



# **PARLIAMENTARY DEBATES**

**DEWAN RA'AYAT**  
**(HOUSE OF REPRESENTATIVES)**

**OFFICIAL REPORT**

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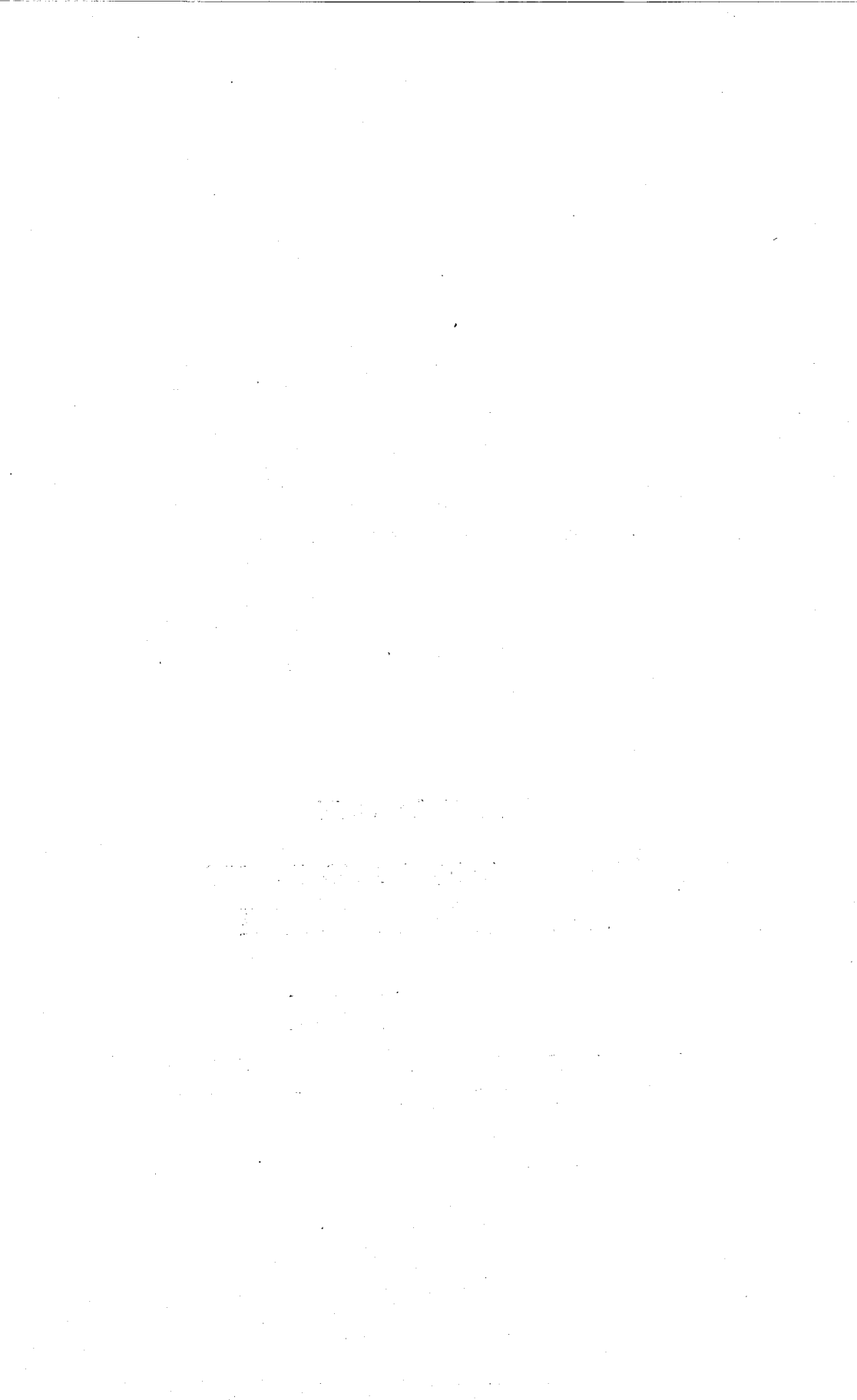
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**FEDERATION OF MALAYA**  
**DEWAN RA'AYAT**  
**(HOUSE OF REPRESENTATIVES)**

*Official Report*

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Fourth Session of the First Dewan Ra'ayat

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*Monday, 30th April, 1962*

*The House met at Ten o'clock a.m.*

**PRESENT:**

- The Honourable Mr. Speaker, DATO' HAJI MOHAMED NOAH BIN OMAR, S.P.M.J.,  
D.P.M.B., P.I.S., J.P.
- „ the Prime Minister and Minister of External Affairs,  
Y.T.M. TUNKU ABDUL RAHMAN PUTRA AL-HAJ, K.O.M.  
(Kuala Kedah)
- „ the Deputy Prime Minister, Minister of Defence and Minister  
of Rural Development, TUN HAJI ABDUL RAZAK BIN DATO'  
HUSSAIN, S.M.N. (Pekan).
- „ the Minister of Internal Security and Minister of the Interior,  
DATO' DR. ISMAIL BIN DATO' HAJI ABDUL RAHMAN, P.M.N.  
(Johor Timor).
- „ the Minister of Finance, ENCHE' TAN SIEW SIN, J.P.  
(Melaka Tengah).
- „ the Minister of Works, Posts and Telecommunications,  
DATO' V. T. SAMBANTHAN, P.M.N. (Sungai Siput).
- „ the Minister of Transport, DATO' SARDON BIN HAJI JUBIR, P.M.N.  
(Pontian Utara).
- „ the Minister of Health and Social Welfare, DATO' ONG YOKE  
LIN, P.M.N. (Ulu Selangor).
- „ the Minister of Commerce and Industry,  
ENCHE' MOHAMED KHIR BIN JOHARI (Kedah Tengah).
- „ the Minister of Labour, ENCHE' BAHAMAN BIN SAMSUDIN  
(Kuala Pilah).
- „ the Minister of Education, ENCHE' ABDUL RAHMAN BIN HAJI  
TALIB (Kuantan).
- „ the Assistant Minister of Rural Development, TUAN HAJI  
ABDUL KHALID BIN AWANG OSMAN (Kota Star Utara).
- „ the Assistant Minister of Commerce and Industry,  
ENCHE' CHEAH THEAM SWEE (Bukit Bintang).
- „ the Assistant Minister of Labour, ENCHE' V. MANICKAVASAGAM,  
J.M.N., P.J.K. (Klang).
- „ the Assistant Minister of the Interior, ENCHE' MOHAMED  
ISMAIL BIN MOHAMED YUSOF (Jerai).
- „ ENCHE' ABDUL GHANI BIN ISHAK, A.M.N. (Melaka Utara).
- „ ENCHE' ABDUL RAUF BIN A. RAHMAN, P.J.K. (Krian Laut).

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

- " TUAN HAJI ABDULLAH BIN HAJI ABDUL RAOF (Kuala Kangsar).
- " TUAN HAJI ABDULLAH BIN HAJI MOHD. SALLEH, A.M.N., P.I.S. (Segamat Utara).
- " ENCHE' AHMAD BIN ARSHAD, A.M.N. (Muar Utara).
- " ENCHE' AHMAD BOESTAMAN (Setapak).
- " ENCHE' AHMAD BIN MOHAMED SHAH, S.M.J. (Johor Bahru Barat).
- " TUAN HAJI AHMAD BIN SAAID (Seberang Utara).
- " ENCHE' AHMAD BIN HAJI YUSOF, P.J.K. (Krian Darat).
- " TUAN HAJI AZAHARI BIN HAJI IBRAHIM (Kubang Pasu Barat).
- " ENCHE' AZIZ BIN ISHAK (Muar Dalam).
- " DR. BURHANUDDIN BIN MOHD. NOOR (Besut).
- " ENCHE' CHAN CHONG WEN, A.M.N. (Kluang Selatan).
- " ENCHE' CHAN SIANG SUN (Bentong).
- " ENCHE' CHAN YOON ONN (Kampar).
- " ENCHE' CHIN SEE YIN (Seremban Timor).
- " ENCHE' V. DAVID (Bungsar).
- " DATIN FATIMAH BINTI HAJI HASHIM, P.M.N. (Jitra-Padang Terap).
- " ENCHE' HAMZAH BIN ALANG, A.M.N. (Kapar).
- " ENCHE' HANAFI BIN MOHD. YUNUS, A.M.N. (Kulim Utara).
- " ENCHE' HARUN BIN ABDULLAH, A.M.N. (Baling).
- " ENCHE' HARUN BIN PILUS (Trengganu Tengah).
- " TUAN HAJI HASAN ADLI BIN HAJI ARSHAD (Kuala Trengganu Utara).
- " TUAN HAJI HASSAN BIN HAJI AHMAD (Tumpat).
- " ENCHE' HASSAN BIN MANSOR (Melaka Selatan).
- " ENCHE' HUSSEIN BIN TO' MUDA HASSAN (Raub).
- " ENCHE' HUSSEIN BIN MOHD. NOORDIN, A.M.N., P.J.K. (Parit).
- " TUAN HAJI HUSSAIN RAHIMI BIN HAJI SAMAN (Kota Bharu Hulu).
- " ENCHE' IBRAHIM BIN ABDUL RAHMAN (Seberang Tengah).
- " ENCHE' ISMAIL BIN IDRIS (Penang Selatan).
- " ENCHE' ISMAIL BIN HAJI KASSIM (Kuala Trengganu Selatan).
- " ENCHE' KANG KOCK SENG (Batu Pahat).
- " CHE' KHADIJAH BINTI MOHD. SIDEK (Dungun).
- " ENCHE' KONG KOK YAT (Batu Gajah).
- " ENCHE' LEE SECK FUN (Tanjong Malim).
- " ENCHE' LEE SIOK YEW, A.M.N. (Sepang).
- " ENCHE' LIM JOO KONG, J.P. (Alor Star).
- " ENCHE' LIM KEAN SIEW (Dato Kramat).
- " DR. LIM SWEE AUN, J.P. (Larut Selatan).
- " ENCHE' LIU YOONG PENG (Rawang).
- " ENCHE' T. MAHIMA SINGH, J.P. (Port Dickson).
- " ENCHE' MOHAMED BIN UJANG (Jejebu-Jempol).
- " ENCHE' MOHAMED ABBAS BIN AHMAD (Hilir Perak).

The Honourable ENCHE' MOHAMED NOR BIN MOHD. DAHAN (Ulu Perak).

- " DATO' MOHAMED HANIFAH BIN HAJI ABDUL GHANI, P.J.K. (Pasar Mas Hulu).
- " ENCHE' MOHAMED YUSOF BIN MAHMUD, A.M.N. (Temerloh).
- " TUAN HAJI MOKHTAR BIN HAJI ISMAIL (Perlis Selatan).
- " ENCHE' NG ANN TECK (Batu).
- " ENCHE' OTHMAN BIN ABDULLAH (Tanah Merah).
- " ENCHE' OTHMAN BIN ABDULLAH, A.M.N. (Perlis Utara).
- " TUAN HAJI REDZA BIN HAJI MOHD. SAID (Rembau-Tampin).
- " ENCHE' SEAH TENG NGIAB (Muar Pantai).
- " ENCHE' D. R. SEENIVASAGAM (Ipoh).
- " ENCHE' S. P. SEENIVASAGAM (Menglembu).
- " TUAN SYED ESA BIN ALWEE, J.M.N., S.M.J., P.I.S. (Batu Pahat Dalam).
- " TUAN SYED HASHIM BIN SYED AJAM, A.M.N., P.J.K. (Sabak Bernam).
- " TUAN SYED JA'AFAR BIN HASAN ALBAR, J.M.N. (Johor Tenggara).
- " ENCHE' TAJUDIN BIN ALI, P.J.K. (Larut Utara).
- " ENCHE' TAN CHENG BEE, J.P. (Bagan).
- " ENCHE' TAN PHOCK KIN (Tanjong).
- " ENCHE' TAN TYE CHEK (Kulim-Bandar Bahru).
- " DATO' TEOH CHZE CHONG, D.P.M.J., J.P. (Segamat Selatan).
- " ENCHE' TOO JOON HING (Telok Anson).
- " ENCHE' V. VEERAPPEN (Seberang Selatan).
- " WAN SULAIMAN BIN WAN TAM, P.J.K. (Kota Star Selatan).
- " WAN YAHYA BIN HAJI WAN MOHAMED (Kemaman).
- " ENCHE' YAHYA BIN HAJI AHMAD (Bagan Datoh).
- " ENCHE' YEOH TAT BENG (Bruas).
- " ENCHE' YONG WOO MING (Sitiawan).
- " PUAN HAJJAH ZAIN BINTI SULAIMAN, J.M.N., P.I.S. (Pontian Selatan).
- " TUAN HAJI ZAKARIA BIN HAJI MOHD. TAIB (Langat).
- " ENCHE' ZULKIFLEE BIN MUHAMMAD (Bachok).

#### ABSENT:

The Honourable DATO' SULEIMAN BIN DATO' HAJI ABDUL RAHMAN, P.M.N. (Minister without Portfolio) (Muar Selatan) (*On leave*).

- " the Minister of Agriculture and Co-operatives, ENCHE' ABDUL AZIZ BIN ISHAK (Kuala Langat).
- " the Assistant Minister of Education, ENCHE' ABDUL HAMID KHAN BIN HAJI SAKHAWAT ALI KHAN, J.M.N., J.P. (Batang Padang).
- " TUAN HAJI AHMAD BIN ABDULLAH (Kota Bharu Hilir).
- " ENCHE' CHAN SWEE HO (Ulu Kinta).
- " ENCHE' GEH CHONG KEAT (Penang Utara).
- " ENCHE' K. KARAM SINGH (Damansara).

The Honourable ENCHE' LEE SAN CHOON (Kluang Utara).

„ ENCHE' MOHAMED ASRI BIN HAJI MUDA (Pasir Puteh).

„ ENCHE' MOHAMED DAHARI BIN HAJI MOHD. ALI  
(Kuala Selangor).

„ ENCHE' MOHAMED SULONG BIN MOHD. ALI, J.M.N. (Lipis).

„ NIK MAN BIN NIK MOHAMED (Pasir Mas Hilir).

„ ENCHE' QUEK KAI DONG, J.P. (Seremban Barat).

„ ENCHE' TAN KEE GAK (Bandar Melaka).

„ TENGKU BESAR INDERA RAJA IBNI AL-MARHUM SULTAN  
IBRAHIM, D.K., P.M.N. (Ulu Kelantan).

„ WAN MUSTAPHA BIN HAJI ALI (Kelantan Hilir).

## PRAYERS

(Mr. Speaker in the Chair)

## ORAL ANSWERS TO QUESTIONS

### CENTRAL MENTAL HOSPITAL, TANJONG RAMBUTAN

#### Death of Madam Lam Pak Mooi

1. Enche' Ng Ann Teck asks the Minister of Health and Social Welfare whether it is a normal practice for hospitals when admitting patients to take down the address from where they come; whether it is also normal practice for hospitals to record the address of patients admitted on transfer from another hospital, and if so, to state why the home of Lam Pak Mooi was not informed of her death when she passed away at the Tanjong Rambutan Central Mental Hospital.

2. Enche' Ng Ann Teck asks the Minister of Health and Social Welfare to state what attempts did the Hospital Authorities make in trying to trace her next-of-kin and what action the Ministry is contemplating to take on the officers concerned for this grave mistake.

#### The Minister of Health and Social Welfare (Dato' Ong Yoke Lin):

Mr. Speaker, Sir, with your permission I would like to answer both questions together. Sir, it is the normal practice when admitting patients to take down their addresses, and also for such addresses to be recorded by receiving

hospitals in case of transfer of patients from another hospital. Inadvertently, however, the address of Lam Pak Mooi, aged 74, was not transmitted to the Central Mental Hospital, Tanjong Rambutan, when she was transferred there from the General Hospital, Kuala Lumpur on the 8th February, 1962. Thus when she died on the 12th March, 1962, the Central Mental Hospital Authorities were not in a position to inform her relatives of her death.

Sir, it is quite a common experience at the Central Mental Hospital to receive patients without proper addresses, or information of relatives, or next-of-kin, particularly in those cases picked up by the Police and committed to the Mental Hospital. In some cases, even the names of the patients were not known, since for obvious reasons it is often futile to try to obtain even simple information from such persons. During the period of her stay at the Central Mental Hospital, Tanjong Rambutan, Lam Pak Mooi had had no visitors, nor apparently any contact with the outside world. Under the circumstances the Hospital Authorities presumed that she, as in the case of other patients, had no relatives of fixed place of abode, and had her buried at Government's expense when she died.

Sir, after enquiries the Ministry is taking appropriate disciplinary action against the officers concerned. Special reminders have been sent to all hospitals and institutions drawing attention of all officers to this matter, in order

to ensure against any future occurrence of this nature.

**Enche' Lim Kean Siew:** Is the Honourable Minister aware that in fact her daughter went to visit her several times in Tanjong Rambutan? And since that is a fact, what steps will the Minister take with regard to the misinformation he has been supplied with by the authorities concerned?

**Dato' Ong Yoke Lin:** I undertake to check the information supplied by the Honourable Member.

## BILLS

### THE INCORPORATION (STATE LEGISLATURES COMPETENCY) BILL

#### Second Reading

**The Minister of Internal Security and Minister of the Interior (Dato' Dr. Ismail):** Mr. Speaker, Sir, I beg to move that a Bill intituled "an Act to prescribe the powers of State Legislatures to make laws with respect to the incorporation of certain persons and bodies within a State" be read a second time.

Sir, before the promulgation of the Federal Constitution, incorporation was, by the Incorporation (State and Settlement Legislatures Competency) Ordinance, 1949, a proper subject for the State Governments to legislate. This is no longer the position, since under the Constitution incorporation is now a subject contained in the Federal List and is within the competency of Parliament alone to legislate. The Ordinance of 1949, though not expressly repealed, is perhaps no longer in force after 31st August, 1957. It is intended to delegate to State Legislative Assemblies some of the legislative responsibilities relating to incorporation, especially all those matters which are specified in the Schedule to the Bill and which are of a local nature. This Bill is, therefore, to provide for the necessary delegation to State Governments. The Schedule will show that the powers conferred on the State Governments are quite limited.

I am sure Honourable Members will support this Bill on its own merits. It has already been passed by the Upper House in 1961.

Sir, I beg to move.

**The Deputy Prime Minister (Tun Haji Abdul Razak):** Sir, I beg to second the motion.

**Dr. Burhanuddin bin Mohd. Noor (Besut):** Tuan Yang di-Pertua, saya memandangkan bahawa Rang Undang² ini memang mustahak di-luluskan kerana dengan jalan ini dapat-lah pehak Kerajaan² Negeri menyusun Undang² sa-bagaimana yang sudah di-jalankan itu. Dan Rang Undang² ini saya menyokong-nya.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr. Speaker in the Chair)

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

*Schedule* ordered to stand part of the Bill.

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

### THE REDEMPTORIST FATHERS (INCORPORATION) BILL

#### Second Reading

**Dato' Dr. Ismail:** Mr. Speaker, Sir, I beg to move that a Bill intituled "an Act to incorporate the Titular Superior of the Redemptorist Fathers in the Federation of Malaya" be read a second time.

Sir, the Redemptorist Fathers belong to a religious movement which is already well established in Ipoh with a monastery at Tambun Road, Ipoh. There is need for the incorporation of the Redemptorist Fathers since all the titles are now held in the name of Father Dobson, the Titular Superior of the Redemptorist Fathers in the Federation as trustee.

This Bill follows the line of other legislation relating to incorporation and gives corporate status to the Redemptorist Fathers with provisions to enable them to hold land, enter into contract, to sue and be sued, and the like.

This Bill was passed by the Upper House on the 14th of August, 1961.

Sir, I beg to move.

**Tun Haji Abdul Razak:** Sir, I beg to second the motion.

**Dr. Burhanuddin bin Mohd. Noor:** Tuan Yang di-Pertua, saya berdiri di-sini hendak berchakap sedikit berkenaan dengan Bill ini. Perchakapan saya ini semua sa-kali tidak menyeng-gong kebebasan ugama tetapi ada-lah sangat<sup>2</sup> menghormati kebebasan beru-gama. Chuma saya hendak menarek perhatian pehak Kerajaan kerana per-jalanan Undang<sup>2</sup> ini biasa-nya ada-lah berdasarkan kepada Undang<sup>2</sup> yang telah di-jalankan di-zaman penjajahan dahulu. Tuan<sup>2</sup> semua tahu bahawa ini ada-lah chara<sup>2</sup> pehak gereja mengokoh-kan keadaan<sup>2</sup> ugama-nya dalam negeri ini. Manakala kita telah merdeka sudah kita menetapkan dalam Perlem-bagaan kita Islam ugama rasmi dan saya berasa bahawa Undang<sup>2</sup> yang saperti ini, satu perkara berhubung dengan ugama ini kita tidak payah bawa kepada persidangan Parlimen ini hendak di-luluskan. Pada hal harus di-fikirkan bahawa kedudukan ugama Islam kita dan dengan ada-nya per-atoran<sup>2</sup> biasa berkenaan memileki tanah dan sa-bagai-nya boleh di-buat tidak-lah semesti di-bawa perkara yang saperti ini di-sini, kerana itu berbalek pula kita di-zaman penjajahan dahulu. Pada masa ini kita sudah merdeka dan sudah memasukkan Islam itu sa-bagai ugama rasmi di-negeri ini. Jadi, saya rasa, perkara ini harus-lah bagi pehak Kerajaan menimbangkan dengan sa-halus<sup>2</sup>-nya supaya dapat per-kara<sup>2</sup> ini jangan berlaku lagi tetapi bawakan-lah dengan satu chara yang sesuai dengan peratoran biasa di-dalam memileki tanah atau harta dan sa-bagai-nya.

**Dato' Dr. Ismail:** Tuan Yang di-Pertua, tidak semua Undang<sup>2</sup> yang di-buat di-bawah penjajahan dahulu itu

tidak bagus. Banyak Undang<sup>2</sup> yang telah di-buat di-masa dahulu itu yang bersesuaian mengikut kehendak negeri kita, kita pakai lagi.

