiques have not been developed to their fullest, and I should say with a National Institute like this, we must carry out a campaign that this nation should be strong, sound in mind, good in physiques, able to work and at the same time give proper training for the people as to how are they going to work? In the past maybe there was no scientific method, no research, fishermen went out to the sea, spent the whole day and could not get much fish. The return is so meagre and the harvest of the padi fields so low and so unrewarding. Therefore, I feel that the responsibility of this Institute should be on these directions, to gear the people towards the fullest return for their work, or a better return for what they put in. I would feel that that may be the best way and therefore I suggest we must once and for all get away with the British systems of education where the least Professors in the country the better, so that they are more admirable and the scholars must be limited to a few and if the university is to cater for the lesser group of people the better it is. We must get away with it and we must, in the rural areas and in the urban areas establish, if you like it you call them either schools or technical colleges, in hundreds and thousands of them so that the ordinary people would be able to get technical training and to think scientifically so that they can go to their work and have a better return. In that case the nation will be plentiful and plenty to benefit.

Therefore, I think the National Institute for Scientific and Industrial Research now under debate in this House should take up this responsibility, and if it succeeds, of course the nation will benefit and we will be a much stronger and much powerful country than today. Thank you.

Dato' Ong Kee Hui: (*Dengan izin*) Mr Speaker, Sir, I am grateful to the Honourable Members who have taken part in the debate on this Bill for their suggestion and for their

observations, some of which I will note and, no doubt, the rest of those items which they have suggested will be noted by the other Ministries who are concerned with the points which they have brought up.

Mr Speaker, Sir, I was at some pains to explain what the precise functions of the National Institute for Scientific and Industrial Research will be, but despite my explanation I think Honourable Members are still in some doubt as to its precise role. However, I am sure the Government will note all the constructive suggestions put forward and they will be attended to by the Ministries or those Departments of Government which are concerned with the particular problem or observations which have been put forward by Honourable Members.

The Honourable Member for Bungsar raised the question of research which is more in the nature not of scientific research as such but of social economic research. This is being looked after by the Department of National Unity. A special Department has been set up by the Prime Minister and these matters are being looked into. It is as a result of observations carried out over a number of years and as a result of recommendations made by outside experts invited to advise us on this that NISIR has in fact been set up with the specific purpose of attending to the need of our industrialisation programme. The Honourable Member for Bungsar was in some doubt as to what the effect will be of our new economic policy of redressing the economic imbalance, and he was a bit concerned at the effect of transferring a large number of our rural population to the towns. I would like to say this, that it is in fact to stop some of this tendency of drift to the towns that NISIR will be conducting research on some of the smaller secondary industries which could be located, in fact, in the rural or semi-rural area giving the people there a chance for a better life, for a better standard of living through the utilisation of hitherto unutilised products or by-products so that they will stay where they are. I have mentioned in fact that one of the first tasks of NISIR would be to conduct research on our resource patterns and thereby to assist the dispersal of industries, which means to say this tendency of locating all the industries in the urban areas will be reversed to some extent by the setting up of some secondary and smaller industries in the rural or sub-urban areas.

As regards the research on our two major products—rubber and tin—this will be taken care of, as I have stated before in the House, by existing research organisations. In view of our limited resources, in both money and manpower, we do not want to duplicate work already done by existing research organisations, and therefore for the initial stages NISIR will concentrate itself on those areas of research particularly in the utilisation of raw materials which are hitherto unutilised or not fully utilised so that secondary industries could be set up.

On the question of human resources and the need for increasing our supply of more skilled technicians and scientists, I think Honourable Members are aware that the educational system is in the process of being overhauled with emphasis on the sciences and this will in the future produce all the scientists we need but it will of course take a bit of time. In the meantime, we have assistance from the United Nations in setting up this. They are sending us six scientists for a period of two years during which period they will be able to have our own people to understudy them and gradually take over. I am very glad to say that as far as NISIR is concerned we have been very lucky. Our advertisements and our appeal to graduates who are doing post-graduate studies abroad have met with very good response and we will be able to get all the scientists that we need in the initial stages. In fact, the advertisements and circulars which we have sent to universities abroad where we know that our graduates

are doing post-graduate studies have met with very good response and we will be able to fill all the posts that we have advertised.

Time will not permit me to answer all the other Honourable Members point by point, and I would like once again to say that all the suggestions which they have made which are within the purview of NISIR will receive our careful attention.

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 Jawa-tan-kuasa.

(Tuan (Timbalan) Yang di-Pertua *mem-pengerusikan mesuarat Jawatan-kuasa*)

Fasal² 1 hingga 21 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.

Tuan (Timbalan) Yang di-Pertua: Meshua-rat di-tanggohkan hingga pukul 2.30 petang besok.

Dewan di-tanggohkan pada pukul 6.35 petang.