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Tuesday,
17th December, 1963

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(HOUSE OF REPRESENTATIVES)

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MALAYSIA

DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)

Official Report

Fifth Session of the First Dewan Ra'ayat

Tuesday, 17th December, 1963

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

PRESENT:

- The Honourable Mr Speaker, DATO' HAJI MOHAMED NOAH BIN OMAR, P.M.N., S.P.M.J., D.P.M.B. (Brunei), P.I.S., J.P. (Johor Bahru Timor).
- „ 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' HAJI SARDON BIN HAJI JUBIR, P.M.N. (Pontian Utara).
- „ the Minister of Agriculture and Co-operatives, ENCHE' MOHAMED KHIR BIN JOHARI (Kedah Tengah).
- „ the Minister of Labour and Social Welfare, ENCHE' BAHAMAN BIN SAMSUDIN (Kuala Pilah).
- „ the Minister of Health, ENCHE' ABDUL RAHMAN BIN HAJI TALIB (Kuantan).
- „ the Minister of Commerce and Industry, DR LIM SWEE AUN, J.P. (Larut Selatan).
- „ the Minister of Education, TUAN HAJI ABDUL HAMID KHAN BIN HAJI SAKHAWAT ALI KHAN, J.M.N., J.P. (Batang Padang).
- „ the Minister for Sarawak Affairs, DATO TEMENGGONG JUGAH ANAK BARIENG (Sarawak).
- „ the Assistant Minister of the Interior, ENCHE' CHEAH THEAM SWEE (Bukit Bintang).
- „ the Assistant Minister of Labour and Social Welfare, ENCHE' V. MANICKAVASAGAM, J.M.N., P.J.K. (Klang).
- „ the Assistant Minister of Commerce and Industry, TUAN HAJI ABDUL KHALID BIN AWANG OSMAN (Kota Star Utara).
- „ the Assistant Minister of Information and Broadcasting, DATU MOHAMED ISMAIL BIN MOHAMED YUSOF, P.D.K. (Jerai).
- „ the Assistant Minister of Rural Development (Sarawak), ENCHE' ABDUL-RAHMAN BIN YA'KUB (Sarawak).
- „ ENCHE' ABDUL AZIZ BIN ISHAK (Kuala Langat).

The Honourable ENCHE' ABDUL GHANI BIN ISHAK, A.M.N. (Melaka Utara).

- „ ENCHE' ABDUL RAUF BIN A. RAHMAN, K.M.N., P.J.K. (Krian Laut).
- „ ENCHE' ABDUL RAZAK BIN HAJI HUSSIN (Lipis).
- „ ENCHE' ABDUL SAMAD BIN OSMAN (Sungai Patani).
- „ TOH MUDA HAJI ABDULLAH BIN HAJI ABDUL RAOF (Kuala Kangsar).
- „ TUAN HAJI ABDULLAH BIN HAJI MOHD. SALLEH, A.M.N., P.I.S. (Segamat Utara).
- „ TUAN HAJI AHMAD BIN ABDULLAH (Kota Bharu Hilir).
- „ ENCHE' AHMAD BIN ARSHAD, A.M.N. (Muar Utara).
- „ ENCHE' AHMAD 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).
- „ CHE' AJIBAH BINTI ABOL (Sarawak).
- „ O. K. K. DATU ALIUDDIN BIN DATU HARUN, P.D.K. (Sabah).
- „ ENCHE' AWANG DAUD BIN MATUSIN (Sarawak).
- „ TUAN HAJI AZAHARI BIN HAJI IBRAHIM (Kubang Pasu Barat).
- „ ENCHE' AZIZ BIN ISHAK (Muar Dalam).
- „ DR BURHANUDDIN BIN MOHD. NOOR (Besut).
- „ ENCHE' JONATHAN BANGAU ANAK RENANG (Sarawak).
- „ PENGARAH BANYANG (Sarawak).
- „ ENCHE' CHAN CHONG WEN, A.M.N. (Kluang Selatan).
- „ ENCHE' CHAN SIANG SUN (Bentong).
- „ ENCHE' CHAN SWEE HO (Ulu Kinta).
- „ ENCHE' CHAN YOON ONN (Kampar).
- „ ENCHE' CHIN SEE YIN (Seremban Timor).
- „ ENCHE' V. DAVID (Bungsar).
- „ ENCHE' DAGOK ANAK RANDEN (Sarawak).
- „ ENCHE' EDWIN ANAK TANGKUN (Sarawak).
- „ DATIN FATIMAH BINTI HAJI HASHIM, P.M.N. (Jitra-Padang Terap).
- „ ENCHE' GANING BIN JANGKAT (Sabah).
- „ ENCHE' GEH CHONG KEAT, K.M.N. (Penang Utara).
- „ ENCHE' HAMZAH BIN ALANG, A.M.N. (Kapar).
- „ ENCHE' HANAFI BIN MOHD. YUNUS, A.M.N. (Kulim Utara).
- „ ENCHE' HARUN BIN ABDULLAH, A.M.N. (Baling).
- „ 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' STANLEY HO NGUN KHIU, A.D.K. (Sabah).
- „ ENCHE' HONG TECK GUAN (Sabah).
- „ ENCHE' HUSSEIN BIN To' MUDA HASSAN (Raub).
- „ ENCHE' HUSSEIN BIN MOHD. NOORDIN, A.M.N., P.J.K. (Parit).