Yang kedua-nya sunggoh pun ugama Islam ugama rasmi di-seluruh Perse-kutuan—ta' tahu-lah di-Kelantan—kita memang ugama Islam ini ada-lah ugama rasmi tetapi dalam Perlem-bagaan kita, kita kata ia-itu ugama<sup>2</sup> yang lain boleh juga berjalan dalam negeri ini. Supaya jangan orang ramai shak wasangka atas Bill ini ya'ani Kerajaan tidak-lah menggalakkan ugama Kristian. Chuma Kerajaan pinda di-sini ia-itu di-katakan Redemptorist Fathers ini dia telah menjalankan ugama Kristian beberapa lama. Chuma kita di-sini, kita hendak buat satu Bill ia-itu memberi kuasa kepada Redemp-torist Fathers supaya dia menjadi sa-bagai warith yang boleh membuat contract supaya dia boleh kena saman dan menyaman orang lain, ini hak yang ada pada tiap<sup>2</sup> ra'ayat yang ta'at setia kepada negeri ini dan orang<sup>2</sup> yang mengaku Undang<sup>2</sup> negeri ini. Jadi, saya hendak jelaskan di-sini supaya orang luar daripada Parlimen ini tidak memikirkan yang Kerajaan hendak menggalakkan ugama Kristian ini. Tetapi kalau di-negeri Kelantan tentu-lah ada ugama Kristian, itu sama ada di-galakkan atau tidak, saya ta' tahu-lah. Kalau di-negeri Kelantan yang di-katakan dia hendak Perlemba-gaan negeri itu mengikut serba serbi negeri Islam, kalau ada Kristian di-sana buat-lah tetapi kita di-sini hendak memberi hak kepada orang yang ada di-sini. Ini-lah sahaja jawapan saya kepada Ahli Yang Berhormat itu.

**Dr. Burhanuddin bin Mohd. Noor:** Saya dari mula lagi, Tuan Yang di-Pertua, menerangkan bahawa perkara ini tidak ada semua sa-kali menyeng-gong kedudukan kebebasan ugama lain. Di-Kelantan ugama Islam itu tidak menyekat ugama<sup>2</sup> lain. Perkara ini tidak ada kena-mengena dengan negeri Kelantan. Saya mengingatkan perkara ini boleh di-adakan dengan chara peratoran biasa. Kalau sudah di-berikan juga dengan peratoran biasa maka di-jalankan-lah peratoran biasa itu. Kenapa perkara ini hendak

di-bawa dalam Parlimen sedangkan membuat peraturan biasa itu boleh di-jalankan.

**Dato' Dr. Ismail:** Tuan Yang di-Pertua, saya hendak memberi sedikit penerangan. Kalau boleh di-buat chara biasa tentu ta' payah-lah Bill ini di-bawa di-sini.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr. Speaker in the Chair)

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

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

## THE INTERPRETATION AND GENERAL CLAUSES (AMENDMENT) BILL

### Second Reading

**Dato' Dr. Ismail:** Mr. Speaker, Sir, I beg to move that a Bill intituled "an Act to amend the Interpretation and General Clauses Ordinance, 1948" be read a second time. Sir, this Bill proposes certain minor and, I hope, non-controversial amendments to the Interpretation and General Clauses Ordinance, 1948.

Clause 2 amends the "Definition" section of the Ordinance. It redefines "Commonwealth countries" by reference to the definition contained in the Constitution and brings up to date the definition of the Commonwealth. Honourable Members will recall that the definition of Commonwealth countries as contained in the Constitution was recently amended by Act No. 14 of 1962 to exclude South Africa and to include the new Commonwealth countries of Nigeria, Cyprus, Sierra Leone and Tanganyika. The definition "Judicial and Legal Service Commission" is deleted; this Commission is no longer in existence. The definition of "Police Service

Commission" is amended to refer instead to the "Police Force Commission". This follows from the amendment to Article 140 of the Constitution introduced by the Constitutional (Amendment) Act No. 10 of 1960 which replaced the Police Service Commission by the Police Force Commission. The definition of "the Treasury" which follows in the definition in section 3 of the Financial Procedure Ordinance No. 62 of 1957 is added and a formal amendment made to the reference to the British Crown in the definition "Secretary of State" under section 8 of the clause. The amendment will apply to existing laws but only as from the commencement of the Bill.

Clause 3 amends section 8 (2) to provide that references to the Constitution in any written law shall, as in the case of other written laws, be construed as references to the Constitution as from time to time amended. In case Honourable Members wish to know how the new section will achieve this since it contains no reference to the Constitution, let me explain that the Constitution is written law within the definition numbered 97 in the Ordinance.

Clause 4 introduces a new section which declares that no subsidiary legislation shall be invalid simply because the law making authority, shall we say the draftsman, has omitted to invoke all relevant rule making powers. The law does not go beyond the Commonwealth rule on this subject.

Clause 5 elaborates on the powers that may be exercised by a person empowered to do or to enforce the doing of any act or thing; in particular, it provides that the power to control or to regulate any matter includes power to license or to prohibit acts, and that the power to grant licences, etc., includes the power to impose conditions.

Clause 6 amends section 33c to remove any doubts as to the validity of proceedings of statutory bodies in the event of a vacancy.

Clause 7 introduces a new section 36A to provide for the age of a person

to be reckoned according to the Gregorian calendar and get rid of the artificial common law rule that a person reaches a given age on the day before his birthday. The repeal of sub-section (2) of section 2 of the Juvenile Courts Ordinance No. 38 of 1947 is consequential.

Clause 8 introduces a new section 46A to enable certain oaths and declarations to be subscribed, in keeping with the time, in languages other than English.

Clause 9 amends section 48 to enable authoritative reprints to be made of the Constitution and subsidiary legislation. At present, the power to authorise such reprint is confined to Acts and Ordinances. The consequential amendment to the definition of "Government Printer" is proposed in clause 2 (3).

Sir, I beg to move.

**The Minister of Finance (Enche' Tan Siew Sin):** Sir, I beg to second the motion.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr. Speaker in the Chair)

*Clauses 1 to 9 inclusive ordered to stand part of the Bill.*

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

## THE ACT No. 38 OF 1961 (COMMENCEMENT) BILL

### Second Reading

**Enche' Tan Siew Sin:** Mr. Speaker, Sir, I beg to move that a Bill intituled "An Act to provide for the coming into operation of sections 1 to 7, 9, 11 and 12 of the War Risks (Goods) Insurance Fund (Winding-up) Act, 1961" be read a second time.

Honourable Members will recall that at the August, 1961, session, this House

considered and passed a Bill to wind up the War Risks (Goods) Insurance Fund. The Bill received the Royal Assent on 12th September, 1961, and was enacted as Act No. 38 of 1961.

Section 1 (2) of that Act provides that with the exception of sections 8 and 10, the Act shall come into operation on such date as the Yang di-Pertuan Agong may by notification in the Gazette appoint. The War Risks (Goods) Insurance Fund was applicable both to the Federation and Singapore, and it is essential, therefore, that the legislation to wind up the Fund should be the same in the Federation and Singapore, and should be brought into force on the same date. The Singapore Government enacted parallel legislation and brought in into force on 28th February, 1962. Unfortunately, due to procedural delays, the prior approval of the Yang di-Pertuan Agong was not obtained to the bringing into force of the Federation Act on 28th February, 1962, too, and retrospective approval would not be lawful. In the circumstances, therefore, the Government has decided that legislation should be introduced to bring into force sections 1 to 7, 9, 11, and 12 of the War Risks (Goods) Insurance Fund (Winding-up) Act, 1961, on 28th February, 1962, so as to conform with Singapore and the Bill now before the House seeks to achieve this purpose.

Sir, I beg to move.

**The Minister of Commerce and Industry (Enche' Mohamed Khir Johari):** Mr. Speaker, Sir, I beg to second the motion.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr. Speaker in the Chair)

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

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

## THE SUPPLEMENTARY SUPPLY (1961 AND 1962) BILL

### Second Reading

**Enche' Tan Siew Sin:** Mr. Speaker, Sir, I beg to move that "a Bill intituled an Act to apply sums out of the Consolidated Fund for additional expenditure for the service of the years 1961 and 1962, and to appropriate such sums for certain purposes" be read a second time.

As you will observe, Sir, this Bill seeks authority for expenditure in regard to two separate sets of Supplementary Estimates, one for the year 1961 and the other for 1962. This practice of presenting two Supplementary Estimates within one Bill instead of two separate Bills was first introduced last year to simplify the procedure for considering two Supplementary Estimates during the same meeting of the House, and it is felt that this practice should continue.

Clause 2 of the Bill provides authority for additional expenditure of \$3,629,781 for the service of the year 1961 and this is itemised in the First Schedule of the Bill and also in the Supply Expenditure section of the Third Supplementary Estimates of Expenditure, 1961, which are tabled as Command Paper No. 7 of 1962. Out of this amount, a sum of \$2,875,737 was advanced from the Contingencies Fund which has now to be recouped.

As Hon'ble Members will note, out of the total of \$17,727,637 included in the Third Supplementary Estimates, 1961, a sum of \$14,097,856 is required to meet the cost of "charged" expenditure services. The biggest of these, \$5,590,000, is required to meet the payment of compensation for loss of career because more entitled expatriate officers retired in 1961 than originally estimated. The others are for charges on account of the public debt, pensions, retiring allowances and gratuities and also statutory grants to States.

Taking both the "supply" and "charged" expenditures into consideration, the total of the additional expenditure incurred in 1961 is \$37,815,427, thus increasing the total estimated ordinary expenditure for

1961 to \$995,802,863. This does not mean, however, that an additional \$37.8 million was actually spent. At present the accounts for 1961 are not yet closed and the expenditure for the year is not, therefore, exactly known, but from preliminary figures I have received the indications are that the total actual ordinary expenditure for 1961, including all supplementaries, was somewhat below the estimate of \$957,987,436 originally approved. The whole of the additional expenditure which the House is now being asked to approve in respect of 1961 is, therefore, covered by savings.

Clause 3 of the Bill provides authority to incur additional expenditure of \$2,643,204 in respect of the year 1962 as itemised in the Second Schedule of the Bill and also in the First Supplementary Estimates, 1962, which are laid before the House as Command Paper No. 11 of 1962. Out of this amount, a sum of \$1,051,147 has been advanced from the Contingencies Fund.

I shall not go into the details of the two sets of estimates as the reasons for requesting the additional monies are already given in the Treasury Memoranda tabled as Command Paper No. 8 and No. 12 of 1962 respectively, and the Ministers concerned will be able to explain their purposes in greater detail during the Committee stage.

Sir, I beg to move.

**Tun Haji Abdul Razak:** Sir, I beg to second the motion.

**Enche' V. David (Bungsar):** Mr. Speaker, Sir, I would like to speak under the Ministry of Education. Though I intended to speak at length on the question of education, especially about overseas, I did not have the opportunity to do so during the debate on the King's Speech.

**Mr. Speaker:** It would be better if you wait until we come to that item of supplementary provision during the Committee stage. We are going to take item by item during the Committee stage.

**Enche' V. David:** I think I will speak on the general policy, Sir. We find

large sums of money allocated by this House every year for the purpose of educating our boys and girls overseas. We fully support the Government's move in spending money for educational purposes, but we only want to know how this money is being spent. In some cases, especially where teachers are being sent out of this country, I find that the Government is wasting large amounts of money. According to the yearly Estimates approved in this House, I was under the impression that the students of this country going overseas, especially to Brinsford and Kirkby, are having all required facilities—and facilities which are much better than in this country. To my astonishment, I observed that it is not correct. The education and accommodation facilities provided for these students, especially at Brinsford, are extremely poor and far below expectations. Mr. Speaker, Sir, in this country we have every possibility of building more teachers training colleges and our students would be cultivated on local conditions and, in turn, to teach the same to the growing generation. But sending students overseas spending large amounts in travelling expenses and pocket allowances has become a criminal waste, and it is only helping the British Government to find employment for their own teachers and also to help the citizens of Great Britain.

Mr. Speaker, Sir, touching on the same item, there have been a lot of complaints by the students. Students in Britain complain that the Students Department does not attend to their letters promptly. We have complaints that Malaya Hall does not provide a Malayan cook. We have also complaints from the students that whenever students approach for postings in the various colleges, the Students Department used to discourage them from going for a particular study, and I, in my humble submission, Sir, would say that it is not the business of the Students' Department to say what study course they should take and for what profession they should study. Mr. Speaker, Sir, there is no indoor recreational facilities at Malaya Hall. I think all these things should have

been studied by the Commission which was appointed earlier to probe. But what happened? The members who formed the Commission, at least two of them, have become the Director and Assistant Director of the Students' Department. Mr. Speaker, Sir, this is quite amazing. A Commission was independently appointed to study the conditions and later as a reward the members of the Commission have been offered to take charge of the Students' Department. When we spend money, I feel that the money should be spent wisely and in a proper manner whereby the future generations of this country will benefit as a result of the contribution made by our taxpayers.

Mr. Speaker, Sir, while referring to the buildings at Brinsford, I would say that they are most disgraceful and would compare them to some of the huts around Kuala Lumpur. With the same amount of money that we spent at Brinsford we could have put up palatial buildings in this country, and also provide better educational and recreational facilities to our students in this country. When considering the coming Estimates for education, I hope the Minister of Education will bear this in mind.

I would like to make a further remark. Ministers travelling from here to England never take the trouble even to visit the students to find out how our money is being spent. This is a sad thing. In future I hope that whenever they make any trips for any other purpose the Ministers will take the opportunity to see the students.

**Mr. Speaker:** Order, order! This is a debate under S.O. 67 (3). I will refresh your memory on this—

"After the motion for the second reading of the Bill has been proposed and seconded the debate thereon may proceed forthwith but shall be confined to the general principles of Government policy and administration as indicated by the supplementary appropriations included in the Bill and estimates."

If you want to speak on Ministers going to England, I don't see here any money provided for that purpose; and if money is not provided for that purpose, you are not allowed to speak. I have got here for the Ministry of

Education \$10 and you are allowed to speak on that, but you have to be very, very careful. You can only speak on the items for which money is provided.

**Enche' V. David:** Thank you. I will refrain from making any remarks on items that is not specified here. Then, Sir, among the students in England we observe that the Students' Department—for which money is allotted under the Ministry of Education—has not encouraged a policy to unite the students. Instead of which, we find that there are a lot of frictions among the students, which is indirectly encouraged by the Students' Department in England. Mr. Speaker, Sir, I would suggest that the Students' Department be called upon to see that all attempts are made to unite the students into one group, so that they would not reflect badly in the eyes of the other foreign students studying in Britain.

Mr. Speaker, coming to Labour and Industrial Relations—Head S. 48—there have been considerable developments which have taken place during the past few months. Employer-employee relations on the one side have come to degrade itself, but, on the other side, in certain industries it has made progress. Employers, especially in the private sector, for instance, in the bus companies, have become extremely hostile towards trade unions. Local employers have taken advantage to exploit the workers and even to victimise workers when they find that they are becoming union conscious. There had been a breakdown in Government machinery too, and the Whitley Council has suffered to a large extent. The Government's concept on industrial relations has come to change from time to time. The Government has not been contributing in a large scale towards maintaining industrial peace. Mr. Speaker, Sir, the Government has given repeated assurances in this House regarding social security. To this day we only hear that an expert came down to this country to make a report on the social security scheme, but to this date the Government has not published any recommendations by this expert.

Coming to the port workers, Sir, the industrial relations in the ports have to a large extent deteriorated, especially in Penang. Employers have become complete dictators, ignoring pleas from the unions as well as from the Government. Mr. Speaker, Sir, the time has come for the Government to completely review its industrial policy. Industrial relations and industrial peace can only be achieved by a government which is genuinely sympathetic towards the cause of the working class.

Mr. Speaker, Sir, CUEPACS has made an appeal to the Government to abolish the daily-rated system of wages paid to the workers. To my mind, Sir, the daily-rated system is a degrading system in the modern era.

**The Minister of Labour (Enche' Bahaman):** Mr. Speaker, Sir, on a point of order.

**Mr. Speaker:** What is the order?

**Enche' Bahaman:** Standing Order 67, Sir. It is not relevant to the matter under discussion.

**Mr. Speaker:** The Honourable Member is entitled to speak on the general principles of Government policy and administration as indicated by the supplementary appropriations included in the Bill and estimates, and there is an estimate for \$10 for Ministry of Labour and Industrial Relations, in which case he is entitled to speak on the general principles of Government policy and administration.

**Enche' Tan Siew Sin:** Mr. Speaker, Sir, if I may be permitted to read the actual Order 67 (3). It says: "... the debate thereon may proceed forthwith but shall be confined to the general principles of Government policy and administration as indicated by the supplementary appropriations included in the Bill and estimates." The only item in regard to the Ministry of Labour and Industrial Relations is that asking for provision for the cost of holding the I.L.O. Asian Regional Seminar in Kuala Lumpur in the early part of December, 1961, and I submit, Sir, that this debate should be confined to the general policy on that particular item and nothing else. But the Honour-

able Member is rambling over the whole field of labour and industrial relations.

**Mr. Speaker:** Which Command Paper is that?

**Enche' Tan Siew Sin:** Command Paper No. 8 of 1962, Sir. It would be easier if you would look at Command Paper No. 8, page 13, item 40, Supply Head 48.

**Mr. Speaker:** I must warn the Honourable Member that this debate should be confined to the general principles of Government policy as indicated in the supplementary appropriations included in the Bill. Therefore, when you read item 48 in the Bill, Labour and Industrial Relations \$10, that must be read in conjunction with item No. 40 in Command Paper No. 8 of 1962. Therefore, you can speak on that particular item only. If the provision is not provided, you are not allowed to speak. Therefore, this Bill must be read in conjunction with Command Paper No. 8 of 1962.

**Enche' V. David:** Mr. Speaker, Sir, I cannot expect much knowledge of industrial relations on the part of the Minister of Finance he being an employer himself. Sir, labour and industrial relations cover a wide range of subjects, and I find here seminars to educate the workers and trade unionists; it covers really a wide field.

**Mr. Speaker:** But the provision asked for is explained in item 40—that is the item which you can speak on.

**Enche' V. David:** Mr. Speaker, Sir, I was completely dwelling on the policy of the Government regarding industrial relations; I did not go out of the way.

**Mr. Speaker:** That is my ruling now. You can only speak on the item for which provision is provided. That ruling is final. You must read the Schedule along with Command Paper No. 8 of 1962.

**Enche' V. David:** Mr. Speaker, Sir, according to this item, I find here ILO Regional Seminar. If I talk about ILO, Sir, I think I can also dwell on the annual conventions of the

ILO. Mr. Speaker, Sir, there is a constant request from the Malayan Trade Union Congress to send an additional representative to the ILO Conventions yearly. At the moment . . .

**Enche' Bahaman:** Mr. Speaker, Sir, still he is straying. *(Laughter)*.

**Mr. Speaker:** No, no! He is quite all right. There is an item on ILO Convention here. Proceed!

**Enche' V. David:** Mr. Speaker, Sir, I do not intend to give any difficulty to the Minister of Labour, but, anyhow, I think he is fully aware there is a demand by the MTUC for an additional representative to the ILO Conventions and I only request that this demand by the MTUC be given due consideration by the Government.

**Mr. Speaker:** Sir, I now come to the Royal Federation of Malaya Police. Sir, it has been a sad thing for one to observe the salary received by the ordinary Police constable. I am not here making any justified claim for the higher ranking officers, but I am only making a plea for the ordinary Police officers.

**Mr. Speaker:** Order, order! I have already made a ruling. You can only speak on the provision which is entered in these estimates. Although in the Schedule there is provision for the Royal Federation of Malaya Police, if you look at item 39 in Command Paper No. 8 of 1962, you will find that the supplementary provision asked for is only for the purchase of wireless equipment. Therefore, you can only speak on the purchase of wireless equipment—nothing else. *(Laughter)*. That is my ruling.

**Enche' V. David:** Well, Sir, you have limited me to a large extent. Sir, in that case I believe that it involves expenses on the part of the Government for the Police Force, whether it is wireless or salary.

**Mr. Speaker:** That is my ruling. You can speak on wireless. *(Laughter)*.

**Enche' V. David:** Then, Sir, I will take the Ministry of Health and Social Welfare. On the Ministry of Health and Social Welfare, I find here that

"provision is required to meet contributions made by the Federation of Malaya Government to the Post-graduate Medical School in London." I think, on this subject I will be allowed to dwell on contributions made by the Social Welfare Lotteries Board.

**Mr. Speaker:** Certainly not!

**Enche' V. David:** Sir, since you have said I could touch on policy . . . . .

**Mr. Speaker:** "The policy for which the service is provided." We are not in the Committee stage—in the Committee stage only you are confined. You can refer to Standing Order 67 (5)—it says:

"The debate on a supplementary Supply Bill in Committee of Supply shall be limited to the particulars contained in the estimates on which the supplementary appropriations are sought;"

So far when we are not in the Committee stage you can speak on the general principle of the policy of the Government as indicated in this Bill, and this must be read in conjunction with Command Paper No. 8 of 1962. That is my ruling.

**Enche' V. David:** Then, Sir, I will take it at the Committee stage.

**Enche' Kong Kok Yat (Batu Gajah):** Mr. Speaker, Sir, I would like to refer to Head S. 19, sub-head 42—Visit of the Prime Minister and Party to the United Kingdom on the Malaysia Talks. On general policy, I would like to say this . . . . .

**Mr. Speaker:** What Head?

**Enche' Kong Kok Yat:** Head S. 19—it is on page 10 of Command Paper No. 8 of 1962. Though the Government is entitled to spend money first and ask for payment subsequently, I think on general principle such matters should be brought to the House, discussed and approved first, before such huge sums are spent, because we all know such huge sums spent can never be recovered; and with the majority which Government holds, we all know that these will be subsequently approved—and it will be a

complete waste if no fruits are born out of such expenditure.

Sir, in respect of the spending of such a huge sum of money, the object, of course, was with a view to the formation or creation of Greater Malaysia. We all know the objects of the other countries involved in this. We know the stand of the Federation Government in respect of such a policy. But one must judge and look upon this beautiful picture of the future by looking at the very present to see what we are having before such formation or creation. What have we? We have at the moment such frictions like disagreement in respect of whether Singapore could come in with this plan of ours wholeheartedly, or with a subsequent proposition of their own which may not be acceptable to either the Federation Government or the Singapore Government.

**Mr. Speaker:** Order, order! Under Head S. 19, Ministry of External Affairs, the additional sum is required to meet expenditure for the Joint Committee of Economic Experts of A.S.A. (Association of South East Asia for Economic and Cultural Co-operation). It has nothing to do with Malaysia.

**Enche' Kong Kok Yat:** Paragraph 29, Sir—new Sub-head 42.

**Mr. Speaker:** Please proceed!

**Enche' Kong Kok Yat:** As I said, Sir, the people of Singapore and the people of the Government of the Federation of Malaya might not be thinking on the same line in respect of such a union as the formation of Malaysia. If that be the case and if subsequently, as we can see from the present atmosphere, where threats are being uttered, where the Causeway will be closed if you do not toe the line, then what will be the outcome? Perhaps, the present Government of Singapore will be very keen in coming in or uniting these two nations into one, but as I say, Sir, the views of the people have to be obtained: and what we see today, as being the Government of Singapore, does not seem to be the voice of the people of

Singapore. Therefore, as such the spending of such a vast sum of money, as it stands here, would mean a complete wastage of public funds.