The Honourable TUAN HAJI HUSSAIN RAHIMI BIN HAJI SAMAN (Kota'Bharu Hulu).

- „ ENCHE' IKHWAN ZAINI (Sarawak).
- „ ENCHE' IBRAHIM BIN ABDUL RAHMAN (Seberang Tengah).
- „ ENCHE' ISMAIL BIN IDRIS (Penang Selatan).
- „ ENCHE' ISMAIL BIN HAJI KASSIM (Kuala Trengganu Selatan).
- „ PENGHULU JINGGUT ANAK ATTAN (Sarawak).
- „ ENCHE' JHUMAH BIN SALIM (Sabah).
- „ ENCHE' KANG KOCK SENG (Batu Pahat).
- „ ENCHE' K. KARAM SINGH (Damansara).
- „ CHE' KHADIJAH BINTI MOHD. SIDEK (Dungun).
- „ ENCHE' KHONG KOK YAT (Batu Gajah).
- „ ENCHE' KADAM ANAK KIAI (Sarawak).
- „ ENCHE' EDMUND LANGGU ANAK SAGA (Sarawak).
- „ ENCHE' LEE SAN CHOON, K.M.N. (Kluang Utara).
- „ ENCHE' LEE SIOK YEW, A.M.N. (Sepang).
- „ ENCHE' AMADEUS MATHEW LEONG, A.D.K. (Sabah).
- „ ENCHE' CHARLES LINANG (Sarawak).
- „ ENCHE' LIM HUAN BOON (Singapore).
- „ ENCHE' LIU YOONG PENG (Rawang).
- „ ENCHE' PETER LO SU YIN (Sabah).
- „ O. K. K. HAJI MAHALI BIN O. K. K. MATJAKIR, A.D.K. (Sabah).
- „ ENCHE' MOHAMED BIN UJANG (Jelebu-Jempol).
- „ ENCHE' MOHAMED ABBAS BIN AHMAD (Hilir Perak).
- „ ENCHE' MOHD. ARIF SALLEH, A.D.K. (Sabah).
- „ ENCHE' MOHAMED ASRI BIN HAJI MUDA (Pasir Puteh).
- „ ENCHE' MOHD. DUN BIN BANIR, A.D.K. (Sabah).
- „ ENCHE' MOHAMED NOR BIN MOHD. DAHAN (Ulu Perak).
- „ DATO' MOHAMED HANIFAH BIN HAJI ABDUL GHANI, P.J.K. (Pasir Mas Hulu).
- „ ENCHE' MOHAMED YUSOF BIN MAHMUD, A.M.N. (Temerloh).
- „ TUAN HAJI MOKHTAR BIN HAJI ISMAIL (Perlis Selatan).
- „ TUAN HAJI MUHAMMAD SU'AUT BIN HAJI MUHD. TAHIR (Sarawak).
- „ NIK MAN BIN NIK MOHAMED (Pasir Mas Hilir).
- „ ENCHE' NG ANN TECK (Batu).
- „ ENCHE' OTHMAN BIN ABDULLAH, A.M.N. (Perlis Utara).
- „ ABANG OTHMAN BIN ABANG HAJI MOASILI (Sarawak).
- „ TUAN HAJI REDZA BIN HAJI MOHD. SAID, J.P. (Rembau-Tampin).
- „ ENCHE' SANDOM ANAK NYUAK (Sarawak).
- „ ENCHE' SEAH TENG NGIAB (Muar Pantai).
- „ ENCHE' D. R. SEENIVASAGAM (Ipoh).
- „ ENCHE' S. P. SEENIVASAGAM (Menglembu).
- „ ENCHE' SIM BOON LIANG (Sarawak).
- „ ENCHE' SNG CHIN JOO (Sarawak).
- „ ENCHE' SONG THIAN CHEOK (Sarawak).

The Honourable 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., J.P.
(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 TSAK YU (Sarawak).
- „ ENCHE' TAN TYE CHEK (Kulim-Bandar Bahru).
- „ TENGKU BESAR INDERA RAJA IBNI AL-MARHUM SULTAN IBRAHIM,
D.K., P.M.N. (Ulu Kelantan).
- „ DATO' TEOH CHZE CHONG, D.P.M.J., J.P. (Segamat Selatan).
- „ ENCHE' TOO JOON HING (Telok Anson).
- „ PENGHULU FRANCIS UMPAU ANAK EMPAM (Sarawak).
- „ ENCHE' V. VEERAPPEN (Seberang Selatan).
- „ WAN ABDUL RAHMAN BIN DATU TUANKU BUJANG (Sarawak).
- „ WAN MUSTAPHA BIN HAJI ALI (Kelantan Hilir).
- „ WAN SULAIMAN BIN WAN TAM, P.J.K. (Kota Star Selatan).
- „ ENCHE' YAHYA BIN HAJI AHMAD (Bagan Datoh).
- „ ENCHE' YEH PAO TZE (Sabah).
- „ ENCHE' YEOH TAT BENG (Bruas).
- „ ENCHE' STEPHEN YONG KUET TZE (Sarawak).
- „ 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 the Prime Minister, Minister of External Affairs and Minister of
Information and Broadcasting, Y.T.M. TUNKU ABDUL
RAHMAN PUTRA AL-HAJ, K.O.M. (Kuala Kedah).

- „ the Minister without Portfolio, DATO' ONG YOKE LIN, P.M.N.
(Ulu Selangor).
- „ ENCHE' ABDUL RAHIM ISHAK (Singapore).
- „ ENCHE' AHMAD BOESTAMAM (Setapak).
- „ ENCHE' CHIA THYE POH (Singapore).
- „ DATU GANIE GILONG, P.D.K., J.P. (Sabah).
- „ DR GOH KENG SWEE (Singapore).
- „ ENCHE' HO SEE BENG (Singapore).
- „ ENCHE' JEK YEUN THONG (Singapore).
- „ ENCHE' KOW KEE SENG (Singapore).
- „ ENCHE' LEE KUAN YEW (Singapore).
- „ ENCHE' LEE SECK FUN (Tanjong Malim).
- „ ENCHE' LING BENG SIEW (Sarawak).
- „ ENCHE' LIM JOO KONG, J.P. (Alor Star).

The Honourable ENCHE' LIM KEAN SIEW (Dato Kramat).

- „ ENCHE' LIM KIM SAN (Singapore).
- „ ENCHE' T. MAHIMA SINGH, J.P. (Port Dickson).
- „ ENCHE' MOHAMED DAHARI BIN HAJI MOHD. ALI (Kuala Selangor).
- „ ORANG TUA MOHAMED DARA BIN LANGPAD (Sabah).
- „ ENCHE' PETER J. MOJUNTIN, A.D.K. (Sabah).
- „ ENCHE' NGUI AH KUI, A.D.K. (Sabah).
- „ ENCHE' ONG PANG BOON (Singapore).
- „ TUAN HAJI OTHMAN BIN ABDULLAH (Tanah Merah).
- „ ENCHE' OTHMAN BIN WOK (Singapore).
- „ ENCHE' QUEK KAI DONG, J.P. (Seremban Barat).
- „ ENCHE' S. RAJARATNAM (Singapore).
- „ DATU DONALD ALOYSIUS STEPHENS, P.D.K. (Sabah).
- „ ENCHE' TAN KEE GAK (Bandar Melaka).
- „ DR TOH CHIN CHYE (Singapore).
- „ WAN YAHYA BIN HAJI WAN MOHAMED, K.M.N. (Kemaman).
- „ ENCHE' WEE TOON BOON (Singapore).
- „ ENCHE' YONG NYUK LIN (Singapore).

PRAYERS

(Mr Speaker *in the Chair*)

ORAL ANSWERS TO QUESTIONS

Royal Malaysian Navy Malayanisation of Posts

1. Enche' K. Karam Singh (Damansara) asks the Minister of Defence to state when will all the posts in the Royal Malaysian Navy be malayanised.