Now, Sir, in the formation of Greater Malaysia, there must be trust, there must be faith, and there must be the object of doing everything for the common good and welfare. But as it stands now, it would appear that our Government seems to be exerting a rather over-powering sort of influence throughout the countries that are being called to unite. What is the result? The result is that if any outsider were to read the press comments that are being released, whether subjected to Government influence or not, he would still come to the conclusion that the prime mover is the Federation Government; and as such, whatever we propose, whatever we formulate, whatever are our plans for such a union, it would inevitably carry a lot of weight—and what sort of weight would it carry in the eyes of the free world? Things as were mentioned in His Majesty's Address or Speech from the Throne would be brought to light, and subsequent utterances from the Ministerial Bench would also come into the public light: these when formed into a precis would only lead to one conclusion—that we, the Federation Government here, by hook or crook intend to make this Malaysia Plan a success whether Singapore comes in or not; and if not then we have to take steps to see that they fall into line as to the way that the Federation Government would want Singapore to see. If that be the case, then this democracy that we preach so much about as being in existence in this country—and which we think should be in existence when this Greater Malaysia is formed—would be a mockery, because from the very beginning we are uttering suggestions of threats which, if boiled down to its very root, would mean an undemocratic sort of policy. As has been described, or as has been explained, by the Honourable Prime Minister in his various press releases that the closing of the Causeway is not a threat in reality: what it amounts to is this—we can do without

Singapore if Singapore does not come in; but the proposal of Greater Malaysia must include Singapore, if it were to be a success. The Honourable the Prime Minister has assumed the stand that after all Singapore could come in if she wishes; or if she does not, then she can stay out. Anyway, the threat that hangs over the heads of the citizens of Singapore is this—that you as aliens cannot dream of surviving, if the other countries around you are united in this Malaysia Plan; and you, if you dream of surviving in the true sense of the word, must fall into line with our policy, and this policy is very very simple: as has been discussed, certain departments of Government would be in your hands and the other important ones will be in ours. Sir, if such be the case, if that is not a threat, then I do not know what is. We in this country are too familiar with this extortion, with this criminal intimidation, that has been practised by secret societies. In what way are they practising it? They practise it in a very simple manner; they practise it by making use of fear. Fear could be gauged or measured in many different ways. To each individual, a certain fear must be greater than other fears which might be imposed on other individuals. In the case of Singapore, there is this fear in the hearts of the people of Singapore—the threat of the closing of the Causeway. Of course, the reply by the Government could be very simple: "All you need to come into the Federation would be to obtain a pass", or *vice-versa*. In other words, people leaving Singapore for the Federation of Malaya require a pass, but that is beside the point, Sir.

**Enche' Mohamed bin Ujang (Jelebu-Jempol):** On a point of order, 39 (1).

**Mr. Speaker:** What order?

**Enche' Mohamed bin Ujang:** 39 (1). Menurut Standing Order 39 (1) usul Malaysia dalam Order Paper 14 ia-itu usul dari Ahli Yang Berhormat Dr. Burhanuddin—tidak-lah boleh kita bicharakan usul ini lagi kerana usul ini ada dalam Order Paper, No. 14 ini.

**Mr. Speaker:** Boleh, kalau dia berchakap . . . . . dudok dahulu! Kalau dia berchakap hendak memasukkan Malaysia dalam Pilipina itu saya tahan, jadi dia ta' chakap itu. Proceed!

**Enche' Khong Kok Yat:** Thank you. Sir, the obvious thing would be to say, "Well, such a threat of closing the Causeway would cause no greater hardship than what has been caused so far, where one driving one's own motor car has to stop, and the train has also to stop, for the Customs to inspect." But the fact still remains, Sir, that not coming in within this happy family fold would mean certain black-balling, probably in respect of trade dealings, export/import, and so many other factors, which might be the life-blood of Singapore. As I can see it, Sir, if this is to be the basis from the very start on which we are going to ask other countries to join in this union, then it is the wrong move. It is wrong in the sense that fundamental rights will be at stake and threatened; and it is wrong in the sense that if this could happen to Singapore because Singapore was the first to raise its head in objection, then it could happen to the other States which were asked to join us. It is the basis which I am talking of, and if we want Malaysia to be a success—and we hope that such basis would be a sound one—then we must not raise this devil of a snake known as communal issues too often. Every time an Opposition Member in this House, or a non-Malay Member of this House, raises the issue of privileges, we find people getting into hysteria and calling him (of course, it has lost its effect) communist, communalist and so forth, and you, Mr. Speaker, Sir, have pulled up many a speaker for raising this issue and for making use of such an issue in this House as being not in conformity with the decorum of this House. I would say this, Sir, that just because a non-Malay Member raises the point of privileges by saying that the Government should also have a policy whereby non-Malays could also benefit, it does not mean that such demand is tantamount to raising communal

dissatisfaction among the races in this country.

**Tuan Syed Ja'afar bin Hasan Albar (Johore Tenggara):** Tuan Yang di-Pertua, minta penjelasan.

**Enche' Khong Kok Yat:** I don't think I have the time, Sir.

**Mr. Speaker:** I must warn you that the issue you raise now has nothing to do with this. If it has anything to do with Malaysia Plan, then I can allow it, not otherwise. This item on which you are now talking makes provision only for Malaysia. You are not allowed to talk about Malay privileges, because we have no provision for that.

**Enche' Khong Kok Yat:** If you will permit me, I will explain a bit. I am talking on the basis on which Malaysia can come into being. Inevitably, Sir, what is the basis on which Malaysia could come into being? The basis would, of course, be communal harmony which I hope would exist when Malaysia is formed, and on that only I am touching—I am not touching on details.

**Mr. Speaker:** Yes.

**Enche' Khong Kok Yat:** As I said, Sir, on this question of privileges, it would be wrong to say that if one were to ask that the Chinese rights and the Indian rights should also be considered at the time when Government formulates its policy, it would mean the deprivation of such privileges as are being given to the Malays. That would be wrong, because, at no time, I am sure, Sir, has there been any voice raised from this side of the House to object to any of the privileges that have been granted to the Malays.

**Tuan Syed Ja'afar:** Tuan Yang di-Pertua, saya minta oppose ini.

**Mr. Speaker:** I must warn you—saya mesti ingatkan kepada Yang Berhormat, yang boleh mengganggu atas sa-saorang itu berchakap hanya-lah atas dua perkara sahaja ia-itu sama ada memberi kenyataan atau pun menunjukkan yang perchakapan itu salah dalam peratoran ini. Sa-lain daripada itu tidak ada sa-orang pun boleh

menyampok orang lain yang berchakap. Itu mengikut peratoran Majlis ini. Please proceed!

**Enche' Khong Kok Yat:** I am going further on this privileges question. I hope the Honourable Member from Johore Tenggara would be patient enough to listen before he objects further. It is this, Sir: privileges as are being pointed out in the ears of those who desire to hear and for those who wish clarification are those privileges which in its real form and true practice do not benefit the people from the kampongs; and, as such, probably from this side of the House there have been suggestions that the privileges be withdrawn because they do not benefit the ra'ayat.

As I say, Sir, in order to formulate the basis on which Malaysia could be a success, this primary point must be thrashed out and cleared. It must be cleared as soon as possible, because I see here that a huge sum has been spent and further sums will be spent in the future towards the prime object of the formation of this union. And if that be the case, until and unless this basis is thrashed out and cleared and given a clean bill of health, you will hit against the snake and subsequently have this snake raising its head from among the grass to try and destroy the very object which the Malayan Government and the other Governments have in mind. Sir, I know I am touching on dangerous ground here, because I could be hauled up and told that I could refer to this matter in Committee, but I think it will be in order for me to say that if any Member who sits in this House should try and intimidate those races of which he is not a member from uttering words almost tantamount to sedition, not to raise their voice, open their mouth to ask for certain things to which they are legitimately entitled to as citizens, then I say it is wrong and it is abusing the privileges existing in this House.

**The Prime Minister:** Mr. Speaker, Sir, I would just like to explain a few things which have been raised by the Honourable Member for Batu Gajah. First, with regard to the subject of this

sub-head 29, which he has made the basis of his talk on Malaysia, this expenditure was for the trip to London to have talks with the British Government. When it was agreed that Malaysia was to be formed, both Governments agreed that a Commission should be set up to study this question of Malaysia. A Commission had been formed and had gone to the spot to examine and to take the views and opinions of all persons concerned. There is no question of our intimidating anybody into accepting that plan. We are now awaiting the report of the Cobbold Commission itself and the report will set out all the views and opinions which they had been able to collect while they were there. Therefore, I repeat there is no question of intimidation.

On the question of closure of the Causeway, had the Honourable Member been here he would have heard what I had to say about it. I will just repeat that to satisfy him. There is no question of destroying any fundamental rights at all of people in the Federation of Malaya, as an independent and sovereign nation, we decided to protect our own interests by closing the Causeway which has so far permitted immigrants—outsiders and foreigners—to come into our territory freely. The fact that we have allowed this to go on for so long is, in my mind, something in respect of which action should be taken to close it now and why we are doing it is that, as I say, we are doing it as a matter of necessity, and doing it at the right time. That we have allowed it to remain open for so long is to provide for the economic well-being of this country a temporary measure. But we have provided this already for too long, and if during that time the business people have not quite made their own arrangements as to how they would carry on with their business if the Causeway were closed, then it is their fault. The Federation's duty is to protect the interests of the people here, without destroying anybody's fundamental rights—by providing some form of security and protection for the people here and for the well-being of this country.

**Mr. Speaker:** The sitting is suspended for 15 minutes.

*Sitting suspended at 11.25 a.m.*

*Sitting resumed at 11.45 a.m.*

(Mr. Speaker in the Chair)

**Enche' D. R. Seenivasagam (Ipoh):**

Mr. Speaker, Sir, I rise to make a few comments on the same Head—External Affairs, in relation to the visit of the Prime Minister and Party to the United Kingdom on the question of Malaysia; but I assure you, Mr. Speaker, that I do not intend to repeat what I said in the general debate on the Speech from the Throne. But what I am trying to think of is this: whether the money spent on that visit was money well spent or money which should not have been spent, and if that is so, then this House should not approve it.

Mr. Speaker, Sir, the question of Malaysia being in these supplementary estimates throws open the whole field of discussion on the prospect of Malaysia coming in. But my intention is this: it is to say that of this conference which was held in England, Singapore published, I think, a White Paper, and the Federation got the summary of what took place there. It would have been appreciated if a more detailed statement of the happenings at that conference had been put forward, because then we as representatives here would have been able to know what was said by our Government to the other delegates at the conference, and *vice-versa*. Mr. Speaker, Sir, so far as Singapore is concerned it is, I think, of extreme importance, being our such close neighbours, separated by a stretch of water, for them to be convinced before they can agree to any merger proposal that parliamentary democracy exists in Malaya. Therefore, it is necessary for us to know whether such an impression has been created at these talks in London. Mr. Speaker, Sir, on paper, we have parliamentary democracy. Now, it is my hope that that position was made clear at these talks. And if it was made clear and if it does exist in fact, then Singapore would take that as a point in favour and not

as a point against coming into the Federation. All other points will, of course, be weighed one by one by Singapore.

In conjunction with parliamentary democracy there are also certain fundamentals—which I hope at this conference was made clear—that is, that we uphold the rule of law, because if we do not uphold the rule of law then I don't think any country would want to come in to join the Federation. On these two matters I think we have wasted money by going to England on this delegation, because I shall amplify it by showing that statements which have been made at that time and subsequently, even to the extent of one yesterday, would indicate that at this conference the Prime Minister could not have consciously given the assurance that either parliamentary democracy or the rule of law exists in this country, and because from the observations made I think the conference—if the Prime Minister was honest—would have got the impression that the rule of law does not exist in this country. Mr. Speaker, Sir, I am making that statement and I would try to substantiate it. One of the fundamentals of the rule of law is this: that a person charged in a court is presumed innocent until the contrary is proved. And as we know in this country, our lawyers are trained in England, in the Inns of Court, of which I am glad to say the Honourable the Prime Minister was a member and from which he himself qualified as a lawyer. One of the oaths or pledges taken by a lawyer is that he shall stand to defend those who are in need of defence when put on trial in court. Mr. Speaker, Sir, at the conference in England, it would be interesting to know whether the Honourable Prime Minister upheld the principle that Malaya follows the rule of law. Here I would say that I think we have wasted the money going to England because I do not think the Prime Minister could conscientiously have put that forward to the conference, and the most glaring example why he could not have done that is this statement which appeared in the *Straits Times*, which says that in this House

when the Honourable Prime Minister was replying, particularly to my allegation that there was corruption in this country, he had the cheek to say this—

“But while there are pests and parasites in this country who put temptation in the way of the small man, it is not easy or always possible for the Government to wipe out corruption.

And while there are lawyers who eagerly jump to the defence of these people when caught, it is not possible to obtain conviction in 100 per cent of the cases . . . even if the officer is found with marked notes on him.”

That is the attitude, that is the mind of the Prime Minister of the Federation of Malaya. He presumes that every man charged in court on a corruption charge is guilty, and that lawyers should not jump to the defence of persons charged in court. Therefore, if that is the attitude now of the Honourable Prime Minister, then I say that he could have not have given at the Malaysia talks in England the impression that the rule of law is upheld in this country. Mr. Speaker, Sir, it was a vital issue in the Malaysia talks. I have received several telephone calls from leading members of the bar in the Federation referring me to that statement made in this House under the cloak of the privilege of this House by the Prime Minister of the Federation, who himself is a lawyer and was at one time a Deputy Public Prosecutor in the Federation of Malaya. Mr. Speaker, Sir, it was alleged that because lawyers jump to the defence of persons charged in court, it is impossible to get 100 per cent conviction. If that statement had come as a criticism from, say, the Member for Johore Tenggara or the Member for Larut Utara, the country could understand it. But coming from the Prime Minister, who should know better, as a member of the Bar himself, than to say that it is wrong for lawyers to jump to the defence of persons charged in court, it is a regrettable statement and it damages the Malaysia Plan itself. Mr. Speaker, Sir, why do people in all countries look to the law as the backbone of the nation? Because the law says that persons charged in court shall have the right of defence by counsel, and the Constitution of this

country says that. Is the Prime Minister so brazen as to suggest that they should not have that right? If that is not the height of impertinence to the people of this country and to the other territories which are talking of Malaysia during the Conference, then I do not know what is impertinence and what is brazenness which can be ever encountered in a House of Representatives. As for people who are not convicted in court, people who want to join Malaysia would like to know why they are not convicted. It is the due process of law, and the Honourable the Prime Minister himself should know it. If we read the Malayan Law Journal—during his early days as a Public Prosecutor there was an outstanding case which had been reported, a case which was prosecuted in a lower court by a Police prosecutor where a man was convicted and fined. The Honourable the Prime Minister, at that time a Deputy Public Prosecutor, thought that the fine was inadequate and he appealed to the High Court saying, “The fine is not enough. Give a heavier sentence to him.” But what did the Judge in the High Court say? He said: “You are wrong. This man should never have been convicted. I am not going to impose a heavier sentence; I am going to discharge this man.” Therefore, people who were acquitted and discharged were the fault of Public Prosecutors, such as the Honourable Prime Minister was before? Mr. Speaker, Sir, I do sincerely hope that that point will be clarified in this House today, not because I am a lawyer but because it is a slur on members of an honourable profession to say that “they jump to the defence of persons charged,” when it is their duty, when it is their solemn pledge—when they qualify as members of the Bar—to jump to the defence of persons who require their defence when charged in court. And I do sincerely hope, in the interests of this country and in the interests of the profession as a whole, that it will be clarified—that it was an unintentional statement made in recklessness in this House.

Mr. Speaker, Sir, again at the Malaysia talks, I have no doubt—

although I have not got a report of it—the impression could have been created that in this Parliament, which follows democratic institutions, there is absolute freedom to talk, and that there is parliamentary democracy. Mr. Speaker, Sir, one of the principles of parliamentary democracy which Malaysia territories would like to have an assurance on is that no lies, no deliberate lies will be delivered in this House under the coverage of privileges. And here I do not think the Honourable the Prime Minister could have properly given that impression to the Malaysia Conference in England because we had a very comical episode day before yesterday in this House when the Honourable Minister of Health had, again I say, the cheek to suggest that I had not the guts to repeat outside what he challenged me to repeat. Mr. Speaker, Sir, that is the height of hypocrisy coming from the Minister of Health. His representative from . . .

**Enche' Tajudin bin Ali (Larut Utara):** Dato' Yang di-Pertua, minta penjelasan.

**Enche' D. R. Seenivasagam:** I am sorry; I have no time. (*Interruption*) Mr. Speaker, Sir, if your Ministers are not gentlemen, we are not.

**Mr. Speaker:** What has that got to do with this debate? All remarks should be addressed to the Chair.

**Enche' D. R. Seenivasagam:** I am sorry, Sir. The Honourable Minister of Health had his representative, who declared himself his representative, at the Peninsula Hotel, who heard me read word for word, line for line, and when asked by the newspapers "Are you satisfied?" said, "I am satisfied. Seenivasagam has repeated every word." And still we have the comic sketch of the Minister, who should have resigned his seat on that occurrence itself, coming here and having the courage—what courage, I do not know—to suggest that I did not have the guts to repeat what I undertook to repeat—and what he asked me to repeat? Is that the democracy which you ask the other territories of

Malaysia to come in for? Is that parliamentary democracy, is that the dignity and honesty of Cabinet Members that you ask Singapore to accept?

**Tuan Haji Ahmad bin Saaid (Seberang Utara):** Mr. Speaker, Sir, on a point of order, Standing Order 36 (1). The Honourable Member is irrelevant. As far as I can remember, the Honourable Minister of Health did not mention about the challenge. It was not the Honourable Minister of Health, it was the Prime Minister himself.

**Mr. Speaker:** No, no! It was the Minister of Health. Please proceed!

**Enche' D. R. Seenivasagam:** With all respect, Mr. Speaker, Sir, I am going on newspaper reports—it was the Minister of Health. Perhaps the Member from that area does not know who is Prime Minister and who is Minister of Health. (*Laughter*). I withdraw that, Sir.

Mr. Speaker, Sir, on this Malaysia talks, I know the impression was given, but I again say the Honourable the Prime Minister could not conscientiously give that impression that this country or the Government of this country was a non-communal one, because from observations made in this House by, I say, politicians who sit here, who become fanatical when questions of privileges and other similar problems which arise between races are discussed; and so long as we have fanatics who will lose control of themselves for no other apparent reason, then I say people like those in Singapore will not be happy to come into the Malaysia Plan.

Mr. Speaker, Sir, we have, and I say in view of what we have, in the Honourable Member for Johore Tenggara, the Honourable the Prime Minister could not have usefully spent this money in London, because in this House from exhibitions—at least according to the newspapers, and I am referring to the *Sunday Gazette*—we have Members like the Member for Johore Tenggara who, when he cannot argue, says: "You want to fight, I will fight you." That is not democracy. I think that kind of thing is suitable

for persons—in this country there are some—who sell medicine along the streets of Singapore at one time. That kind of conduct is suitable to such persons and nobody else. I would not amplify what I mean by that at this stage.

**Mr. Speaker, Sir,** it has been a long, protracted affair on Malaysia. The constitutional issues involved are many, and I again say that the fundamentals of justice, the fundamentals of democracy do not exist in this country, and therefore the visit to London was a total failure and a total waste of public funds. I reiterate in one sentence all the objections I took before on the question of Singapore's entry into Malaysia: It will not work, because it is not a fair one. It is not based on equality of States. It is based on hatred; it is based on contempt, and Singapore citizens will certainly not accept that. It is fortunate that in Malaya communally-minded people are a handful—a handful of trouble-makers, like the one from Johore Tenggara, who is prepared in this House to stand up and insult the Indians and Chinese. If he does not stop insulting Indians and Chinese . . .

**Tuan Syed Ja'afar:** Tuan Yang di-Pertua, saya minta penjelasan.

**Enche' D. R. Seenivasagam:** I am sorry, Sir. I do not give way.

**Tuan Syed Ja'afar:** Saya tidak ada mengatakan siapa. Boleh-kah berchakap bohong dalam Dewan Ra'ayat ini, Tuan Yang di-Pertua?

**Enche' D. R. Seenivasagam:** I do not give way.

**Mr. Speaker (to Tuan Syed Ja'afar):** He does not give way.

**Enche' D. R. Seenivasagam:** And I say this: If Honourable Members of this House, from whichever side, do not stop insulting Indians or Chinese, one day they will find that even the sole representative of the MIC sitting here will not be in the camp of the Alliance organisation.

**Dato' Dr. Ismail:** Mr. Speaker, Sir, I rise to reply to the observations made

by the Honourable Member for Bungsar in connection with Head S. 18, Sub-head 121—Move of Malayan Students' Department to Malaya Hall. I feel that I should reply on this subject because this move is the result of the recommendation made by the Report of the Commission of which I had the honour to be the Chairman. He has asked how could the Director of Students advise on the choice of courses and said that the students should be allowed to choose their own studies. I think, if he had taken the trouble to read the Report of the Commission, he would have found out that there is no question of the Director forcing the students as to what course he or she should take. What was recommended in the Report was that if he or she wanted the help of the Malayan Students' Department, then he or she would be advised as to which institution of learning there would be vacancies, and where he or she had a better chance of being admitted. There is no question of the Director of Students forcing the students on the choice of courses. If I had allowed the statement of the Honourable Member for Bungsar to pass without comment, then the Government Bench would be accused, again, of brain-washing by denying the students the choice of studies.

Then, Sir, I think he made a remark that two members of the Commission of Inquiry are now on the staff of the Students' Department; he came to the conclusion that these people were rewarded because of the work they had done for the Commission. Now, Sir, there is nothing wrong, if these people are rewarded, because they have done wonderful work on the Commission; but I would not like the impression to be gained that these people were appointed or rewarded because they were members of my Commission, and because they were given appointments out of favouritism. Sir, these two men of the Commission who are now on the staff of the Students' Department have been civil servants, and they have been chosen because of their ability, and I say here that the Honourable Member is wrong to give the impression that

they were chosen purely to reward them for the work they had done for the Commission, although I, myself, feel that they should be rewarded for the wonderful work that they had done.

The Honourable Member for Bungsar, here again I choose to answer him not because I like him more, if he had taken the trouble to read my Report, or the Report of the Commission of Inquiry, he would have found that there are several recommendations for the improvement of Malaya Hall. Of course, sometimes even from the Honourable Member for Bungsar, now and then, there come good suggestions which, I may say, we are prepared to accept. In this case, his remark about the library there being inadequate and that there are no Malay books, I think my Honourable colleague, the Minister of Education, will look into this. This is the sort of suggestion that we would like to receive from Honourable Members who go abroad—not making statements in this House which would be interpreted to mean that this Government is favouring members of the Commission and that this Government is forcing the students in respect of the choice of studies: I think such erroneous statements must be corrected when made by Members of the Opposition.

Now, I think I will hand him over to my Honourable colleague, the Minister of Education, who shall deal with him appropriately on the other observations he made on the Malayan students in England.

**The Minister of Education (Enche' Abdul Rahman bin Haji Talib):** Tuan Yang di-Pertua, ada beberapa perkara yang di-bangkitkan oleh Yang Berhormat dari Bungsar, satu daripadanya ia-lah berkenaan dengan Maktab Latehan Guru Malaya di-United Kingdom sa-banyak dua buah ia-itu di-Kirkby dan di-Brinsford Lodge. Dia bertanya apa-kah mustahak-nya maktab<sup>2</sup> ini di-adakan di-sana? Tuan Yang di-Pertua, saya suka hendak menjelaskan bahawa kedua<sup>2</sup> buah maktab ini ia-lah yang telah di-pajak (lease) oleh Persekutuan Tanah Melayu. kerana pada masa itu tidak ada maktab<sup>2</sup> latehan guru di-negeri ini.

Maktab Kirkby itu akan berakhir pada tahun 1962 ini, dan kita tidak-lah berchadang hendak menghantar penuntut lagi ka-maktab itu sa-lepas tahun 1962. Maktab Brinsford Lodge pajak-nya (lease) akan tamat pada tahun 1964, dan pada masa sekarang langkah<sup>2</sup> sedang di-buat bagi mendirikan sa-buah maktab baharu di-Tanah Melayu bagi mengganti Maktab Brinsford Lodge—saya harap maktab itu di-dirikan di-Johor Bahru. Untok mengganti Maktab Kirkby sudah pun siap di-Pantai Valley sebab itu-lah Maktab Kirkby tidak akan di-gunakan lagi sa-lepas 1962.

Berhubung dengan keadaan penuntut<sup>2</sup> di-Maktab Brinsford Lodge yang di-sebut-nya itu, saya sendiri telah melawat ka-maktab itu pada tahun 1960, dan saya juga melawat ka-maktab<sup>2</sup> latehan guru bagi penuntut<sup>2</sup> lain di-England—penuntut<sup>2</sup> Inggeris sendiri—dan saya berpuas hati bahawa keadaan bangunan-nya ada-lah lebeh kurang sama. Dan pada masa lawatan Yang Berhormat itu baharu<sup>2</sup> ini ka-England, ia ada melawat sa-kejap sa-lama 4 jam Maktab Brinsford Lodge—saya tahu—dan sa-lepas daripada itu dia mengeluarkan satu kenyataan yang sa-olah<sup>2</sup> mengatakan bahawa penuntut<sup>2</sup> di-Brinsford Lodge dudok dalam keadaan yang tidak sempurna. Saya suka, bagi pengetahuan Ahli Yang Berhormat itu, membachakan satu surat yang saya terima daripada President Students Union Brinsford Lodge itu. Saya bachakan :

"I am writing to express our regrets that Mr. David, M.P. for the Federation should have seen fit to make a public statement criticising our college. The views he expresses are not shared by the students. We find the accommodation at the college comfortable and quite satisfactory and we know that the English students in English Training Colleges are housed in similar buildings. We regret that Mr. David has so sadly abused the hospitality given to him."

**SOME HONOURABLE MEMBERS:**  
Shame!

**Enche' Abdul Rahman bin Haji Talib:** "He was our guest at the college for four hours and it is amazing that he has made these incorrect observations. I have been a student at the college for 15 months and on behalf

of the students I can assure you that we are comfortable, well cared for, and very happy."

**Enche' V. David:** On a point of explanation. Was this written by the Students Department and signed by the writer, or has he been assured of a job by the Government?

**Mr. Speaker:** That is not a point of explanation.

**Tuan Syed Ja'afar bin Hasan Albar (Johor Tenggara):** Tuan Yang di-Pertua, yang sa-benar-nya, saya tidak berniat dan berchadang hendak berchakap atas perkara ini. Tetapi, oleh kerana beberapa tuduhan yang tidak bertanggung jawab yang menjadi kebiasaan Ahli Yang Berhormat dari Ipoh mengeluarkan dalam Dewan ini, saya terpaksa bangun untuk menjelaskan tuduhan<sup>2</sup> yang burok, yang tidak bertanggung jawab dan tidak berasas itu. Sa-perkara yang di-sebutkan oleh Yang Berhormat dari Ipoh tadi, dia mengatakan bahawa dalam ucapan saya pada dua hari yang lepas tatkala membahathkan Ucapan Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong, ada dalam ucapan saya itu yang telah menghina-kan orang<sup>2</sup> China dan orang<sup>2</sup> India.

Tuan Yang di-Pertua, barangkali Ahli<sup>2</sup> Yang Berhormat Dewan ini yang mengerti bahasa Melayu dan bahasa kebangsaan faham apa yang saya chakap, tetapi malang-nya, Yang Berhormat dari Ipoh itu hendak menyumbat ka-mulut saya perkataan<sup>2</sup> yang saya tidak lapadzkan dalam Dewan ini. Tetapi apa-lah yang di-pelek dan yang di-hairankan daripada sa-orang yang bermegah dengan pelajaran undang<sup>2</sup> dan kelulusan undang<sup>2</sup>-nya, tetapi undang<sup>2</sup> yang di-pelajari dan yang di-ketahui-nya itu di-gunakan-nya bukan untuk kebaikan dan ke'adilan, tetapi sa-mata<sup>2</sup> untuk memperdayakan dan menipu orang dalam negeri ini.

Saya bermegah, Tuan Yang di-Pertua, kalau saya tidak berpelajaran undang<sup>2</sup>—undang<sup>2</sup> yang akan mengajar menipu dan membelit—biar-lah dia bermegah dengan ilmu dan penge-tahuan itu sa-orang diri. Jadi, di-sini

saya telah di-chuba hendak di-per-mudah dan di-perkecil<sup>2</sup>kan oleh Yang Berhormat dari Ipoh itu. Kata-nya, yang saya ini tidak sanggup berbinchang, beragiu (argue) dengan menggunakan fikiran, dan lebeh suka hendak menggunakan tangan.

Jadi, di-sini saya hendak terangkan, Tuan Yang di-Pertua, tentang sanggup berargue dan tidak sanggup berargue itu, saya tidak perlukan kapada satu pengakuan daripada-nya yang saya ini boleh berbinchang dan berbahath dengan sa-siapa sahaja. Tetapi apakala Ahli Yang Berhormat itu menyenseng lengan dan dengan menumbok<sup>2</sup> meja dalam Dewan ini, itu-lah yang saya katakan ta' usah lepaskan penumbok ka-meja, kalau anak jantan di-dalam Dewan ini atau di-luar Dewan ini saya sedia menunggu dia. Jadi, Tuan Yang di-Pertua, untuk menjadi . . . . .

**Mr. Speaker:** Dalam Dewan ini perchakapan itu tidak boleh di-keluar-kan (*Ketawa*). Itu tanggungan saya.

**Tuan Syed Ja'afar bin Hasan Albar:** Saya tahu perkara itu dan saya harap ia-nya tidak akan berlaku dalam Dewan ini. Jadi, sa-perkara yang saya suka hendak tegaskan lagi di-sini berkenaan dengan ucapan Ahli Yang Berhormat yang tidak pernah berchakap dalam Dewan ini, entah-lah dia kena suroh ia-itu Ahli Yang Berhormat dari Batu Gajah, dia hendak chuba mengelirukan ucapan<sup>2</sup> yang telah diberikan oleh rakan<sup>2</sup>-nya dari Ipoh tempoh hari pada hal dia sendiri tidak ada di-sini mendengar ucapan itu. Jadi, di-sini dapat kita mengambil satu pandangan bagaimana sa-orang ahli Undang<sup>2</sup> yang dalam P.P.P. ini menggunakan pelajaran-nya untuk mengelirukan kenyataan—fact yang ada ditulis dalam Dewan ini. Tetapi sa-perkara lagi yang sangat<sup>2</sup> saya kesalkan dan dukachitakan apabila saya meminta kebenaran daripada-nya supaya dapat saya memberikan kenyataan yang mengelirukan itu untuk membetulkan kenyataan-nya dan tidak mempunyai fact yang chukup, beliau telah enggan memberi kesempatan kapada saya.

**Enche' T. Mahima Singh (Port Dickson):** Mr. Speaker, Sir, I wish to

say a few words on a matter of explanation. The Honourable Member from Ipoh mentioned just now that certain remarks made by another Member of the Alliance would have been insulting to the Indians and Chinese of this country. I regret to hear that very much, particularly as that should be coming from one who is neither an Indian nor a Chinese (*Laughter*). Should his remarks in any way hurt any Members of the Chinese or Indian communities, I am sure those Members are in a position to speak for themselves, and the Members of those communities are to be found on both sides of the House. Of course, Sir, it is quite evident to us that the Honourable Member has his own plans and he would like the Indians and Chinese to misunderstand the Malays. But unfortunately it is not going to work. The leaders of these communities are very enlightened and very farsighted and they know what is happening, and they also know what they are doing.

**Mr. Speaker:** I must warn Honourable Members that this debate has gone beyond the motion before the House. I must remind Members that the debate on this motion is covered by the provision of S.O. 67 (3); I shall read it and I would like Honourable Members to listen properly—

“... the debate thereon may proceed forthwith but shall be confined to the general principles of Government policy and administration as indicated by the supplementary appropriations included in the Bill and estimates.”

I must warn the Members that time of the House has been wasted very much on arguments which have already been covered in the last three days during the debate on the King's Speech. Therefore, I would appeal to the Members to confine their debates to the general principles for which provision is provided in the estimates.

**Enche' Bahaman:** Mr. Speaker, Sir, I rise to reply briefly to my Honourable friend from Bungsar. He had meandered over a wide field on labour and industrial relations. He mentioned about the hostility of bus companies to trade unions on the East Coast. The Honourable Member knows that, though there

were initial difficulties, joint councils are being formed, and that employer-employee relations are improving. With regard to the social security report he mentioned, there is a motion by the Honourable Member from Seberang Selatan, and I hope my Honourable friend from Bungsar will be in this House when I make my reply.

The problems of the port workers in Penang are being tackled actively by my Ministry and the Ministry of Transport.

With regard to the worker's representative to the I.L.O. Conference, this has been discussed at Cabinet level but in view of Government's commitments to other essential conferences, it has not been possible to meet the M.T.U.C.'s request.

**Enche' Too Joon Hing (Teluk Anson):** Mr. Speaker, Sir, I want to speak on Head S. 19, sub-head 29, with regard to the provision of \$58,515 for the visit of the Prime Minister to the United Kingdom on the Malaysia Talks. Sir, I think this sum, which was already spent, is just like “putting the cart before the horse”. Sir, if we were to venture on any project, I think it is the usual practice of any reasonable government to seek the views of the various parties and get, more or less, their consent before they put on such a venture. Therefore, I think, in this respect, Sir, the Honourable the Prime Minister himself has on many occasions, whether in this House or outside, stressed that it is in the interest and safeguard of the Federation that it might seek to close the Causeway if Singapore does not come into the Malaysia Plan. Sir, if the Prime Minister feels that it is in the interest and safeguard of the country that he resorts to this step, I think, Sir, similarly we must also allow the people of the other territories to express their views in the interest of their country in relation to the question of Malaysia. Sir, in the King's Speech, His Majesty the Yang di-Pertuan Agong has stressed on the point of anti-colonialism. Certainly, Sir, I think that everybody in this House will give that his full support. But are we practising this fine preaching when

we put up this plan of Malaysia? Sir, I have said yesterday that when we struggled for independence and self-rule, we had taken so much pain, trouble, time and money to have the Reid Commission to come here to draft a Constitution basing on the wishes of the people in this country. We would not accept any written Constitution that is not to our aims and wishes. Yet we, who would not wish to have any Constitution of this type, thought fit to extend our Constitution to the people of these territories who had already expressed their views very strongly against certain vital issues such as Education, Language, Religion and Privileges. Sir, it is true that this question of Malaysia has been discussed by representatives of these territories in the Malaysia Solidarity Consultative Committee. Sir, in this Committee, the Honourable Mr. Donald Stephens, Member of the Legislative Council of North Borneo, was supposed to represent the people there. He has given full support to this Malaysia Plan. But, Sir, I found that there are also other Members of the Legislative Council of North Borneo who have expressed strong views and objections to this plan of Malaysia. Therefore, Sir, if Mr. Donald Stephens can say that he represents the people, I think it is equally true that the other two Members also can claim to represent the views of the people. Thus, we do not see that the whole picture of the question of Malaysia has received favourable support. Therefore, in going to England and spending this money without proper support, I think this is spending public money without very fruitful result. And, therefore, I say that the Prime Minister himself has already "put the cart before the horse," and I hope that in future such practice should not be carried out so often. Sir, I am not complaining with item 30, Visit of their Majesties to India and Pakistan. We give our full support to this item of expenditure; we will not criticise it. On the other hand, had we got the sound idea of the other territories who would give their support to Malaysia, I think we would not mind \$58,000—even \$580,000 we would support it wholeheartedly. Thank you.

**The Prime Minister:** Mr. Speaker, Sir, I rise on a point of explanation. The Honourable Member's memory is very short. Before I went to England to discuss the question of Malaysia, we had a full debate in this House and I was given complete support by this House, and with that support and that blessing I went to England to discuss Malaysia. (*Laughter*).

**Enche' S. P. Seenivasagam (Menglembu):** Mr. Speaker, Sir, I will not take up more than five minutes of the time of this House. I feel that we cannot approve this expenditure, although it has already been incurred, for reasons which have already been set out in detail by other Members and the Member for Ipoh. I do not intend to repeat what has been said, but I feel we must immediately stop spending any money on exploring the possibility of Malaysia, including Singapore, because the prevailing atmosphere in this country is such that it precludes the possibility of any voluntary association between Singapore and the Federation of Malaya. I say that because of the feelings of communal hatred which have been generated by certain Members in this House in the course of their speeches, both inside this House and outside this House. I would, therefore, appeal for a suspension of all attempts to coerce Singapore into coming into the Federation and I would ask those Members of this House who are suspicious of the non-Malay residents of Singapore to re-orientate themselves—think again, and get rid of the suspicion from your mind and stop hurling insults and calling people of the Chinese and Indian race disloyal elements. Until you do that, there is no hope of any union with the territory of Singapore. There have been insulting speeches? Speeches which could reflect insults on the people of Singapore and non-Malays generally, despite what the Honourable Member for Port Dickson said. We are elected from constituencies which are predominantly Chinese; we have every right to speak in this House on behalf of the Chinese. We did not get into this House without having to

fight an election or without having to make single election speech; and we do not speak for Indians with thick skin, perhaps like that of the Member for Port Dickson. We speak for decent Indians and Chinese in this country.

**Enche' Tan Phock Kin (Tanjong):** Mr. Speaker, Sir, I rise to speak on the same Head. From the debate that took place this morning, it appears that in spite of assurances having been given to us by the Government that they abhor communal issues most of the speakers from the Government Bench have been introducing the issue all along. We in the Socialist Front merely deplore the manner in which the Malaysia issue is being put forward. It is very well to say that the House agrees on the question of Malaysia and the Prime Minister merely goes to London to negotiate for the idea of Malaysia to be put forward. But what is regrettable is the fact that the Prime Minister has seen it fit to make various statements, statements on major policy, matters which were not envisaged before, when they fought the Federal elections. I refer, Sir, to the closing of the Causeway. The Alliance Party, when it contested the Federal elections, did not make that an issue, and I maintain that it has no right whatsoever to introduce that as an issue today, apart from the fact that it constitutes a threat. One would not believe that a Party which proclaims to believe in parliamentary democracy, a Party which proclaims to believe in Government by discussion, should adopt such a tactic. One would expect that, as a reasonable man putting forward a reasonable proposal, he would put forward the proposal to the people in Singapore; and should Singapore have a referendum, what they can do will be to have discussions with both the Members in power as well as the people in opposition. The whole idea is to sell the idea of Malaysia to the people of Singapore and not to force it down their throats. I feel sure that even Members of the Opposition in Singapore, the major opposition, people in the Barisan Sosialis, they are all very reasonable people, and if the Prime Minister can discuss with them the idea of Malaysia

objectively, and try to give them his ideas of a solution to whatever grievance they may have, to whatever views they may have, I am sure that the idea of Malaysia can come to fruition without any trouble whatsoever. The unfortunate thing is that the Prime Minister appears to have listened to only one side of the story in Singapore. He has been listening to the Prime Minister of Singapore, and to his ideas as to how Malaysia should be carried out, without giving himself an opportunity to listen to what the other side have to say—and I think this is the crux of the problem. Being noted to be a very reasonable man, I express the hope that the Honourable the Prime Minister will take into very serious consideration what I have said and will make an effort to discuss the idea of Malaysia with Members of the Opposition in Singapore, so that he can know for himself what are the genuine grievances of this section of the people. And I am sure that if he desires them to have genuine Malaysia he will be able to reach agreement with these people. With this I express the hope that the Honourable the Prime Minister will give very serious consideration to this.

**The Minister of Transport (Dato' Sardon bin Haji Jubir):** Tuan Yang di-Pertua, Ahli Yang Berhormat dari Tanjong berchakap tadi mengatakan kita pehak Perikatan ta' ada sebut di-dalam manifesto kita hendak menutup Causeway, hendak-lah minta kuasa daripada orang ramai. Tetapi Ahli Yang Berhormat itu ta' baca betul<sup>2</sup> tiga perkataan dalam manifesto kita: Justice, peace and prosperity—Ke'adilan, Keamanan dan Kema'amaran. Macham mana hendak ada keamanan kalau ada huruhara di-Singapura. Maka chuba-lah fahamkan baik<sup>2</sup>, Yang Amat Berhormat Perdana Menteri chukup menimbangkan perkara ini, tiap<sup>2</sup> kali dia berchakap: The security of the Federation of Malaya. The security of every citizen including the Members of the Socialist Front, the PPP, the people of this country. Maka ini dia bilang hendak meminta mandate lagi. Saya ta' faham. Ini-lah yang saya katakan susah Ahli<sup>2</sup> Socialist Front dan PPP ini

dia belit sana dan belit sini, jadi saya pun ma'alum juga. Sa-bagai Ketua Pemuda UMNO Malaya, Pemuda UMNO sekalian kita bertanggung jawab dan membuktikan sa-masa Kerajaan Perikatan memerintah semenjak tahun 1955 sudah pegang tampok pemerintahan dan pilehan raya tahun 1959 telah memegang pemerintah sa-kali di-mana dharurat sa-lama 12 tahun bermaharaja-lela, Kerajaan Perikatan dengan sokongan penoh ra'ayat sekalian dharurat sudah di-tamatkan pada 31 July tahun 1960. Ini kita telah buktikan keamanan. Sekarang kita tahu keadaan gelora di-Singapura dan di-Tenggara Asia, kita mahu dalam Tanah Melayu ini aman—peace, hendak tutup Causeway atau hendak apa pun, itu soal kita bukan Singapura, atau Borneo tetapi kalau Socialist Front berkehendakkan kapada kenderaan bas, hendak tolong orang ramai, hendak tolong orang miskin, sa-patut-nya dia sokong kuat bukan bangkang. Sekarang ini Yang Amat Berhormat Perdana Menteri hendak melaksanakan Malaysia—tolong-lah sedikit! Kita patut-lah ucapkan sa-tinggi<sup>2</sup> terima kaseh atas ka-ikhlasan, atas jauh pandangan dan kebijaksanaan Yang Amat Berhormat Perdana Menteri kita dan kami dari Parti Perikatan menyokong kuat di-belakang Yang Amat Berhormat Perdana Menteri kita dan Kerajaan kita, terima kaseh.

**Che' Khadijah binti Mohd. Sidek (Dungun):** Tuan Yang di-Pertua, dalam bahagian ini saya mengambil bahagian 13 ia-itu dalam Ministry of Rural Development. Dalam soal ini, Tuan Yang di-Pertua, pehak Kementerian ini hanya banyak mengambil bahagian dalam soal luar bandar, tetapi ada kampong<sup>2</sup> yang terletak dalam Majlis Bandaran yang terbiar tidak di-ambil perhatian berat sa-bagaimana yang di-ambil oleh luar bandar itu. Mithal-nya ada kampong<sup>2</sup> yang dalam Majlis Bandaran.....

**Mr. Speaker:** Order! Order! Kalau tengok pada Command Paper No. 8 tahun 1962, Head S 42 ada peruntukan wang yang di-minta situ kerana hendak membeli Wireless Equipment. Jadi

yang mana satu yang hendak di-minta ini?

**Che' Khadijah binti Mohd. Sidek:** Tuan Yang di-Pertua, saya bukan hendak minta apa<sup>2</sup> (Ketawa).

**Mr. Speaker:** Saya sudah beri satu ruling—keputusan—dalam Majlis ini ia-itu Ahli Yang Berhormat boleh berchakap atas dasar<sup>2</sup>-nya sahaja. Kalau ada permintaan yang di-minta perbelanjaan itu dalam Command Paper No. 8 tahun 1962, jadi, tolong sebutkan mana satu dalam Command Paper tahun 1962 ini.

**Che' Khadijah binti Mohd. Sidek:** Muka 13-41. Tuan Yang di-Pertua, saya ulang sedikit, saya mengatakan tadi maseh ada kampong<sup>2</sup> yang dalam bandar yang terbiar, mithal-nya jalan<sup>2</sup> yang maseh lekak-lekok, terbiar maseh dengan tanah merah sa-hingga hari panas debu berterbangan sa-olah<sup>2</sup> rumah yang orang<sup>2</sup> dudok di-tempat itu sa-akan<sup>2</sup> di-chat dengan tanah merah, dan semua barang<sup>2</sup> yang ada dalam rumah itu habis berdebu. Ini juga memberi penyakit kapada orang yang dudok dalam kampong itu. Jadi saya minta sambil kita mengelolakan Ranchangan Luar Bandar maka jangan-lah kita tinggalkan yang ada dalam bandar. Sa-betul-nya yang dalam bandar kita dahulukan kemudian baharu-lah kita pergi luar bandar.

**The Assistant Minister of Rural Development (Tuan Haji Abdul Khalid bin Awang Osman):** Ha!

**Che' Khadijah binti Mohd. Sidek:** Memang ha, Tuan Yang di-Pertua.

**Mr. Speaker:** Tolong jangan ha, ha! (Ketawa).

**Che' Khadijah binti Mohd. Sidek:** Sa-bagaimana Kerajaan kita pada hari ini mengagongkan demokrasi dan kita mempunyai kebebasan berchakap dan mengeluarkan buah fikiran, Tuan Yang di-Pertua, saya merasa saya bebas mengeluarkan buah fikiran dan bebas berchakap dalam Dewan ini untuk kepentingan ra'ayat jelata.

**Tuan Haji Abdul Khalid bin Awang Osman:** Ya!

**Che' Khadijah binti Mohd. Sidek:** Memang ya—itu semua betul. Dan, Tuan Yang di-Pertua, rakan saya Yang Berhormat itu ya ya kata-nya, tetapi jangan di-mulut sahaja kerana ini kebanyakan Yang Berhormat itu juga berasal daripada kampung.