The Minister of Defence (Tun Haji Abdul Razak): Sir, it is the policy to Malayanise all posts in the Armed Forces as soon as possible, and the posts in the Royal Malaysian Navy will be Malayanised as soon as Malaysian officers have been trained to take their places.

Enche' K. Karam Singh: Sir, could we know, by specification of the period of time, when Malaysian officers will actually take over these posts of the expatriate officers?

Tun Haji Abdul Razak: Sir, we have a Malayanisation programme which is being reviewed every six months. As we train our officers and our Navy is being expanded, the programme has to be reviewed from time to time. But as I have said, I say it quite categorically

now that it is the policy to Malayanise as soon as possible.

Enche' K. Karam Singh: Sir, is the Defence Minister aware that some of our local lower officers of the Royal Malaysian Navy have got higher qualifications than some of the superior British officers?

Tun Haji Abdul Razak: No, Sir, I am not aware of that. However, in the case of the Navy, it is not only qualifications that count, but experience also is necessary.

Enche' K. Karam Singh: Is the Defence Minister aware that raw British recruits in our Royal Malaysian Navy are trained by our own people, our own officers, and immediately they get trained by our people, our trainers have to serve their own former pupils?

Tun Haji Abdul Razak: No, Sir, that is not true.

Enche' K. Karam Singh: Is the Defence Minister aware that these expatriate officers in the Royal Malaysian Navy have refused to give the proper respect to our superior local officers? When they see a local Naval superior officer coming, instead of keeping where they are, or walking on straight and saluting our officer, they just disappear into

some corner until our man has passed and then they proceed. Is the Minister aware that this sort of thing is happening in the Royal Navy?

Tun Haji Abdul Razak: Sir, I am not aware. I do not think it is true. All officers have been instructed that they must treat all of them on the same footing, and junior officers must give due respect to senior officers whatever their colour or skin.

Enche' K. Karam Singh: Sir, is the Defence Minister aware that all the channels of communication of our local officers in the Navy with the Ministry of Defence are controlled by these expatriate officers and our local officers have no chance of bringing any complaint against those officers to the notice of the Ministry of Defence?

Tun Haji Abdul Razak: Sir, that is not true. I do take the opportunity of meeting these officers myself from time to time, and they have every opportunity to bring matters to me.

Enche' K. Karam Singh: Is the Defence Minister aware that, in his occasional and rare meetings with local officers, if any local Malayan officer appears to bring any complaint to his notice, disciplinary action will be taken against our officers by these expatriate officers?

Tun Haji Abdul Razak: It is not true. We have senior Malayan officers also who do go round to look after the welfare of our officers.

Enche' K. Karam Singh: Sir, will the Defence Minister admit in this House that these expatriate officers have got his entire confidence so much so that we could almost say that the Minister is in the hands of these expatriate British officers?

Tun Haji Abdul Razak: Sir, we have confidence in all the officers serving in the Government. If any officer, whether seconded or not, does not carry out his duties well, then appropriate action will be taken against him.

Enche' K. Karam Singh: Mr Speaker, Sir, if I am not mistaken, some time ago I saw a picture in the newspapers of the Minister of Defence visiting a

warship and it showed him sitting in the middle of three British expatriate officers. How can he have any contact with our local people when he is surrounded by three expatriate officers? *(Pause)* Sir, is that question not going to be answered?

Mr Speaker: I won't allow that!

MALAYSIAN CHIEF OF THE ARMED FORCES

2. Enche' K. Karam Singh asks the Minister of Defence to state whether Sir Rodney Moore is retiring as Chief of the Armed Forces Staff, and if so, will the Minister state whether a Malaysian Officer will be appointed to succeed him.

Tun Haji Abdul Razak: Yes, Sir, a Malaysian officer is to succeed Sir Rodney Moore as Chief of the Armed Forces Staff when he relinquishes his appointment in early January 1964.

Enche' K. Karam Singh: Sir, could we know who the local succeeding officer will be?

Tun Haji Abdul Razak: The officer will be Major-General Tunku Osman who will then hold the rank of Lieutenant-General.

Enche' K. Karam Singh: Mr Speaker, Sir, I want the Minister of Defence to let this House know whether Tunku Osman will be the constitutional Chief, in the sense that he will be a figure-head leaving effective powers in the hands of the British officers, or will he be an effective Commander-in-Chief of the Malaysian Armed Forces?

Tun Haji Abdul Razak: Sir, this is a very mischievous question. When an officer is appointed to be the Chief of the Armed Forces Staff, he is the Chief of the Armed Forces with all the powers and responsibilities as such.