**Mr. Speaker:** Ini apa ada kena-mengena dengan ini (*Ketawa*).

**Che' Khadijah binti Mohd. Sidek:** Tuan Yang di-Pertua, saya mengatakan tadi maseh ada dalam bandar jalan<sup>2</sup> yang burok, maseh ada dalam bandar rumah<sup>2</sup> yang tidak mempunyai tandas yang di-kehendaki sa-bagaimana mengikut chara ilmu kesihatan, dan maseh ada dalam bandar<sup>2</sup> yang tidak ada letrek dan tidak ada paip ayer. Di-sini pada muka 8 nombor 23—Ministry of Commerce and Industry ada peruntukan sa-banyak \$1 million yang di-ranchangkan untuk api, lampu letrek untuk luar bandar, tetapi maseh ada bandar sa-bagaimana dalam kawasan saya di-Marang ia-itu satu bandar yang besar dalam negeri Trengganu tidak ada berlampu sampai hari ini. Di-Machang juga tidak ada berlampu hari ini, bagaimana kita mahu kerjakan sampai ka-kampung. Dungun sa-buah bandar besar tidak ada paip, maseh pakai perigi yang sangat dalam dan bila kita hendak mandi maka kena-lah tarek untuk satu timba sampai ka-atas memakan masa tiga empat minit, dan itu menyebabkan ra'ayat di-situ kalau budak<sup>2</sup> kechil lebeh susah untuk mandi, sudah-lah miskin sa-kurang<sup>2</sup>-nya serba-serbi tidak cukup untuk makan dan terpaksa mengambil ayer yang di-dalam perigi. Jadi saya minta kapada pehak Kerajaan lebeh<sup>2</sup> lagi kapada pehak Kementerian yang berkenaan supaya mengambil perhatian kalau kita hendak membaguskan negara kita ini supaya pelawat<sup>2</sup> yang datang dari luar mula<sup>2</sup> dari bandar di-lihat-nya terator dan terus masuk ka-luar bandar cukup terator—jangan macham saperti orang tua bergigi rompong, Tuan Yang di-Pertua, di-bandar kita kuchar ka-chir, di-luar bandar ada di-baiki.

**Tun Haji Abdul Razak:** Tuan Yang di-Pertua, bagi menjawab pandangan Yang Berhormat dari Dungun,

kawasan bandar tidak masuk kawasan luar bandar. Jadi kawasan bandar dijaga oleh Town Board dan Town Council dan bukan jagaan Kementerian Pembangunan Luar Bandar. Town Board dan Town Council ada peruntukan-nya dan tanggung jawab mereka ia-lah menjaga kemajuan dalam kawasan bandar, dan Town Board dan Town Council di-bawah Kerajaan Negeri.

**Tuan Haji Abdul Khalid:** Tuan Yang di-Pertua, saya ucapkan terima kasih kapada Yang Berhormat dari Dungun di-atas dasar yang di-perjuangkan oleh pehak beliau ia-itu mengutamakan kawasan bandar daripada kawasan luar bandar.

**Enche' Tan Siew Sin:** Mr. Speaker, Sir, to those of us sitting on this side of the House, I think the past week has been a very interesting one and in many respects a very satisfying one. The Alliance Party has been in power for some time now. It is customary to find that when a Government has been in power for some time it has made mistakes, because to err is human. Unfortunately for the Opposition, I think the Alliance has probably not made any mistake at all. They are, therefore, feeling very frustrated, and it is very significant that even the Honourable Member for Tanjong, who makes it his special business to criticise the the economic policies of the Government, had to admit, *albeit* reluctantly, in the debate on His Majesty the Yang di-Pertuan Agong's Speech, that in point of fact the Government has shown by results that its financial and economic policies have been extremely successful. We can therefore appreciate the predicament of the Opposition Parties. Here there is a Government which cannot be really criticised legitimately and they have got to find some other means of criticising it. So they descend to communalism. But I would ask the Honourable Members of the Opposition to ponder this fact, and that fact has been proved in two elections so far, and that is that it is very dangerous to underestimate the commonsense of the common man in this country. He has far more commonsense than he has

been given credit for by the leaders of the Opposition Parties, and I venture to hazard a guess that they will not be taken in by his appeal to emotion, particularly communal emotions.

I wish, Mr. Speaker, Sir, to make a passing reference to the question of Malaysia, because a number of speakers have chosen to dwell on this subject in spite of the explanation by the Honourable Prime Minister. All of us know that the Malaysia concept is most strongly opposed by the Communists and their fellow-travellers. We can also understand why the Communists oppose Malaysia; because they can see the net closing in on them inexorably and irrevocably. There is, therefore, very good reason for their fear; and the opposition to Malaysia, particularly from the Communists and their fellow-sympathisers, has convinced the Government that it is going about it in the right way. In fact, I think the Government can give an assurance to this House and to this country that the more determined the opposition to Malaysia is the more determined will the Government be to pursue it (*Applause*). Those who oppose it will probably find, when Malaysia becomes a reality, that their fears are only too well founded.

**Enche' Chin See Yin (Seremban Timor) Rises.**

**Mr. Speaker:** The debate is closed and the mover has already replied.

**Enche' Chin See Yin:** I thought he was only replying to certain points.

**Mr. Speaker:** No, it is closed—you ought to know the Standing Orders.

Question put, and agreed to.

Bill accordingly read a second time.

House immediately resolved itself into Committee of Supply.

(Mr. Speaker in the Chair)

#### FIRST SCHEDULE—

##### Head S. 5—

**The Prime Minister:** I beg to move that Head S. 5 stand part of the Schedule.

Question put, and agreed to.

The sum of \$10 for Head S. 5 ordered to stand part of the Schedule.

##### Head S. 7—

**The Prime Minister:** I beg to move that Head S. 7 stand part of the Schedule.

Question put, and agreed to.

The sum of \$231,120 for Head S. 7 ordered to stand part of the Schedule.

##### Head S. 14—

**Dato' Sardon:** Tuan Pengerusi, saya mohon menchadangkan ia-itu Kepala S. 14 menjadi sa-bahagian daripada jadual ini.

Question put, and agreed to.

The sum of \$20 for Head S. 14 ordered to stand part of the Schedule.

##### Head S. 15—

**Enche' Mohamed Khir Johari:** Tuan Pengerusi, saya mohon menchadangkan ia-itu Kepala 14 menjadi sa-bahagian daripada Jadual.

**Che' Khadijah binti Mohd. Sidek:** Tuan Yang di-Pertua, di-sini:

"(a) When the estimates were prepared it was anticipated that most of the new villages would have been taken over by the Central Electricity Board, Local Councils or private licencees before the end of the year and the amount of \$1,000,000 would have been sufficient, but it was not until 1-12-61 that the Central Electricity Board was able to take over 31 new villages."

Tuan Yang di-Pertua, di-sini semua kampong<sup>2</sup> baharu sahaja. Jadi, saya berharap supaya pehak Kementerian juga memereksa ia-itu bandar<sup>2</sup> atau kampong<sup>2</sup> yang lama yang belum ada berlampu lagi mithal-nya sa-bagaimana saya katakan tadi ia-itu di-Marang itu ada-lah patut sa-kali ada berlampu. Sampai ini hari belum ada lampu, itu boleh di-katakan kampong yang lama, Tuan Yang di-Pertua. Jadi, ini hanya di-untokkan bagi kampong<sup>2</sup> dalam bandar<sup>2</sup> sahaja. Saya berharap supaya pehak Kementerian ini menguntokkan untuk kampong<sup>2</sup> yang lama yang patut di-berikan lebeh dahulu mithal-nya di-Marang dan di-Machang dan banyak tempat<sup>2</sup> dalam negeri Johor dan di-tempat<sup>2</sup> lain di-seluruh Persekutuan Tanah Melayu ini. Jadi, saya harap

supaya pehak Kementerian ini mereksa juga ia-itu di-kampong<sup>2</sup> yang sudah lama, Tuan Yang di-Pertua.

**Enche' Mohamed Khir Johari:** Tuan Yang di-Pertua, pehak Kementerian sudah pun menjalankan-nya di-seluruh Persekutuan. Dan perkara hendak lampu di-kampong<sup>2</sup> memang sudah ada dalam Ranchangan Lima Tahun.

Question put, and agreed to.

The sum of \$173,104 for Head S. 15 ordered to stand part of the Schedule.

*Head S. 17—*

**Tun Haji Abdul Razak:** Sir, I beg to move that the expenditure amounting to \$47,510 under Head S. 17, Federation Armed Forces, stand part of the Schedule.

Question put, and agreed to.

The sum of \$47,510 for Head S. 17 ordered to stand part of the Schedule.

*Head S. 18—*

**The Minister of Education (Enche' Abdul Rahman bin Haji Talib):** Tuan Yang di-Pertua, saya menhadangkan Kepala 18, Kementerian Pelajaran, menjadi sa-bahagian daripada Jadual ini.

Question put, and agreed to.

The sum of \$10 for Head S. 18 ordered to stand part of the Schedule.

*Head S. 19—*

**Dato' Dr. Ismail:** Sir, I beg to move that Head S. 19 amounting to \$175,870 stand part of the Schedule.

**Enche' Chin See Yin:** Mr. Speaker, Sir, I have something to say on item 29, Visit of the Prime Minister and Party to the United Kingdom on the Malaysia Talks. Sir, regarding the formation of Greater Malaysia, the fact is that we have spent this colossal sum of money. I say that it would be a waste of good money, if we were to break the talks regarding Singapore's coming in. By threatening Singapore, you are going to instill anger in the minds of the people in Singapore, although they have no objection to this formation—in fact they have agreed in principle. Now by creating this threat . . .

**Mr. Speaker:** Order, order! If you look up Standing Order 67, we have completed the debate on the general principles of Government policy and administration. Now, we are in Committee and under Standing Order 67 (5)—I will read it to you—it says: "The debate on a supplementary Supply Bill in Committee of Supply shall be limited to the particulars contained in the estimates on which the supplementary appropriations are sought." So you are only to speak on the particulars in these estimates and not on the general policy any more. We have already debated on the general policy. As President of a Town Council, you ought to know this yourself. *(Laughter).*

**Enche' Chin See Yin:** I appreciate it, Sir, but I am now commenting on the amount that we have spent on the formation of Greater Malaysia.

**Mr. Speaker:** Not on the policy.

**Enche' Chin See Yin:** I am not talking on the policy; I am commenting on the amount.

**Mr. Speaker:** You can say that the amount is small or the amount is big. That you can comment—nothing else. *(Laughter).*

**Enche' Chin See Yin:** Before I say that the amount is big or small, or before I say that the amount is wisely spent or that it is a wastage, I must give you my reasons. Without giving reasons, how can I come to the conclusion?

**Mr. Speaker:** Yes, you can give your reasons.

**Enche' Chin See Yin:** Now, Sir, these are my reasons. In regard to the proposed formation of Greater Malaysia, we have debated this subject in this House and we have agreed in principle. The House has approved it and the Honourable the Prime Minister and his party went to the United Kingdom to discuss this matter, and as a result of their discussion a Commission was appointed. The Commission is now travelling all over the various territories which will come together in the formation of Malaysia. Suddenly

something was created—and that was created on this expense—and I called it, the other day, Sir, the “sarong curtain”. The “sarong curtain” has cost this sum of money and it is likely to break the talk that is now referred to in Singapore as the referendum. We must not, having spent all this money, break the discussion, but we must find a way to solve it. Now, Sir, why was this curtain created? It is because in the early part, when the White Paper was tabled, there was a suggestion in that White Paper that the population in Singapore was 70 per cent Chinese. We must not allow communal feeling to come in—on that we all agreed—but because of that having been stated in that White Paper, I say, that this curtain was created as a result. Whether this amount is wisely spent or not, it is for this House to consider. But I say this: whether this sum is wisely spent or that it is a wanton waste of public funds . . .

**AN HONOURABLE MEMBER:** That is policy!

**Enche' Chin See Yin:** Sir, this interference of thought will cause everything to go haywire.

**Mr. Speaker:** Yes. But I want you to understand fully the “policy” and the “particulars”. We have already debated the policy. I can see your point. Your point is more or less on policy, which is wrong. You should have taken your turn when we were debating the second reading of the Bill. Now, you can only speak whether the amount is small or big, or whether the amount should be spent or not.

**Enche' Chin See Yin:** I am going to say that as we have already spent this amount of money, we should carry on the discussion further with Singapore by encouraging them to come in rather than creating fear in their minds with a threat. Therefore, Sir, if we approach the right track, this sum is wisely spent, but if we approach the wrong track, then this sum is a waste of public money.

Question put, and agreed to.

The sum of \$175,870 for Head S. 19 ordered to stand part of the Schedule.

**Mr. Speaker:** I think this is the best time to suspend the sitting till half-past four this afternoon.

*Sitting suspended at 1.00 p.m.*

*Sitting resumed at 4.30 p.m.*

(Mr. Speaker in the Chair)

House immediately resolved itself into Committee of Supply.

(Mr. Speaker in the Chair)

## THE SUPPLEMENTARY SUPPLY (1961 AND 1962) BILL

Debate in Committee of Supply resumed.

### FIRST SCHEDULE—

*Heads S. 22, S. 23, S. 28—*

**Enche' Tan Siew Sin:** Mr. Chairman, Sir, with your permission, I would like to take Heads S. 22, S. 23 and S. 28 together, and I accordingly move that Heads S. 22, S. 23 and S. 28 for \$50,020, \$500,000 and \$870,000 respectively be approved.

Question put, and agreed to.

The sums of \$ 50,020 for Head S. 22,  
\$500,000 for Head S. 23,  
and

\$870,000 for Head S. 28

ordered to stand part of the Schedule.

*Head S. 29—*

**Dato' Ong Yoke Lin:** Mr. Chairman, Sir, I beg to move that a sum of \$10 for Head S. 29, Ministry of Health and Social Welfare, stand part of the Schedule.

Question put, and agreed to.

The sum of \$10 for Head S. 29 ordered to stand part of the Schedule.

*Head S. 42—*

**Dato' Dr. Ismail:** Mr. Chairman, Sir, I beg to move that the sum of \$10 for Head S. 42 stand part of the Schedule.

Question put, and agreed to.

The sum of \$10 for Head S. 42 ordered to stand part of the Schedule.

*Head S. 48—*

**The Assistant Minister of Labour (Enche' V. Manickavasagam):** Mr. Chairman, Sir, I beg to move that the

sum of \$10 for Head S. 48 stand part of the Schedule.

Question put, and agreed to.

The sum of \$10 for Head S. 48 ordered to stand part of the Schedule.

*Head S. 50—*

**Tun Haji Abdul Razak:** Mr. Chairman, Sir, I beg to move that a sum of \$10 for Head S. 50 stand part of the Schedule.

**Che' Khadijah binti Mohd. Sidek:** Tuan Yang di-Pertua, di-dalam soal ini saya dapat jawapan Yang Berhormat Menteri yang berkenaan tadi bahawa yang saya ucapkan tadi ialah soal kampung<sup>2</sup> yang dalam Majlis Bandaran yang maseh belum diambil perhatian tentang hal lampu letrik. Menurut jawapan daripada Menteri Yang Berhormat tadi bahawa urusan ini ada-lah di-serahkan kepada Negeri dan juga kepada Majlis Bandaran atau Town Council dan tidak ada termasuk dalam project daripada Rural Development. Tetapi apabila saya mengemukakan dalam soal letrik kepada Kementerian yang berkenaan maka beliau memberi jawapan bahawa telah di-jalankan kepada semua kampung<sup>2</sup> di-dalam Tanah Melayu ini dan soal estimate untuk kampung<sup>2</sup> yang belum mendapat api letrik itu ada-lah termasuk dalam ranchangan 5 tahun Kerajaan yang akan datang. Jadi, saya rasa itu termasuk di-dalam Ranchangan Luar Bandar.

Tuan Yang di-Pertua, kalau sa-kiranya jawapan yang di-berikan oleh Menteri Muda Ranchangan Luar Bandar itu tadi begitu rasa saya tidak memuaskan, jawapan yang saya hendak ia-lah apa yang telah saya kemukakan dalam Dewan ini. Nampaknya jawapan itu hanya asalkan berjawab sahaja, Tuan Yang di-Pertua, beliau berkata tadi yang saya wakil Dungun atau bertanya, rupa-nya mengambil atau membela untuk bandar tidak membela untuk kampung, tetapi sa-benar-nya tujuan saya bukan-lah sa-bagaimana yang di-fikirkan oleh Yang Berhormat Menteri Muda itu. Saya mahu sa-bagaimana salah satu daripada Menteri Yang Berhormat tadi

dengan semangat yang penoh dengan kerut kening-nya membawa dasar Kerajaan hari ini ia-itu tiga perkara, ke'adilan, kema'amoran dan keamanan, itu bagus betul; Tuan Yang di-Pertua. Maka kerana ini-lah maka saya sa-benar-nya meminta melakukan ke'adilan kepada ra'ayat di-seluruh negeri ini ia-itu kalau sa-kira-nya tempat<sup>2</sup> yang belum sempurna keadaan-nya sa-bagaimana bandar<sup>2</sup> yang saya kemukakan bandar Dungun belum ada paip, maseh berbeza dengan bandar yang di-dudoki oleh Yang Berhormat Menteri Muda itu. Barangkali dia telah duduk dalam bandar yang sangat mewah harus tidak merasa apa<sup>2</sup> kesulitan di-dalam bilek tidor yang berhawa dingin, tetapi bandar Dungun jauh sa-kali daripada itu, Tuan Yang di-Pertua, ayer paip juga belum ada lagi. Kewajipan saya ada-lah menyuarakan suara daripada ra'ayat Dungun ia-itu menuntut supaya Dungun itu jangan di-beza<sup>2</sup>kan dengan bandar<sup>2</sup> yang di-dudoki oleh Yang Berhormat Menteri Muda itu. Beri-lah kami merasa ia-itu hidup dengan ayer paip yang sa-lama ini dengan ayer telaga yang sangat dalam. Jadi, Tuan Yang di-Pertua, saya berharap hendak-nya apa yang kita persoalkan dalam Dewan ini jangan-lah kita hanya mengambil sa-pintas lalu sahaja, hentam-menghentam, mari-lah kita berdiri di-sini untuk membena mana yang tidak baik itu mahu di-baiki untuk kesempurnaan nama Kerajaan kita. Bukan untuk hendak menjahanamkan atau melebeh burokkkan keadaan negeri kita ini. Sebab selalu bila saya berchakap, isi ucapan itu tidak di-perhatikan, tetapi hentam-menghentam dengan sa-chara hentam keromo sahaja (*Ketawa*). Suka saya menyebutkan di-sini ucapan saya dalam membahathkan Titah Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong dalam soal Irian Barat dengan ikhlas, dengan suchi hati tidak menyenggonng mana<sup>2</sup> pehak, kerana dasar Kerajaan kita tidak mahu merugikan jiwa, tidak mahu merugikan harta benda maka kita tidak menyokong Kerajaan kita, tidak menyokong soal Irian Barat . . . . .

**Mr. Speaker:** Order! Order! Nampak-nya Che' puan sudah lari dari-

pada perkara yang boleh di-chakapkan sekarang.

**Che' Khadijah binti Mohd. Sidek:** Tuan Yang di-Pertua, sa-betul-nya saya hendak mengambil ini . . . . .

**Mr. Speaker:** Ta' boleh itu.

**Che' Khadijah binti Mohd. Sidek:** Terima kasih. Saya harap, Tuan Yang di-Pertua, jangan-lah hendak-nya segala apa yang kami kemukakan dari pehak pembangkang dengan tulus ikhlas ini beri-lah dengan beberapa saksama, dengan sa-chara sempurna dan sa-chara 'adil.

**Tun Haji Abdul Razak:** Tuan Yang di-Pertua, pada masa saya menjawab Ahli Yang Berhormat itu saya ta' mengatakan yang kampung dengan bandar itu tidak di-beri layanan tetapi apa yang saya katakan kampung dalam bandar tidak masuk dalam Ranchangan Luar Bandar. Saya fikir Ahli Yang Berhormat sa-bagai sa-orang Ahli Dewan Ra'ayat patut-lah tahu peratoran ini. Pada masa ini kita membincangkan peruntukan perbelanjaan bagi tahun 1961 dan perkara yang kita bincangkan ia-lah Kementerian Pembangunan Luar Bandar dan juga Ranchangan<sup>2</sup> Kemajuan Luar Bandar. Jadi ranchangan<sup>2</sup> dalam bandar ta' termasuk dalam perbahathan ini. Saya suka bagi ma'aluman Ahli Yang Berhormat itu patut Ahli Yang Berhormat itu faham sa-bagai Ahli Dewan Ra'ayat ia-itu Ranchangan Lima Tahun Yang Kedua ini lain daripada Ranchangan Pembangunan Luar Bandar. Barangkali juga mengadakan letrek dalam bandar termasuk dalam Ranchangan Lima Tahun Yang Kedua Kerajaan Persekutuan, tetapi tidak masuk dalam Ranchangan Pembangunan Luar Bandar. Jika Ahli Yang Berhormat itu mengemukakan pandangan<sup>2</sup> di-tempat yang sempurna tentu-lah ia akan dapat jawapan yang sempurna, kalau di-bawa perkara ini pada tempat yang tidak sesuai—ta' betul tentu-lah tidak mendapat jawapan yang sempurna. (*Hear! hear!*).

**Che' Khadijah binti Mohd. Sidek:** Tuan Yang di-Pertua, sa-betul-nya jawapan daripada Yang Berhormat itu ada juga tidak betul (*Ketawa*). Kerana

saya bukan mengatakan lampu letrik di-Dungun, tetapi ia-lah Marang dan Machang. Jadi, saya bukan mengatakan Yang Berhormat Menteri ia-itu jawapan-nya tidak betul di-beri kepada saya, tetapi jawapan Yang Berhormat Menteri Muda chara jawapan-nya, Tuan Yang di-Pertua, yang mengatakan saya membela orang<sup>2</sup> bandar bukan membela orang<sup>2</sup> kampung. Jadi pembelaan yang di-beri itu dia bagi pehak Kementerian Luar Bandar ia-itu terhadap Menteri Muda itu tidak pada tempat-nya, Tuan Yang di-Pertua.

Question put, and agreed to.

The sum of \$10 for Head S. 50 ordered to stand part of the Schedule.

*Head S. 60—*

**Dato' Sardon:** Tuan Pengerusi, saya menchadangkan Kepala 60 di-jadikan sa-bahagian daripada Jadual ini.

Question put, and agreed to.

The sum of \$274,600 for Head S. 60 ordered to stand part of the Schedule.

*Head S. 62—*

**The Minister of Works, Posts and Telecommunications (Dato' V. T. Sambanthan):** I beg to move that Head S. 62 stand part of the Schedule.

Question put, and agreed to.

The sum of \$1,055,010 for Head S. 62 ordered to stand part of the Schedule.

*Head S. 64—*

**Dato' V. T. Sambanthan:** I beg to move that Head S. 64 stand part of the Schedule.

Question put, and agreed to.

The sum of \$223,300 for Head S. 64 ordered to stand part of the Schedule.

*Head S. 67—*

**Tun Haji Abdul Razak:** I beg to move that Head S. 67 stand part of the Schedule.

Question put, and agreed to.

The sum of \$29,167 for Head S. 67 ordered to stand part of the Schedule.