Enche' K. Karam Singh: Sir, it is not mischievous. I am fighting for the integrity of our Armed Forces.

Mr Speaker: It is not time for making a statement! What is your question?

Enche' K. Karam Singh: Sir, I have got to rebut the question of allegation of mischief. So, Mr Speaker, Sir, I

would want to know whether behind Tunku Osman there will be any British officers who will be more or less back-seat drivers and control Tunku Osman in his decisions and hinder him when he tries to pursue an independent force?

Tun Haji Abdul Razak: This, again, Sir, is a very mischievous question. We have no ground to question the competence or the ability of the officer. If the officer is to be appointed as the Chief of the Armed Forces he is obviously suitable for this high post. He will be assisted again by the local officer, Brigadier Abdul Hamid who will be Major-General then and who will be the Chief of General Staff; and I have absolute confidence in these officers that they will carry out their duties satisfactorily.

Enche' K. Karam Singh: Sir, I am not raising a question of confidence or no confidence in Tunku Osman. I am just asking the Government to clarify whether the enormous influence of expatriate senior officers in our Army will in any way hinder or obstruct, or be allowed to hinder or obstruct Tunku Osman in his work?

Tun Haji Abdul Razak: Sir, I am not prepared to answer that. There is no influence by expatriate officers in our Armed Forces.

Enche' K. Karam Singh: Mr Speaker, Sir, will Tunku Osman have absolute command over ammunition and bullets and stores of our Army? I ask this because, Mr Speaker, Sir, these are now almost absolutely controlled by the British officers.

Tun Haji Abdul Razak: Mr Speaker, Sir, Tunku Osman will have absolute powers as the Chief of Staff of the Armed Forces.

Wan Mustapha bin Haji Ali: Mr Speaker, Sir, since Tunku Osman is going to take the place of Sir Rodney Moore, may I know whether he is related to the Prime Minister? (*Laughter*).

MALAYAN RAILWAY CLASS XI QUARTERS IMPROVEMENT

3. Enche' V. David (Bungsar) asks the Minister of Transport why he has not

taken action to improve the Class XI quarters of the Malayan Railway in Bungsar Road and in Sentul, Kuala Lumpur.

The Minister of Transport (Dato' Haji Sardon bin Haji Jubir): Mr Speaker, Sir, during the past five years the Malayan Railway Administration has spent about \$3 million for improvements to all quarters throughout the country including 275 units of Class XI and about one hundred units both in Bungsar Road and in Sentul areas. All Class XI quarters in the Kuala Lumpur area have been supplied with electricity. In addition to these improvements the Railway Administration has spent about \$390,000 on the construction of seventy-three units of new Class XI quarters throughout the country, and these new quarters have been completed.

Enche' V. David: Mr Speaker, Sir, I am really shocked by the Minister's statement, because I see these Railway quarters daily in my life and nobody can tell me a lie as far as Railway quarters are concerned. It is absurd on the part of the Minister to say that \$3 million have been spent except that in the Class XI quarters, where there was no door at all at the back portion of the house, there is a door now. May I know whether the Ministry is intending to improve the quarters to a standard so that human beings can occupy in the modern times. As far as Class XI quarters are concerned, they are unfit for human accommodation because these quarters were built many, many years back during the days of the immigrant labour.

Dato' Haji Sardon: Sir, instead of asking questions, the Honourable Member is making a statement!

Enche' V. David: May I know whether the Government will be prepared to improve these quarters from their existing standards?

Dato' Haji Sardon: Sir, we are doing everything possible within the financial position and within the best we can do from the Railway Administration. As the Honourable Member for Bungsar should know, the Railway has now a deficit of \$4 million odd. In spite of

that, the Railway Administration is doing its best for its employees.

Enche' V. David: Sir, the Railway is losing because it is being mismanaged.

Mr Speaker: Order!

Enche' V. David: I have got a supplementary question, Sir. Is the Minister aware that the money allocated for the purpose of improving the quarters has been used by the General Manager for building new coaches?

Dato' Haji Sardon: I am not aware of that. There is a special provision voted for quarters and it cannot be used for any other purpose.

Enche' V. David: If I substantiate my allegation will the Minister look into the same?

Dato' Haji Sardon: That is another question, Sir.

Enche' V. David: Sir, I would like to have a categorical reply, instead of beating about the bush, to this question: is he prepared to raise the present standard of Class XI quarters to a reasonable standard where human beings can occupy?

Dato' Haji Sardon: Sir, the Railway Administration is doing its best. What else can I give other than that assurance?