## SECOND SCHEDULE—

*Head S. 1—*

**Tun Haji Abdul Razak:** I beg to move that Head S. 1 stand part of the Schedule.

Question put, and agreed to.

The sum of \$258,000 for Head S. 1 ordered to stand part of the Schedule.

*Head S. 6—*

**Tun Haji Abdul Razak:** Sir, I beg to move that expenditure amounting to \$15,840 under Head S. 6 stand part of the Schedule.

Question put, and agreed to.

The sum of \$15,840 for Head S. 6 ordered to stand part of the Schedule.

*Head S. 7—*

**Tun Haji Abdul Razak:** Sir, I beg to move that expenditure amounting to \$36,965 under Head S. 7 stand part of the Schedule.

Question put, and agreed to.

The sum of \$36,965 for Head S. 7 ordered to stand part of the Schedule.

*Head S. 11—*

**Tun Haji Abdul Razak:** Sir, I beg to move that expenditure amounting to \$1,220,017 under Head S. 11 stand part of the Schedule.

Question put, and agreed to.

The sum of \$1,220,017 for Head S. 11 ordered to stand part of the Schedule.

*Head S. 13—*

**Enche' Mohamed Khir Johari:** Tuan Pengerusi, saya mohon menandatangani ia-itu Kepala 13 menjadi sabahagian daripada Jadual.

Question put, and agreed to.

The sum of \$7,214 for Head S. 13 ordered to stand part of the Schedule.

*Head S. 14—*

**Tun Haji Abdul Razak:** Sir, I beg to move that expenditure amounting to \$519,452 under Head S. 14 stand part of the Schedule.

Question put, and agreed to.

The sum of \$519,452 for Head S. 14 ordered to stand part of the Schedule.

*Head S. 16—*

**Dato' Dr. Ismail:** Sir, I beg to move that Head S. 16 stand part of the Schedule.

Question put, and agreed to.

The sum of \$61,000 for Head S. 16 ordered to stand part of the Schedule.

*Heads S. 19 and S. 20—*

**Enche' Tan Siew Sin:** Mr. Chairman, Sir, with your permission, I would like to take Heads S. 19 and S. 20 in the Second Schedule together, and I accordingly move that the expenditure under Heads S. 19 and S. 20 amounting to \$96,620 and \$170,000 respectively stand part of the Schedule.

Question put, and agreed to.

The sum of \$96,620 for Head S. 19 and the sum of \$170,000 for Head S. 20 ordered to stand part of the Schedule.

*Head S. 30—*

**Dato' Dr. Ismail:** Sir, I beg to move that Head S. 30 stand part of the Schedule.

Question put, and agreed to.

The sum of \$154,380 for Head S. 30 ordered to stand part of the Schedule.

*Head S. 39—*

**Dato' Dr. Ismail:** Sir, I beg to move that Head S. 39 stand part of the Schedule.

Question put, and agreed to.

The sum of \$62,520 for Head S. 39 ordered to stand part of the Schedule.

*Head S. 48—*

**Tun Haji Abdul Razak:** Sir, I beg to move that the expenditure under Head S. 48, Ministry of Rural Development, stand part of the Schedule.

Question put, and agreed to.

The sum of \$28,400 for Head S. 48 ordered to stand part of the Schedule.

*Head S. 65—*

**Tun Haji Abdul Razak:** Sir, I beg to move that the expenditure under Head S. 65, His Highness the Timbalan Yang di-Pertuan Agong, stand part of the Schedule.

Question put, and agreed to.

The sum of \$12,796 for Head S. 65 ordered to stand part of the Schedule.

*Clauses 1 to 3 inclusive* ordered to stand part of the Schedule.

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

## THE INCOME TAX BILL

### Second Reading

**Enche' Tan Siew Sin:** Mr. Speaker, Sir, I beg to move that a Bill intituled "An Act to make provision for the treatment for income tax purposes of contributions under the Tin Control (Buffer Stock) Regulations, and to make other amendments of the law relating to income tax" be read a second time.

Honourable Members will recall that when I spoke on the Supply (1962) Bill in this House in December last year, I announced our intention of introducing amendments to income tax legislation the general purpose of which was to grant certain concessions to the mining and planting industries, mainly with a view to facilitate development. These amendments are contained in the Bill which is now before the House. The explanatory statement attached to the Bill gives a section by section explanation of the various provisions in the Bill and I shall, therefore, not go into unnecessary detail again but merely give a brief survey of the provisions and the reasons why each specific amendment is introduced.

Part II of the Bill containing Clauses 2, 3, 4 and 5 gives legislative effect to a scheme whereby a tin miner is given the option of either claiming, or of not claiming his contributions to the Buffer Stock Scheme as deductions in arriving at a figure for profit for income tax purposes. If he opts to claim such contributions as deductions, then his tax liability is reduced during the period when he made contributions but when he receives the repayments from the Buffer Stock his tax liability will be correspondingly increased. If, however, the tin miner does not claim such deductions, his income tax liability is not reduced during the contribution

period and he pays tax on these amounts in the usual manner. In such case, the repayments from the Buffer Stock will not be subject to tax.

The advantage of the first method to the taxpayer is that his tax liability would accord with his actual cash position, that is, his tax is reduced when his outgoings are heaviest and is increased when his income is boosted by the Buffer Stock refunds.

Under the second method, the taxpayer is charged income tax on his contributions to the Buffer Stock but not on the refunds from the Buffer Stock. The taxpayer, therefore, benefits in that he is not charged tax on his share of any profits which may result from Buffer Stock transactions. On the other hand, of course, the taxpayer will not receive a deduction in the event that any loss is incurred by Buffer Stock operations and, further, he is denied the use of the money represented by the additional tax for the duration of the Buffer Stock Scheme.

Honourable Members will, therefore, see that each method has its merits and demerits from the point of view of the taxpayer who is free to choose the method which suits his particular case better. This is a concession which the Government is glad to give to an industry which went through difficult days when contributions to the Buffer Stock Fund had to be made.

Part III of the Bill deals with a different aspect of tax legislation. Section 13 (1) (p) of the Income Tax Ordinance at present provides that profits earned from the business of shipping or of air transport carried on by a person not resident in the Federation shall be exempted from income tax if equivalent exemption from tax is granted to the Federation by the tax legislation of the country in which the ship or airplane owner or charterer is resident. The provision is obviously intended to confer reciprocity of treatment but in point of fact there can be no real reciprocity in this matter since the Federation possesses neither a mercantile fleet nor an international airline of significant size. The concession as it stands, therefore, operates

against the Federation and it is proposed to delete from the law the automatic grant of exemption now conferred by Section 13 (1) (p). The treatment of profits from shipping and airlines is one of the more important considerations of a Double Taxation Agreement and it is accordingly proposed that the question whether such profits should be taxed, or be exempt from tax and if the latter, the extent to which such exemption should apply, should be resolved for each particular country in the body of a Double Taxation Agreement with that country.

Clause 7 of the Bill is designed to aid agricultural development. It provides for a change in the allowances due to a taxpayer who incurs capital expenditure on clearing and planting new areas of land. Previously, the allowance was 10 per cent per annum for 10 years. Under the present proposal the allowance will be 50 per cent for two years and the change is designed to encourage expenditure of this kind by allowing the taxpayer a more rapid write-off against his income tax liability.

Clause 8, also designed to aid development, increases the initial allowance in respect of plant and machinery provided for tin mining operations from 20 per cent to 60 per cent. This allowance is additional to the ordinary annual allowance for depreciation by usage. The increase will enable the taxpayer to reduce his tax liability at the time when he is incurring heavy initial expenditure on the provision of plant and machinery.

These enhanced allowances for capital expenditure on land clearing and on plant and machinery for mining are designed to provide fiscal encouragement to the economic development of the country in keeping with the declared policy of the Alliance Government, while, at the same time, they will not cause any loss of revenue to the Government in the aggregate.

Sir, I beg to move.

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

**Dr. Burhanuddin bin Mohd. Noor:** Tuan Yang di-Pertua, tadi kerana Bill nombor 4, 8, 9 dan 10 ia-lah berkenaan dengan Income Tax, saya juga hendak berchakap memberi perhatian berhubung dengan polisi Income Tax ugama Islam. Berkenaan dengan Bill ini, saya bersetuju supaya di-sahkan tetapi saya hendak berchakap sedikit berkenaan dengan polisi Income Tax ini berhubung dengan orang<sup>2</sup> Islam fitrah dan zakat. Di-Pejabat<sup>2</sup> Ugama dalam negeri ini ada kuasa membuat Undang<sup>2</sup> memungut zakat dan fitrah. Manakala fitrah di-berikan boleh-lah di-persetujui oleh Income Tax untuk di-potong tetapi berkenaan dengan Undang<sup>2</sup> Zakat saya rasa patut-lah ada ketentuan yang dapat di-selesaikan lagi dalam bayaran zakat dengan Income Tax. Jadi, saya rasa perkara ini patut di-perhatikan oleh Kerajaan supaya memikirkan perhubungan yang baik dalam menyusun Undang<sup>2</sup> dalam negeri ini sasuai dengan Islam dan Undang<sup>2</sup> Income Tax. Maka dengan jalan ini ada-lah membaiki lagi hasil pendapatan negeri ini. Dan dengan ada susunan peratoran zakat dalam negeri ini maka dengan Income Tax dapat-lah di-hantar zakat<sup>2</sup> yang di-kutip dengan chara yang betul. Kita dapat tahu walau pun di-mana di-bayar zakat itu ada-lah muslihat dengan kaum muslimin. Tetapi ada zakat tidak di-bayar di-mana tempat mesti di-bayar tetapi di-hantar ka-tempat lain. Jadi, dengan peratoran yang di-sesuaikan dalam Income Tax dengan zakat ini nanti maka terkawal-lah pemberian zakat bagi muslihat negeri ini dan bagi ke-baikkan hasil Income Tax ini.

**Enche' Tan Siew Sin:** Mr. Speaker, Sir, if the Honourable Member for Besut will write in and explain his scheme in greater detail, I would be prepared to have a look at it, but I cannot understand one point which he made. He makes the point that the granting of this concession will increase revenue. As far as I can see, it is likely to decrease revenue—probably, he will explain this point in his memorandum.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr. Speaker in the Chair)

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

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

## THE SOCIAL AND WELFARE SERVICES LOTTERIES BOARD BILL

### Second Reading

**The Minister of Health and Social Welfare (Dato' Ong Yoke Lin):** Tuan Yang di-Pertua, saya mohon menandatangani di-bachakan kali yang kedua satu Rang Undang<sup>2</sup> yang di-namakan suatu Undang<sup>2</sup> untuk memberi kuasa memasukkan semua wang yang di-dapati daripada loteri yang di-jalankan mengikut Undang<sup>2</sup> Lembaga Loteri Perkhidmatan Kebajikan dan Masharakat tahun 1950, ka-dalam Kumpulan Wang Negara. Wang sa-banyak yang akan dimasukkan ini juga ia-lah bagi kegunaan<sup>2</sup> yang di-tentukan dalam Undang<sup>2</sup> tersebut. Dengan sebab itu kita hendak meminda isi kandungan Undang<sup>2</sup> tersebut dan menentukan perkara<sup>2</sup> yang berkenaan dengan Undang<sup>2</sup> itu. Saya juga hendak memberi notice ia-itu saya berchadag bahawa Rang Undang<sup>2</sup> ini akan di-timbangkan dalam peringkat Jawatan-Kuasa dalam persidangan ini dan di-bachakan bagi kali yang ketiga dalam persidangan ini juga.

Tuan Yang di-Pertua, Ahli<sup>2</sup> Yang Berhormat tentu ingat bahawa perkara berkenaan dengan menggunakan wang<sup>2</sup> bantuan daripada Lembaga Loteri itu untuk mendirikan dan membaiki masjid<sup>2</sup> dan lain<sup>2</sup> rumah daripada ugama Islam telah di-binchangkan dalam Majlis Raja<sup>2</sup> pada 27hb July, 1961. Majlis Raja<sup>2</sup> telah memutuskan supaya satu Jawatan-Kuasa di-lantek untuk mengeshorkan pindaan<sup>2</sup> kapada Undang<sup>2</sup> Lembaga Loteri Perkhidmatan Kebajikan dan Masharakat tahun 1950 ia-itu dengan tujuan hendak memasukkan wang pendapatan berseh Lembaga Loteri itu ka-dalam Khazanah Persekutuan. Jawatan-Kuasa ini telah mengemukakan shor<sup>2</sup>-nya.

Shor<sup>2</sup> ini ada terkandung di-dalam Rang Undang<sup>2</sup> ini supaya jangan ada lagi rasa ragu<sup>2</sup> dari mana<sup>2</sup> pehak juga pun sama ada wang daripada Lembaga itu halal atau haram. Sa-lain daripada kandungan yang di-masokkan dalam Rang Undang<sup>2</sup> ini supaya wang pendapatan berseh Lembaga Loteri itu dimasukkan dalam Kumpulan Wang Negara dan supaya menjadi wang Kumpulan Wang Negara, Rang Undang<sup>2</sup> ini ada juga mengandongi sharat<sup>2</sup> bagi menggunakan wang yang di-untokkan oleh Parlimen sa-banyak wang yang dimasukkan ka-dalam Kumpulan Wang Negara mengikut jumlah besar-nya dalam masa beberapa tahun bagi maksud<sup>2</sup> yang di-tetapkan dalam Undang<sup>2</sup> ini dari mula<sup>2</sup>-nya. Sa-bagaimana Ahli Yang Berhormat sedia ma'alum pada masa ini wang pendapatan berseh loteri ini ada-lah di-bagi<sup>2</sup>kan terus.

Maka telah di-persetujui juga ia-itu pada belakang teket<sup>2</sup> loteri yang hendak di-jual pada masa hadapan hendak-lah di-chap perkataan<sup>2</sup> saperti berikut:

"Bahawa sa-sunggoih-nya saya yang membeli teket ini sa-kira-nya saya tidak dapat apa<sup>2</sup> hadiah maka dengan sendiri-nya wang harga teket ini saya dermakan untuk perkara<sup>2</sup> kebajikan yang terkandung dalam Undang<sup>2</sup> Loteri Kebajikan Masharakat."

Rang Undang<sup>2</sup> ini ada juga mengandongi sharat bagi Undang<sup>2</sup> Lembaga Loteri Perkhidmatan Kebajikan dan Masharakat tahun 1950 berjalan terus kuat kuasa-nya kechuali jika di-man-sokhkan, tidak saperti hal keadaan pada masa yang lalu ia-itu Undang<sup>2</sup> ini berjalan kuat kuasa-nya sa-lama lima tahun kemudian di-sambong lagi tempoh-nya dengan suatu ketetapan Parlimen.

Tentu-lah tidak payah di-sebutkan betapa besar guna-nya wang pendapatan loteri ini bagi memberi bantuan kapada sa-barang Pertubohan Awam, Pertubohan Khairat, Pertubohan Kebajikan Ugama atau Pelajaran bagi menjalankan sa-barang ranchangan amalan kebajikan ugama atau pelajaran atau menjalankan sa-barang kerja yang memberi fa'edah kapada ra'ayat jelata atau bagi mengelokkan lagi keadaan masharakat ra'ayat jelata atau bagi menambah kebajikan untok ra'ayat

jelata. Sa-kira-nya kita bersetuju bahawa fa'edah<sup>2</sup> itu tidak patut di-sekat atau di-napikan kepada golongan<sup>2</sup> orang Islam di-negeri ini maka saya minta-lah Ahli Yang Berhormat menerima dan meluluskan Rang Undang<sup>2</sup> ini. Saya rasa tidak-lah payah saya berchakap lebih panjang lagi, saya mohon menchadangkan. (*Tepok*).

**Tuan Haji Abd. Khalid bin Awang Osman:** Tuan Yang di-Pertua, saya sokong.

**Enche' V. Veerappen (Seberang Selatan):** Mr. Speaker, Sir, I must congratulate the Honourable Minister for his excellent speech and especially for being man enough to own the intentions of this Bill. However, Mr. Speaker, I do not believe that owning of this fact absolves him from the ignominy of trying to get round the decision of the Conference of Rulers. However, I am at a loss to know as to whether the word "*haram*" can be meant to include "*immoral*"; if so, what was decided as *haram* is now through this process of being paid into the Consolidated Fund of the Government being purified and it becomes good and useful for the purposes for which it is intended. That is the only purpose of the Bill. If that can be taken to extend a bit, Sir, then I would say that even money that is acquired from immoral purposes could be purified and used for this purpose. Well, whether the Government would one day consider such a move or not, I am not here to say, but things seem to tend to that direction.

I am sure the PMIP will have a great deal to say on this. Nevertheless, Mr. Speaker, I have this to say. Mr. Speaker, we understand under clause 5 (4) that one of the objects is that the money is to be paid for aid to philanthropic, charitable, religious or educational organisations. I wish to take religious organisations first. Religion, Mr. Speaker, is a personal matter; it is a matter which is very close to our hearts. People generally feel very strongly about it and are very touchy when there is an argument about it, and, needless to say, millions have died fighting for it. Therefore,

Mr. Speaker, I really fail to understand that if we cannot look after our own religious matters or our own religious institutions, I do not know what else we can look after. If we have to use funds from the Lotteries Board, then I think it is a sad thing. I am aware, Mr. Speaker, that even Hindu temples have got money from the Board, and maybe churches and Chinese temples too, and also mosques and *suraus* as the Minister said. I myself had occasion to forward an application for aid to a Hindu temple. But I submit, Mr. Speaker, Sir, the principle is wrong (*Laughter*). The buyers of lotteries are mostly the poor, because you must agree that they are greater in numbers and therefore it is unthinkable that money squeezed out from the poor should be used for religious purpose. I am sure that the community can easily provide money for its religious institutions if they have sufficient regard for such institutions.

As regards charitable and philanthropic organisations, I have this to say. The very words "*philanthropic*" and "*charitable*" would mean that these institutions by their very nature are dedicated to do philanthropic and charitable work, in other words, they have the money and the means of doing the work. But if these institutions have to depend on money from the Lotteries Board and to utilise that money to do charitable work, I do not think they have any reason to exist at all. It is ridiculous to suggest that these charitable and philanthropic organisations should look forward to money from the Lotteries Board. I suggest that if such organisations cannot look after themselves, or do the work from their own funds or to raise funds from the community, then it is for the Government to set up such welfare institutions itself and to utilise its money for that purpose.

Mr. Speaker, Sir, I would also suggest that monies from the Lotteries Board should be made available to Welfare Committees. We have in this country the Central Welfare Council and in the States the State Welfare Committees and in the Districts the District Welfare Committees. These

Committees receive some grants for public assistance for the poor and the needy, but the amount of money they give as assistance per month is ridiculously and woefully small. I know that in some cases they give only \$3 or \$5 per month. For example, in one district, they give \$10 for three months. The way it is done is very shocking, because it is just like doling out money to beggars, and I even go to the extent of suggesting that some beggars earn more than \$3 a month. Do we expect public assistance given to these Welfare Committees to be of such a meagre amount? This is because the money from the Lotteries Board is not available for such public assistance. Of course, Mr. Speaker, I do know that for capital works money is provided, but for relief purposes this is not so. Therefore, Sir, I would strongly urge the Minister to consider giving more funds to these Welfare Committees or bodies so that at least some improvement can be made in the amount of relief that is given to the people.

One last point, Mr. Speaker. When the Social and Welfare Lotteries Board Ordinance was introduced in this country, I think it was specifically stated that the Ordinance is to be reviewed every five years, and why this was so may be apparent to a few. I submit that at the time of the introduction of that Ordinance, it was felt that lotteries were undesirable and therefore it was not intended to make it a permanent feature. However, this Bill makes it a permanent feature. Therefore, Mr. Speaker, Sir, it is most disheartening and deplorable that the Government has stooped so low to make an undesirable thing a permanent feature.

**Enche' Too Joon Hing:** Mr. Speaker, Sir, I wish to touch on a few points regarding the allocation of Social and Welfare Lotteries Board funds for the relief of destitutes. Sir, during the King's Speech, I brought up the matter of the Teluk Anson fire. Sir, I was surprised to learn this morning from the vernacular Press that the Deputy Prime Minister has replied that the \$10,000 allotted to the Teluk Anson fire was sufficient because the public

has donated \$60,000 to help the fire destitutes. Sir, in this matter, I think that if the public has donated funds to help the fire destitutes, does it mean that the Welfare Board will not do its share for the purpose for which it was put up?

Sir, we read recently about the schoolgirl, Yoke Heong, and I understand that the Welfare Board has decided to rehabilitate her in England. Now that the fund which has been started for her has come up to nearly \$100,000 from public donations, does it mean that the Welfare Board will withdraw the rehabilitation assistance? Therefore, Sir, I would like the Minister to at least give a fair deal to these deserving cases. In the case of the Teluk Anson fire, there were 818 destitutes. So far, Sir, only \$10,000 . . . . .

**Mr. Speaker:** Order! order! on a debate for the second reading of a Bill, you are entitled to speak on the principles of the Bill; and that is all. You must confine your remarks to the principles of the Bill only.

**Enche' Too Joon Hing:** Thank you, Sir. When the Minister introduced the Bill, he mentioned about the charitable work and the organisations which the Board was going to help.

**Dr. Burhanuddin bin Mohd. Noor:** Dato' Yang di-Pertua, di-hadapan kita ia-lah Rang Undang<sup>2</sup> berkenaan dengan Loteri Kebajikan. Saya berdiri di-sini ada-lah turut dengan pendirian bahawa loteri itu wang dengan apa rupa sa-kali pun ada-lah haram, dengan kerana itu Bill yang di-luluskan dan menambahkan kelulusan loteri yang di-jalankan di-negara kita ini ada-lah perkara yang melanggar dengan moral, melanggar dengan ajaran Islam yang mengharamkan loteri. Saya dan parti saya sudah pun membawa usul dalam Rumah ini supaya mengharamkan Loteri Kebajikan ini.

Tuan Yang di-Pertua, kedudukan Rang Undang<sup>2</sup> ini boleh-lah saya bahagikan kepada dua garisan yang besar. Yang pertama ia-lah menghalalkan atau meneruskan Undang<sup>2</sup> Loteri ini bukan sahaja akan di-review tiap<sup>2</sup>

5 tahun sa-bagaimana yang sudah<sup>2</sup>, tetapi akan di-teruskan sampai bila<sup>2</sup>. Ini ada-lah lebeh melanggar moral yang Undang<sup>2</sup> Loteri ini supaya berjalan terus dalam negeri kita ini. Yang kedua kerana pehak Kerajaan telah berhempas pulas hendak men-chuba menunjukkan kepada ra'ayat negeri ini bahawa hasil loteri ini hendak di-halalkan dengan bermacam<sup>2</sup> chara. Maka akhir-nya dapat-lah satu chara yang di-buat sekarang ini supaya wang itu di-masokkan ka-dalam khazanah negara ia-itu memasokkan hasil loteri itu tidak melalui lembaga-nya, tetapi terus sahaja hasil yang sudah bersekh itu di-masokkan ka-dalam khazanah negara. Ini ada-lah berbeza kedudukan wang loteri itu daripada lembaga (board) masokkan kepada wang negara, dan jadi-lah wang loteri itu wang negara. Kerana dua masaalah yang besar ini, Tuan Yang di-Pertua, maka kita harus-lah pada zaman yang mempunyai intellect dan zaman kita hendak benar<sup>2</sup> men-jalankan dengan jujur ajaran ugama kita itu, dan tidak-lah kita mahu ugama kita itu menjadi topeng sahaja.

Tuan Yang di-Pertua, kalau kita meninjau balek hukum-nya loteri ini saperti yang tersebut dalam Kur'an itu, loteri ini dia berkawan dengan arak, ayat Kur'an itu berbunyi: "Yas-alunaka 'anil khamri wal maisir kul fihima ithmun kabir wamanafi'u linnas wa ithmuhuma akbaru min nafi' hima". Saya bachakan ini, Tuan Yang di-Pertua, ia-lah firman Tuhan yang akan menjadi hukum bukan sahaja kepada PAS, bukan sahaja kepada Persekutuan Tanah Melayu, tetapi ada-lah menjadi hukum kepada seluroh manusia yang di-jadikan oleh Tuhan dalam dunia ini.

Maka undang<sup>2</sup> yang ada ini ada-lah jelas lagi telah di-lakukan oleh kaum Jahiliah Arab yang meminum arak dan maisir. Tuan Yang di-Pertua, maisir pada masa itu ada-lah chara yang berlaku betul<sup>2</sup> saperti loteri, chuma chara yang di-lakukan ber-lainan. Dahulu 10 anak panah-nya yang menjadi loteri itu dan sekarang kita buat kertas dengan menggunakan nombor. Tuan Yang di-Pertua, dari-pada dua chara ini Allah Ta'ala telah

menjawab kerana manusia bertanya apa-kah guna-nya dan bagaimana-kah hukum-nya arak dan loteri itu? Sekarang saya pakai perkataan loteri, kerana maisir sa-bagaimana kesulitan yang ada pada hari ini. Tetapi business hari ini, segala transaction, banking semua-nya berdasarkan kepada riba yang di-haramkan oleh Allah Ta'ala. Maka dengan kerana itu-lah Allah Ta'ala mengharamkan riba dan kerana itu-lah kesulitan, penderitaan di-seluruh dunia kerana menjalankan business dengan chara riba. Jadi ini melanggar hukuman Allah Ta'ala yang akibat-nya akan menimpa kepada manusia, dan kalau mengikut perintah Allah dengan jujur, dengan tidak memutar belitkan hukuman Allah Ta'ala, maka faedah-nya akan balek kepada manusia, masharakat, negara dalam dunia ini sendiri.

Tuan Yang di-Pertua, sekarang saya balek berchakap berkenaan dengan loteri. Dalam zaman yang moden yang menggunakan otak dan zaman intellect, maka kita tidak mahu ber-balek kepada zaman atau chara Jahiliah yang sudah membuat loteri yang telah di-haramkan oleh Allah Ta'ala. Tetapi zaman yang akhir ini kita di-Malaya ini pula satu negara yang telah menchatitikan dalam Consti-tution Islam sa-bagai ugama rasmi mengadakan loteri, dan oleh sebab saya telah bacha dalam siaran surat khabar, boleh di-katakan semua Mufti bersetuju bahawa loteri itu haram. Masaalah yang menjadi perbalahan, Tuan Yang di-Pertua, sa-sudah wang itu terkumpul menjadi wang loteri kebajikan, tidak di-beri kepada kebaji-kan. Maka hendak-lah di-beri kepada kebajikan itu termasuk membena masjid dan sa-bagai-nya. Maka, Tuan Yang di-Pertua, di-sini ulama Islam memikirkan bahawa tiap<sup>2</sup> yang keluar daripada yang haram itu maka akan haram-lah. Maka kerana itu tidak ada tempat hendak membena masjid, surau atau tempat ibadat yang meluluskan supaya perkara itu di-buat mengikut chara yang tidak bersekh. Tuan Yang di-Pertua, kerana dalam ugama Islam kita tiap<sup>2</sup> satu pem-binaan yang bersekh hendak-lah di-dasar di-atas perkara yang bersekh,

dan tiap<sup>2</sup> pembenaan masjid hendaklah di-bena di-atas niat, kerana perkara ini Menteri ada menyebutkan, saya suka menarek perhatian mengapa saya membangkang keras loteri ini di-teruskan. Saya memberitahu kepada dua perkara, Tuan Yang di-Pertua, ia-itu perkara loteri dan penggunaan-nya sebagaimana yang di-kehendaki oleh undang<sup>2</sup> ini. Ini satu perkara lain dan saya tidak perlu berchakap perkara itu, kerana perkara loteri ini menjadi pokok yang besar supaya perkara itu nampak salah kepada pandangan moral yang kita berbalek kepada chara moral Jahiliah itu, telah di-kaji pada zaman Jahiliah itu, ayat Kur'an itu turun betul<sup>2</sup> tentang loteri, Tuan Yang di-Pertua, loteri itu pakai nombor dan di-chabut. Jadi sekarang manakala kita tinjau arak ini dalam zaman scientific, kerana arak ini sudah di-pelajari, saya sebutkan ini sebab ada hubungan-nya dengan loteri ini. Jadi arak dalam ilmu scientific berpendapat: it is not a drink and it is not a food. Jadi ma'ana-nya bahawa arak itu sudah di-kaji dalam zaman scientific hari ini, dan daripada 1,000 tahun dahulu juga telah di-jawab bahawa arak itu bukan minuman dan bukan juga makanan. Jadi kerana itu Allah Ta'ala telah menjawab dengan tegas kepada manusia ia-itu arak itu dosa-nya besar dan fa'edah-nya sedikit. Dan perkataan arak ini juga disambungkan dengan loteri, kerana erti-nya sama bahawa loteri itu ada guna-nya kepada manusia ia-itu menolong orang miskin. Maisir pada zaman Jahiliah orang yang menang itu memberi sedekah kepada orang fakir miskin, semua-nya ini di-bayar oleh orang yang kalah. Orang yang menang itu tidak dapat apa<sup>2</sup>. Alang-kah besar fa'edah-nya loteri pada zaman Jahiliah itu lagi!

Bagitu juga Allah Ta'ala menjelaskan dalam menjawab pertanyaan manusia yang hendak tahu berkenaan dengan judi atau loteri ini tadi bahawa dosa-nya lebeh besar daripada fa'edah-nya. Sekarang, Tuan Yang di-Pertua, itu-lah kedudukan loteri dalam pandangan ajaran Kur'an. Ada perkara yang boleh saya bandingkan juga supaya perkara ini jelas dari segi

moral dan semangat ugama Islam. Yang sa-benar-nya, menurut yang sa-panjang yang saya tahu daripada ajaran Al-Kur'an itu, di-dalam suatu ayat yang lain Allah Ta'ala berfirman: "Ahallallah wa harramarriba". Allah menghalalkan jual beli dan mengharamkan riba. Tuan Yang di-Pertua, saya membawa chontoh ini supaya mengambil pengertian dalam erti moral ugama. Tuan Yang di-Pertua, jual beli itu ada satu istilah dalam Islam, dan jual beli dengan chara riba itu jual beli nama-nya. Tuan Yang di-Pertua, business dalam zaman kapitalis hari ini yang menjadikan dunia kachau bilau dan tidak adil kepada masharakat, puncha segala kesulitan hari ini ia-lah menggunakan perniagaan dengan jalan riba. Maka Allah Ta'ala sudah menyuruh manusia ia-itu balek-lah kamu berniaga betul<sup>2</sup> sa-chara yang di-halalkan. Masaalah social justice dalam dunia ini ada-lah berjalan dengan baik dan tidak ada-lah kesulitan timbul.

Dan berkenaan dengan penggunaan wang ini sa-bagai yang di-kehendaki oleh Undang<sup>2</sup> ini, ini satu perkara lain dan saya tidak perlu hendak berchakap dalam perkara ini kerana loteri ini menjadi pokok yang besar. Perkara ini pada pandangan moral ada-lah salah dan sa-balek-nya ini ada-lah moral Jahiliah. Satu lagi chontoh di-dalam Al-Kur'an perkara kahwin—memakai perempuan, Allah Ta'ala menghalalkan nikah tetapi mengharamkan zinah. Perkara ini sama sahaja dengan di-kehendaki practical sexual. Tetapi, Tuan Yang di-Pertua, ada-lah perkara ini sangat berbedza sa-kali, perkara yang di-katakan hukum nikah di-halalkan oleh Islam, hukum zinah di-haramkan oleh Islam. Bagitu juga kedudukan perkara loteri ini, Tuan Yang di-Pertua, kerana perkara itu sudah memang-nya perkara haram dan patut-lah saya mengatakan perkara haram ini ada dengan bukti-nya daripada apa yang telah di-putuskan oleh Mufti<sup>2</sup> dalam negeri ini sendiri.

Jadi, perkara yang di-kemukakan itu sudah terang haram maka walau macham mana pun arahan atau elah sa-kali pun kita hendak menghalalkan

perkara yang haram itu, oleh sebab Nabi kita telah mengatakan dengan jelas ia-itu tiap<sup>2</sup> halal itu nyata. Dan perkara yang lain daripada itu sudah terang haram maka perkara itu adalah perkara yang subbahat. Dan tiap<sup>2</sup> perkara yang subbahat sudah tentulah perkara yang tidak halal sebab itu perkara subbahat dan tidak mesti chuba di-alehkan di-dalam chara kita hendak menegakkan moral itu maseh hendak elakkan daripada perkara<sup>2</sup> yang subbahat.

Saya membangkang perkara ini, Tuan Yang di-Pertua, kerana negeri ini berkehendakkan kapada moral yang tinggi dan saya memandang bahawa perkara ini ada-lah satu perkara loteri yang haram ia-itu perkara judi yang tidak lepas daripada perkara judi, maka kita hendak juga meluluskan bukan sahaja akan di-kaji tiap<sup>2</sup> lima tahun sa-kali akan tetapi di-teruskan juga loteri ini lagi. Berma'ana-lah kita satu daripada negeri dalam dunia ini yang moral kita jatuh. Ini hanya-lah dengan satu jalan mencari duit yang mudah sa-bagaimana mudah dengan jalan berzinah. Bagitu juga-lah erti-nya kita hendak chuba dengan chara loteri dengan kata<sup>2</sup> sa-bagaimana yang dituliskan kerana perkara itu walau pun dengan chara tulis apa pun bahawa tiap<sup>2</sup> yang haram itu tetap haram juga.

Tuan Yang di-Pertua, manakala perbandingan<sup>2</sup> sudah saya buat itu saya terasa ma'kul-lah kapada kita bersama<sup>2</sup> menimbangkan-nya. Dan lebeh<sup>2</sup> dalam perkara ini bukan sahaja bertambah jatuh moral ra'ayat negeri ini, moral negeri kita yang chuba hendak menghalalkan loteri bukan sahaja di-kaji lima tahun ka-lima tahun akan tetapi akan di-terus juga judi itu. Perkara ini patut di-sebut<sup>2</sup>kan, di-katakan<sup>2</sup> hendak menghalalkan duit loteri ini—hendak menchuba menghalalkan dengan chara yang saperti ini untuk muslihat ugama. Saya berasa ini ada-lah menambahkan lagi jatohnya moral ugama Islam kita. Pada hal ugama Islam ada-lah ugama yang suchi, tiap<sup>2</sup> satu amalan hendak-lah dengan niat yang bersehh, dengan amalan yang bersehh dengan harta<sup>2</sup> yang bersehh yang jauh dari subbahat.

Tuan Yang di-Pertua, satu perkara menakala kita timbulkan dalam kejadian pembenaan masjid dalam Kur'an di-namakan "Masjid Dzirar". Ini juga satu chontoh sebab pembenaan Masjid-nya di-gunakan wang bersubbahat sakurang<sup>2</sup>-nya dan boleh di-katakan memang duit haram. Duit loteri ia-lah duit maisir atau duit judi maka dengan sendiri-nya tiap<sup>2</sup> masjid yang sudah di-bena itu bukan di-atas niat ikhlas, bukan atas niat takwa dan bukan di-bena atas takwa, bukan di-bena alat takwa tetapi di-bena kerana ria' kerana takbur, kerana subbahat maka ini sudah nyata-lah, Tuan Yang di-Pertua, sendiri-nya berjalan-lah perbahathan loteri di-dalam negeri ini hendak menchuba menghalalkan loteri ini maka sudah jadi pembenaan masjid bukan lagi di-bena dengan takwa tetapi masjid itu di-bena di-atas dasar perlumbaan—menunjokkan ria' dan menunjokkan berlawan<sup>2</sup> bukan lagi di-atas dasar takwa tetapi di-atas dasar ria' dan dasar menunjokkan dan berlawan<sup>2</sup> yang tidak lagi berdasarkan takwa. Manakala satu perkara perbuatan Islam ini tidak lagi di-bena di-atas takwa dan merupakan ria' dan merupakan takbur maka dengan jalan ini sendiri segala pembenaan yang saperti itu tidak-lah dapat di-pandang satu perkara yang takwa dan tidak-lah di-terima oleh Tohan menurut peratoran<sup>2</sup> dalam ugama Islam.

Jadi, kerana itu, Tuan Yang di-Pertua, saya membangkang keras terhadap meluluskan Undang<sup>2</sup> loteri ini di-jalankan lagi di-dalam negeri ini. Tentang perkara wang loteri hendak di-pakai dan di-masokkan ka-dalam Perbendaharaan Khazanah negeri ini, dudok-nya perkara ini, Tuan Yang di-Pertua, ada dalam Undang<sup>2</sup> Islam kita boleh masokkan perkara<sup>2</sup> yang mungkin perkara itu subbahat atau perkara itu di-katakan juga boleh di-katakan haram di-pandang dari segi ugama Islam tetapi kalau perkara itu satu kali berlaku dan tidak dapat hendak di-buang ya'ani sia<sup>2</sup> sahaja wang itu maka perkara itu ada-lah di-pandang benda itu najis. Katakan-lah ayer kenching manakala ayer kenching itu sudah tetap hukum-nya najis. Tetapi kalau najis ini di-champak atau di-masokkan ka-dalam

ayer yang berseih atau ayer sungei maka tentu-lah dia menjadi ayer sungai tetapi berlawanan dengan erti-nya, Tuan Yang di-Pertua. Kalau duit subbahat itu haram ini kita halalkan dengan di-sengaja<sup>2</sup>kan perkara yang saperti ini maka tidak-lah kita lepas daripada hukum haram—subbahat dan hukum yang di-langgar daripada apa yang dikehendaki ugama Islam kita. Jadi, kerana perkara ini berlawanan dengan dasar, pati saya, dengan dasar Islam, dengan moral Islam ini maka kerana itu-lah dasar hendak meneruskan Undang<sup>2</sup> Loteri ini berjalan terus menerus sa-bagaimana dalam Bill ini adalah saya bangkang dengan sa-keras<sup>2</sup>-nya. Dan dalam perkara yang kedua itu, hendak-lah perkara haram di-tutup loteri ini dan wang yang ada itu dimasukkan ka-Consolidated Fund, itu perkara barangkali tidak-lah berat. Perkara yang sa-macam ini supaya wang ini di-buang sahaja dengan tidak di-pandang di-jadikan hak negara. Tetapi kalau satu perkara yang intention—dengan di-sengaja melakukan perkara subbahat, dengan sengaja melakukan perkara haram sama-lah erti-nya kalau sa-kali pun wang haram itu—wang zinah di-dapati tidak kita ketahui dan tidak di-ketahui oleh pihak Kerajaan perkara itu di-masukkan dalam Consolidated Fund. Tetapi kalau-lah perkara itu sudah zinah ini di-jadikan halal mithal-nya dan hasil-nya kita terus masukkan ka-dalam Consolidated Fund maka dua perkara ini ada-lah berpisah dari erti moral haram—erti kebenaran. Jadi, itu-lah, Tuan Yang di-Pertua, saya membangkang Rang Undang<sup>2</sup> yang hendak di-luluskan ini. Dan saya tetap membangkang loteri ini tetapi mesti kita haramkan dan kita tidak boleh luluskan dalam perkara ini. Wang yang sudah dapat itu terserah-lah kepada atau di-masukkan ka-Consolidated Fund atau mana<sup>2</sup> yang mendatangkan fa'edah sa-bagaimana maksud dalam Bill ini, sekian.

**Enche' T. Mahima Singh:** Mr. Speaker, Sir, I support the Bill wholeheartedly, and in doing so, I also agree with the Honourable Member for Besut that gambling and liquor drinking are bad. But we live in a world in which we have to live. A bigger country than

ours, realising that liquor was bad some 30 years ago, did try to stop liquor drinking. And what happened was that the money which would have gone into the taxes and which could have been used for schools and for helping the poor, went into the hands of gangsters and secret societies; and this money which could have been used for doing good to the country was used for harming the country. I quite agree, Sir, that gambling and liquor are bad. But until we are able to educate our people and make them realise that these things are bad and to keep them away from gambling and liquor, society has to make laws so that the citizens can be protected. Therefore, Sir, if we are able to educate our young children from now onwards, the time will come when they will refuse to buy these lottery tickets, when they will refuse to gamble, and when they will refuse to drink liquor. Then we will have no worry about making legislation. But as long as society will drink and society will gamble, the only thing that legislation can do is to see that this is done in an orderly manner and the taxes so derived will go into the Exchequer for helping the needy and the poor, and that this money does not go into the hands of gangsters and rowdies who will terrorise the people. As has been mentioned, this Bill will be revised from time to time, and in the meantime it is hoped that it will be possible to educate the people so that they will live as good citizens.

**Tuan Haji Mokhtar bin Haji Ismail (Perlis Selatan):** Tuan Yang di-Pertua, saya bangun menyokong Rang Undang<sup>2</sup> yang telah di-kemukakan oleh Menteri Kesihatan dan Kebajikan Masyarakat itu. Tuan Yang di-Pertua, alasan saya didalam memberi sokongan di-atas Rang Undang<sup>2</sup> ini ada-lah saya memandang bahawa ugama Islam ada-lah satu ugama yang anti-kejahilan dan anti-kemiskinan. Oleh kerana Islam ada-lah satu ugama yang benchikan kejahatan, benchikan kemiskinan maka di-atas hikmat ini-lah yang saya menyokong Rang Undang<sup>2</sup> ini. Kerana saya memandang bahawa dengan kemiskinan tadi anak<sup>2</sup> kita orang Islam tidak dapat-lah menerima pelajaran dan

dengan anak<sup>2</sup> kita tidak menerima pelajaran itu berma'ana-lah bahawa yang kita telah membenarkan anak<sup>2</sup> kita dalam kejahatan. Jadi, oleh sebab itu saya juga mengaku bahawa yang haram itu tetap haram, tetapi perkara yang haram itu jika kita datangkan dengan hikmat<sup>2</sup> ugama Islam ada kala-nya mengharuskan. Sa-kira-nya kita biarkan keadaan di-negara kita berpanjangan seperti kemiskinan dan kejahatan maka dosa-nya lebeh besar. Islam telah datang di-tanah ayer kita sudah 500 tahun lebeh, tetapi memerhatikan keadaan tempat ibadat orang<sup>2</sup> Islam yang ada sekarang ini lebeh baik-lah tempat kambing lagi. Jadi, dengan keadaan yang sa-macham itu kita membiarkan berkembang, maka sudah tentu ugama Islam sa-bagai ugama rasmi negara ini akan menjadi pandangan yang tidak baik bagi pandangan luar negeri. Jadi, dengan itu-lah, Tuan Yang di-Pertua, bagaimana yang saya katakan tadi bahawa yang haram itu tetap haram, umpama-nya daging babi haram, tetapi kalau kita memandangkan kepada keadaan, ada masa-nya daging babi itu di-haruskan pula oleh shara' di-makan, jika kita memikirkan bahawa tidak ada lagi makanan yang dapat untuk hidup.

Tuan Yang di-Pertua, sa-bagaimana yang di-sebut oleh wakil Besut tadi, saya mengaku yang haram itu memang tetap haram, tetapi memandangkan keadaan yang ada di-negara kita pada hari ini, macham mana kita hendak menghapuskan kejahatan dan kemiskinan, tidak ada satu jalan yang lain melainkan dengan memberikan pelajaran kepada anak kita itu. Dari mana kita boleh dapat wang halal untuk memberi pelajaran anak kita itu. Kita memandangkan kepada negara yang di-perintah oleh PAS sudah 4 tahun, anak orang Islam di-sana tidak berapa orang yang dapat menerima pelajaran. Kalau sa-kira-nya dapat kita menchari wang yang halal saya chukup shukor. Negeri Perlis telah berikhtiar sa-lama 20 tahun dengan menubuhkan Pejabat Zakat dan Fitrah kerana menchari wang halal sebab hendak memberi pelajaran kepada anak<sup>2</sup> orang Islam, membena tempat<sup>2</sup> ibadat, tetapi tidak juga dapat berjaya. Jadi, apa satu

jalan yang boleh kita fikirkan dengan baik? Maka dengan ini-lah satu jalan yang dapat kita mengumpulkan wang seperti mana yang telah sama<sup>2</sup> kita lihat usul di-jalankan oleh Lembaga Loteri ini banyak beana<sup>2</sup> yang chan-tek<sup>2</sup> dan banyak sekolah<sup>2</sup> ugama yang tersergam, dan banyak memberikan bantuan<sup>2</sup> yang lain kepada orang<sup>2</sup> miskin dan sa-bagai-nya. Dengan sebab itu-lah saya fikir, Tuan Yang di-Pertua, saya memberi sokongan kepada Rang Undang<sup>2</sup> ini.

**Enche' Ahmad bin Arshad (Muar Utara):** Tuan Yang di-Pertua, saya ada-lah menyokong Rang Undang<sup>2</sup> yang ada di-hadapan kita ini dan saya menguchapkan tahniah di-atas Yang Berhormat Menteri Kesihatan dan Kebajikan Masharakat yang membawa usul ini dengan menggunakan bahasa kebangsaan kita. Tuan Yang di-Pertua, saya hanya dapat mengikuti atas bangkangan<sup>2</sup> yang telah di-berikan oleh pehak Barisan Sosialis dan juga pehak pati PAS Ahli Yang Berhormat dari Besut tadi. Menurut atas apa yang telah di-shorkan oleh Yang Berhormat Menteri Kesihatan ini dalam uchapan-nya itu tidak sa-kali<sup>2</sup> menyebutkan bahawa hendak menghalalkan loteri itu. Wang loteri itu tetap haram. Sekarang daripada wang loteri yang haram itu-lah yang hendak di-masokkan ka-dalam khazanah negara, bererti manakala sudah di-kumpulkan wang loteri ini ka-dalam khazanah negara maka boleh-lah di-gunakan bagi fa'edah<sup>2</sup> orang Islam menurut atas nasihat Majlis Raja<sup>2</sup>. Saya nampak dalam kumpulan wang negara itu bukan sahaja daripada wang loteri itu bahkan banyak wang<sup>2</sup> haram lain yang datang-nya daripada chukai<sup>2</sup>, juga bagi pehak kita semua telah menerima elaun<sup>2</sup> pada tiap<sup>2</sup> bulan. Memandangkan di-tambah wang itu maka bertambahlah wang dalam khazanah negara dan akan bertambah-lah elaun kita nanti (Ketawa).

Dalam masaalah hal ugama Islam saya tidak-lah membathatkan di-sini dan ra'ayat Persekutuan menyerahkan hal itu kepada Majlis Jabatan Ugama negeri masing<sup>2</sup> dan ada satu badan yang paling tinggi lagi ia-itu Majlis Raja<sup>2</sup> Melayu. Majlis Raja<sup>2</sup> ini-lah

yang memikirkan menyelideki dan membahathkan bukan dengan fikiran sahaja bahkan dengan berdasarkan hadith dan Kur'an bagi kesimpulan yang kita dapat bagaimana yang telah di-nasihatkan kepada Yang Berhormat Menteri Kesihatan supaya membawakan Rang Undang<sup>2</sup> ini. Bagi pehak umat Islam tidak-lah terpengaruh dengan apa yang telah di-da'awa oleh Ahli Yang Berhormat dari Besut tadi, sebab-nya kita orang Islam memang tahu loteri itu haram, zina itu haram—ta' payah beritahu lagi.

Berhubung dengan apa yang di-chakapkan oleh Ahli Yang Berhormat dari Seberang Selatan, beliau ini bukan daripada orang Islam, ia ta' payah champor dalam hal ini . . .

**Mr. Speaker:** Sa-bagai Ahli Yang Berhormat dalam Majlis ini dia ada hak berchakap, tolong jaga sedikit!

**Enche' Ahmad bin Arshad:** Walau pun dia ada hak berchakap, dia mengatakan Rang Undang<sup>2</sup> ini akan terpengaruh Majlis Raja<sup>2</sup> Melayu. Menurut apa yang saya hendak beritahu kepada Ahli Yang Berhormat itu bahawa ugama Islam ada-lah luas, jadi dengan keluasan ugama Islam itu maka Rang Undang<sup>2</sup> ini kita kemukakan dan beliau mengatakan loteri kebanyakan orang yang miskin membeli-nya, saya berpendapat bahawa ramai orang yang membeli loteri itu ia-lah orang kaya dan jikalau dimasukkan dalam perbendaharaan negara segala pemberian yang tertentu yang di-beri sekarang ini sama ada pada orang miskin atau orang dapat kemalangan maka pehak Kerajaan tidak akan memberhentikan pemberian itu. Dengan sebab itu, bangkangan<sup>2</sup> itu ta' sa-patut-nya kita terima. Pada akhir-nya, Tuan Yang di-Pertua, saya tidak-lah bersetuju atas alasan<sup>2</sup> yang telah di-berikan oleh dua orang Ahli dari pehak pembangkang itu, dan saya mengharap mereka itu berfikir sa-kali lagi supaya dapat bersama<sup>2</sup> mengikut undang<sup>2</sup> ini untuk fa'edah dan kepentingan ra'ayat seluruh Tanah Melayu ini.

**Tuan Syed Ja'afar bin Hasan Albar:** Tuan Yang di-Pertua, saya berasa

perlu mengambil bahagian dalam per-bincangan berkenaan dengan meminda undang<sup>2</sup> loteri itu. Sa-bentar tadi Dewan ini telah mendengar ucapan dari Ahli Yang Berhormat dari Besut. Saya sunggoh<sup>2</sup> hairan mendengar ucapan yang sa-umpama itu di-lafadzkan oleh sa-orang yang sangat di-pandang tinggi tentang pengetahuan ugama-nya dan pengetahuan-nya dalam sejarah perkembangan Islam. Kalau ucapan itu datang-nya dari Ahli Yang Berhormat daripada Dungun mithal-nya, atau Ahli Yang Berhormat dari Pasir Mas Hulu umpama-nya, saya ta' sedikit pun hairan kerana orang<sup>2</sup> ini bukan orang yang ahli dalam soal ugama, tetapi datang-nya dari Ahli Yang Berhormat dari Besut dengan mengandongi kata<sup>2</sup> dan ma'ana-nya sa-bagaimana yang di-bentangkan-nya dalam Dewan ini, saya nyaris<sup>2</sup>, Tuan Yang di-Pertua, ta' perchaya orang yang berchakap itu ia-lah Ahli dari Besut. Soal loteri ini biar saya katakan sama ada Ahli dari Besut itu setuju atau tidak ada-lah satu masaalah khilafiah sama ada tentang soal loteri itu sendiri atau tentang penggunaan wang hasil daripada loteri itu.

Kedua, perkara ini ta' dapat sa-orang yang mengerti dalam hal ini dan faham kedudukan perkara ini dalam ugama, yang berani mengatakan soal ini bukan soal khilafiah. Jadi apakala telah ditetapkan bahawa masaalah ini masaalah khilafiah maka orang Islam ada-lah bebas mengikut pandangan salah satu dari pendapat yang bertelengkahan itu. Ini mengikut usul fikah atau usul membuat undang<sup>2</sup> dalam Islam. Sa-benar-nya saya katakan soal loteri itu khilafiah kerana bukan ijma' ulama' yang mengatakan soal loteri itu haram, maseh ada ulama' yang mengatakan bahawa loteri itu bukan-nya maisir sa-bagaimana yang di-tegaskan oleh Ahli Yang Berhormat dari Besut, dan pandangan ini barangkali telah di-bacha dan di-semak serta di-halusi oleh Ahli Yang Berhormat itu sendiri daripada pendapat ulama<sup>2</sup> yang ahli daripada Masir yang membahathkan soal loteri ini dan chara<sup>2</sup> perlaksanaannya baik di-Masir mahu pun di-sini. Ulama' Masir itu mengatakan bahawa soal loteri itu bukan-lah soal judi,

yang terang haram-nya mengikut nas Kor'an yang di-bachakan oleh Ahli Yang Berhormat dari Besut tadi. Ta'arif judi kata beberapa orang ulama' itu ia-lah dua pehak yang bertaroh terdedah kepada untong dan rugi. Apakala satu pertarohan dalam mana dua pehak yang mengambil bahagian dalam pertarohan itu terdedah kepada untong dan rugi, maka itu-lah yang di-katakan maisir, tetapi jikalau pertarohan yang di-dalam-nya kedua belah pehak tidak terdedah kepada untong dan rugi, maka pertarohan sa-umpama itu tidak-lah boleh di-katakan judi, atau pun maisir. Itu-lah sebab saya katakan tadi bahawa soal loteri ini ada-lah soal khilafiah di-kalangan ulama. Jadi dengan tegas dan kuat<sup>2</sup> memburokkan penggunaan hasil loteri dan menjalankan dalam negeri ini sa-hingga tergamak beliau menyamakan hasil loteri itu dengan hasil perzinaan. Itu sudah melampau sangat (*Ketawa*). Saya perchaya kalau dia balek pada siuman-nya, tentu dia ta' keluaran perkataan yang sa-umpama itu—menyamakan hasil loteri ini dengan hasil perzinaan, itu terlampau.

Berkenaan dengan hasil loteri dan penggunaan-nya, barangkali saya ta' perlu berchakap panjang berkenaan dengan perkara ini, kerana saya maseh ingat Pejabat Ugama Johor ada mengeluarkan satu risalah khas berkenaan dengan keharusan dan halal-nya menggunakan wang hasil daripada loteri itu. Kalau saya hendak ulangkan balek dalam Dewan ini pendapat<sup>2</sup> yang terkandung dalam risalah khas yang di-terbitkan oleh Pejabat Ugama Johor itu, barangkali sampai besok pagi pun ta' sudah.

Lagi satu dalam ucapan Ahli Yang Berhormat dari Besut tadi ia-itu dia banyak membawa bandingan<sup>2</sup> yang boleh saya katakan atau jawabkan dengan satu perkataan usul fikah, yang mengatakan: Kiaswa ma'a farik atau membuat perbandingan di-antara dua perkara yang tidak ada persamaan sama-sa-kali. Mengikut undang<sup>2</sup> Shara' apakala kita hendak membuat perbandingan mesti-lah ada rupa persamaan di-antara kedua perkara itu, baharu-lah kita boleh membuat perbandingan tetapi kalau dua perkara itu berlainan

ta' boleh kita buat perbandingan dua perkara itu. Umpama-nya satu orang hendak membuat perbandingan antara tongkat dengan pedang—tentu-lah ta' boleh. Kalau hendak membuat perbandingan kena bawa dua<sup>2</sup> pedang, baru kita boleh mengatakan ini lebeh baik daripada ini, tetapi kalau kita bawa satu tongkat dan satu pedang, dan kita katakan pedang ini lebeh baik daripada tongkat itu tentu ta' ada ma'ana (*Ketawa*). Itu-lah yang di-namakan Kiaswa ma'a farik dalam usul fikah atau dalam usul undang<sup>2</sup> Islam. Lagi kenyataan<sup>2</sup> yang di-keluarkan oleh Yang Berhormat dari Besut tadi, banyak kenyataan<sup>2</sup> itu boleh di-katakan kenyataan<sup>2</sup> yang longgar dan tidak chermat daripada sa-orang ahli sapertinya. Sa-patut-nya kalau Ahli Yang Berhormat itu hendak mengeluarkan kenyataan biar-lah kenyataan itu berdasarkan perkara<sup>2</sup> hukum yang tegas di-dalam shara', bukan membuat sweeping statements sa-bagaimana yang telah di-buat-nya dalam ucapan-nya menentang Rang Undang<sup>2</sup> yang di-hadapan kita ini. Mithal-nya, tiap<sup>2</sup> yang keluar daripada yang haram, haram-lah dia, kata-nya. Kalau saya hendak bahathkan point ini, Tuan Yang di-Pertua, berjam<sup>2</sup> tidak sudah, bukan tiap<sup>2</sup> yang keluar daripada yang haram, haram-lah. Banyak chontohnya, itu-lah satu mithal yang saya mengatakan Yang Berhormat dari Besut telah mengeluarkan sweeping statements atau kenyataan yang longgar dalam perkara ugama yang bagini berat yang tidak dapat di-timbangan oleh Dewan yang mulia ini. Lagi dia menudoh bahawa wang daripada loteri itu ada-lah wang kotor, dan untuk digunakan kepada masjid tidak harus sama sa-kali dan begitu-lah sa-terusnya, dia di-situ membandingkan wang hasil loteri dengan hasil daripada zina, dan dia menudoh bahawa masjid yang kita dirikan dengan wang loteri itu bukan atas takwa, melainkan sa-mata<sup>2</sup> ria' dan sum'ah hendak menchari kebesaran, kata-nya. Jadi, Tuan Yang di-Pertua, chakap yang sa-umpama ini terbit daripada sa-orang Yang Berhormat dari Besut itu paling tidak dapat di-terima oleh saya—yang kenalkan dia, kerana dia sendiri pernah membacha ayat ria'. Hendak membuat

sum'ah sa-chara besar<sup>2</sup>an memang tidak ada tegahan dalam Islam, bahkan dalam sedekah pun. Kalau Yang Berhormat dari Besut ingat firman Tuhan, ayat:

ان تبدوا الصدقات فنعما هي وان تخفوها وتؤنوا الفقراء فهي خير لكم.

Jadi hatta dalam sedekah, Tuan Yang di-Pertua, . . . . .

**Mr. Speaker:** Kalau hendak menggunakan ayat itu mesti terjemahkan ka-bahasa Melayu (*Ketawa*).

**Tuan Syed Ja'afar Albar:** Ini saya hendak terjemahkan supaya hendak "compare" Ahli Yang Berhormat itu.

**Mr. Speaker:** Tidak payah baca ayat, terjemahkan ka-bahasa Melayu, itu yang mustahak, sebab bahasa yang di-gunakan dalam Majlis ini hanya bahasa Melayu dan Inggeris sahaja (*Ketawa*).

**Tuan Syed Ja'afar Albar:** Dia membaca tadi, Tuan Yang di-Pertua. Jadi, Tuan Yang di-Pertua, berkenaandengan ayat ini, Tuhan berfirman, kalau kamu memberi sedekah—hatta bersedekah—Tuhan suka benda yang kamu beri itu di-besar<sup>2</sup>kan, di-terang<sup>2</sup>kan, di-heboh<sup>2</sup>kan, di-hebah<sup>2</sup>kan untuk menjadi chontoh dan tauladan kepada orang lain mengikut-nya, tetapi kata ayat ini, kalau kamu hendak memberi sedekah kepada orang miskin, kerana hendak memelihara ayer muka-nya, maka hendak-lah kamu sulitkan dia, sehingga apa yang di-belanjakan oleh tangan kanan tidak di-ketahui oleh tangan kiri dan apa yang di-belanjakan oleh tangan kiri tidak di-ketahui oleh tangan kanan. Ini perinsip memberi sedekah dalam Islam. Kalau sedekah atau hadiah itu di-buat untuk membuat satu kemegahan dalam dunia, Tuhan berfirman, heboh<sup>2</sup>kan dan besar<sup>2</sup>kan dia, tetapi kalau hendak menolong anak yatim, orang miskin dan papa, maka hendak-lah sulitkan, kerana hendak memelihara ayer muka-nya daripada di-hinakan orang. Saya tidak fikir Yang Berhormat dari Besut tidak tahu hal ini? Tetapi, kadang<sup>2</sup> manusia lupa, kita ma'afkan dia (*Ketawa*).

Lagi satu perkara berkenaan dengan wang halal, wang haram, Tuan Yang di-Pertua, dan wang yang mashbuh,

dia berkehendakkan supaya semua rumah<sup>2</sup> ibadat dalam negeri kita ini di-bena daripada wang yang halal, yang jerneh, yang berseh dan yang puteh safa; tidak ada orang yang hendak bertengkar dengan dia tentang kehendak dan niat-nya itu. Tetapi, Tuan Yang di-Pertua, saya ingin mengajak Yang Berhormat dari Besut mengenangkan apa yang telah di-katakan oleh "Hujatul Islam" Imam Ghazali. Tuan Yang di-Pertua, dalam satu daripada risalah-nya—Imam Ghazali ini semua orang tahu, siapa yang membacha falsafah pendidekan, akhlak dan sa-bagai-nya, tentu-lah kenal siapa dia Imam Ghazali, sama ada dia orang Muslim atau tidak Muslim—Imam Ghazali kata, zaman aku ini tidak ada satu "mal", tidak ada harta yang tidak mashbuh, melainkan ayer hujan, itu yang benar<sup>2</sup> 100 peratus halal; wang yang di-mu'amalahkan dalam pasar (market) hari ini semua wang mashbuh—wang subbahat (*Ketawa*).

**Mr. Speaker:** Saya sendiri erti perkataan itu, tetapi orang lain tidak erti, saya hendak terjemahan-nya.

**Tuan Syed Ja'afar:** Wang subbahat, Tuan Yang di-Pertua. Saya pakai perkataan Imam Ghazali dalam istilah-nya yang asal. Jadi saya terjemahkan. Jadi kalau sa-kira-nya zaman Imam Ghazali, sudah berapa ratus tahun daripada sekarang, tidak ada satu harta, tidak ada satu "mal", tidak ada satu benda yang ada di-mileki oleh orang pada zaman Imam Ghazali itu yang boleh di-katakan halal 100 peratus, melainkan ayer hujan yang turun dari langit, itu-lah sahaja yang kalau kita makan atau minum maka 100 peratus halal-nya, tetapi, sa-lain daripada itu mesti ada subbahat-nya.

Jadi kalau kita hendak berbalek kepada falsafah kebersehan dan kejernehan yang di-angan<sup>2</sup>kan oleh Yang Berhormat dari Besut tadi, kita dapati diri kita tidak ada tempat dalam dunia yang pelek ini. Ini tidak bererti, Tuan Yang di-Pertua, bahawa kita hendakkan kekotoran atau benda<sup>2</sup> yang chemar, tetapi susunan dunia sudah jadi sa-umpama itu. Jadi itu-lah dia, kita chuba menchari jalan supaya langkah<sup>2</sup>, segala tindakan<sup>2</sup>, dan segala

gerak geri kita itu dapat di-bersehkan sa-berapa dapat yang boleh. Itu-lah perkara yang prektikal yang dapat dibuat pada zaman ini. Tetapi kalau hendak hidup dalam zaman angan<sup>2</sup> atau hendak berseh, hendak jadi Malaikat, tetapi hakikat-nya dia iblis besar (*Ketawa*) ta' tahu-lah apa yang saya hendak kata, Tuan Yang di-Pertua.

Oleh hal yang demikian, Tuan Yang di-Pertua, saya nampak segala isi kandungan dan hujah<sup>2</sup> yang dibentangkan oleh Yang Berhormat dari Besut tadi tidak-lah dapat di-pakai sebagai satu alasan agama yang tidak ada lain alasan agama yang menentang-nya. Sa-perkara lagi, Tuan Yang di-Pertua, Yang Berhormat dari Besut membuat sweeping statements atau kenyataan yang terlampau longgar, yang terlampau lepas tidak bertali langsung ia-itu kata-nya, yang haram tetap haram dan yang halal tetap halal. Perkataan ini terlampau longgar. Sebab, Tuan Yang di-Pertua, dalam undang<sup>2</sup> shara', dalam undang<sup>2</sup> agama hanya perkara<sup>2</sup> yang tidak boleh diubah ia-lah perkara<sup>2</sup> ibadat, yang mengenai sembahyang, puasa dan sebagainya. Mithal-nya, kalau sembahyang zuhur 4 raka'at, kita tukar kepada 2 atau 3 raka'at, tidak boleh; kalau sembahyang musafir, 2 raka'at boleh.

Tetapi dalam Undang<sup>2</sup> yang mengenai muamalat yang mengenai perkara<sup>2</sup> berhubung antara manusia dengan manusia, antara perniagaan dan lain<sup>2</sup>nya maka Undang<sup>2</sup> ini tidak boleh disifatkan beku yang tidak berubah<sup>2</sup>, bertukar<sup>2</sup>. Kalau saya hendak sebutkan satu benda pada hari ini haram pada suatu masa yang lain benda itu boleh di-halalkan. Satu masa benda itu halal dan pada satu masa lain benda itu di-haramkan. Ini perkara mengenai muamalat memang berubah<sup>2</sup>, bertukar<sup>2</sup> mengikut keadaan tempat, mengikut keadaan masyarakat manusia di-zaman itu. Tetapi perkara<sup>2</sup> yang mengenai ibadat, Tuan Yang di-Pertua, kita memang mengaku tidak dapat hendak di-ubah<sup>2</sup>, tidak dapat hendak di-ganjakkan atau di-alehkan. Dan soal loteri kerana dia satu soal masyarakat dan

kepentingan manusia maka hukum-nya bertukar dan berkisar mengikut keadaan masa. Jika Ulama' Islam, pemimpin<sup>2</sup> Islam untuk kepentingan orang Islam dan masyarakat Islam pada masa itu mengatakan bahawa perlu di-adakan satu muslihat untuk kepentingan masyarakat maka hukum itu di-benarkan untuk kemahuan masyarakat itu. Jadi, ini-lah, Tuan Yang di-Pertua, saya harap Ahli<sup>2</sup> Yang Berhormat daripada PAS kalau hendak berchakap, kalau ada modal agama bangun, kalau tidak jangan hendak merepek dalam Dewan ini (*Ketawa*).

**Tuan Haji Hussain Rahimi bin Haji Saman (Kota Bharu Hulu):** Tuan Yang di-Pertua, sa-benar-nya saya tidak hendak berchakap tetapi pada hari ini terpaksa saya berchakap dan perchakapan saya ini di-terima atau tidak tidak-lah menjadi halangan buat saya. Saya bagi satu perkataan (kuliah walaupun kana murra), katakan oleh engkau perkataan yang benar itu jika ada perkataan itu pahit. Satu perkataan lagi (undzuru ila makal wala tandzuru ila man kal) bererti di-tilek kepada apa yang telah di-katakan oleh orang itu, jangan-lah pandang kepada orang yang berchakap itu. Saya pada hari ini telah mendengar dalam Dewan ini masaalah loteri maka dengan sendiri-nya Dewan ini ada-lah Dewan Alim Ulama mengetuai masaalah loteri ini. Belum lagi pernah saya dengar sharahan yang sa-macham ini semenjak saya belajar lebih kurang 20 atau 26 tahun, saya tidak pernah mendengar perchakapan sa-macham ini dari segi agama Islam.

Tuan Yang di-Pertua, banyak perkara<sup>2</sup> yang hendak saya chakapkan di-sini, tetapi saya rasa chukup-lah dua perkara sahaja tetapi tetap-lah kami menang dalam segi agama Islam kalau di-bahath. Tetapi kalau-lah chara hendak memikirkan dari segi agama Islam maka terpaksa-lah saya berchakap. Tuan Yang di-Pertua, pehak wakil Yang Berhormat daripada Johore Tenggara dia telah memikirkan atau menudoh Yang Berhormat wakil Besut dengan mengatakan ia sa-orang yang tidak berfikiran. Perchakapan yang sa-macham ini ada-lah terlampau kasar dari segi agama Islam.

Tuan Yang di-Pertua, tuan<sup>2</sup> sedia ma'alum ia-itu saya tidak akan berchakap sa-barangan masa melainkan masa memerlukan saya berchakap, ini bukan pula saya tidak tahu berchakap kerana saya orang Melayu dan saya tahu berchakap Melayu. Wakil Johore Tenggara telah memberi satu ayat ia-itu kata: (intubdu sadakat pani'imma hi) erti-nya sekira-nya kamu mendzahirkan sedekah maka sabaik<sup>2</sup>-nya. Pada hal macham mana sedekah yang di-katakan itu chuba-lah 'wakil Johore Tenggara sila memandang balek kapada tafsir<sup>2</sup> itu dan tidak-lah saya hendak terangkan dalam Dewan ini.

Satu daripada tafsiran saya ambil daripada wakil Muar Utara. Wakil Muar Utara mengatakan bahawa loteri

itu tetap haram tetapi chuma sa-kadar di-masokkan wang loteri itu ka-dalam khazanah dan masaalah wang loteri ini ada-lah bagi pihak Majlis Raja<sup>2</sup> untuk memutuskan-nya. Saya chukup tidak puas hati di-atas apa yang telah di-chakapkan itu. Undang<sup>2</sup> di-dalam ugama Islam ada-lah luas dan memang kita semua tahu ugama Islam itu luas. Tetapi chuba kita fikirkan pada hari ini ada-kah perkara ini di-wajibkan oleh Allah Ta'ala daripada dahulu sampaikan ka-hari ini di-berhentikan daripada wajib dan tidak . . . .

**Mr. Speaker:** Order! order! Time is up. The meeting is suspended until 10.00 a.m. tomorrow.

*Sitting suspended at 6.30 p.m.*