Enche' K. Karam Singh: Sir, would the Minister ever imagine having to stay in such a house?

Dato' Haji Sardon: When camping, I stay in a camp which is in worse condition. If so, what? (*Laughter*).

Enche' V. David: Mr Speaker, Sir, when the Minister occupies such houses, it is for the purpose of getting the votes. (*Laughter*).

Mr Speaker: Order, order!

Enche' V. David: Sir, there has been a general discontentment as far as Class XI quarters are concerned. I would like to have a reply to this question: will he consider improving these quarters which are unfit for human accommodation? I would like to have a reply to this question, Sir.

Mr Speaker: Will you sit down?

Enche' V. David: Yes, Sir.

Mr Speaker: I think he has replied to that question.

FLOODING OF RAILWAY QUARTERS, BUNGSAR ROAD, KUALA LUMPUR

4. Enche' V. David asks the Minister of Transport whether he is aware of the flooding of the Railway quarters at Bungsar Road during heavy rain, and what action he has taken to remedy the situation.

Dato' Haji Sardon bin Haji Jubir: Mr Speaker, Sir, I am aware of the flooding of the Railway quarters at Bungsar Road during heavy rain, especially those quarters in Blocks S and T—and, in fact, two weeks ago I was there myself during a heavy rain. Major improvements have already been carried out to the drainage layout in this area and investigations are in hand to look into the question of further improvements to the drainage system. In the meanwhile, the Administration has taken action to construct dwarf walls of about two feet in height across the doors of those quarters badly affected by floods, so as to prevent the water from flowing into the quarters.

Enche' V. David: Can the Minister state to this House as to whether action has already been taken, or the Ministry is about to take action?

Dato' Haji Sardon: Action has been taken on improvements to the drainage and further action is being taken. Surely that language is so plain!

Enche' V. David: Mr Speaker, Sir, how long will it take to complete it, so that it will prevent floods? A few days ago due to rain there was heavy flooding in that area. May I know from the Minister how long will it take to prevent flooding in that area? Sir, I would like to have a straightforward reply.

Dato' Haji Sardon: My Honourable friend, I think, used to go about in Bungsar. It will take some time for the drainage engineers to plan out and to drain out that area, because it is a low lying area. I cannot give the Honourable Member an assurance on the timing, but give me time and I will communicate direct to him, when the scheme is completed.

Enche' V. David: At least, will the Minister be able to say approximately how long will it take?

Dato' Haji Sardon: I am only the Minister responsible for policy, I am not an engineer. But I am asking that time be given and I will communicate to him. What else can I do other than that?

Enche' V. David: Mr Speaker, Sir, this state of affairs has been continuing for many many years—and it is not just that the low-lying areas of Bungsar, especially the Railway quarters, have been flooded. I would like to know from the Minister when action was taken and how long will it take to complete. Can I have a reply to that?

Mr Speaker: He has already replied!

Enche' V. David: But there is no point in telling that action has been taken. I want to know how long will it take to complete. We have to answer the public and, at least, by the Minister's statement the public would know what action has been taken, Sir. May I know how long will it take—by next year or later?

Mr Speaker: Can you reply to that?

Dato' Haji Sardon: The Honourable Member was once upon a time an elected member of the Municipality of Kuala Lumpur. Drainage within the Municipality was the responsibility of both, I think, the Municipality and the Railway Administration, and it took so many years to decide who is to do the work, and ultimately we are taking the initiative now. The Honourable Member should be very grateful that what he could not do for four years, or three years—I do not know which—in the Municipality we are doing our best now.

Enche' V. David: He himself does not know his responsibilities. Railway drains are looked after by the Railway and not by the Municipality. The Minister is confused. However, I just want to know how long will it take to complete—a straightforward question, Sir. If he wants to drag in the Municipality, I can just make a statement here about the Municipality if he wants to know

something about the Municipality. But I want to prevent that and I want an answer as to how long will it take to take concrete action on this.

Dato' Haji Sardon: I have answered that question, Sir.

Enche' V. David: I take it that the Minister is unable to answer this question, Sir.

Enche' K. Karam Singh: It is really unfortunate for these poor workers that they stay in a low-lying area, and it is still more fortunate that the Minister stays on the top of a hill, so he does not know the sufferings caused by the flooding. I would want the Minister to treat this question very seriously and tell this House whether he is aware that this flooding causes great inconvenience to entire families in Bungsar; and if he is aware of this grave inconvenience, whether he will give a definite date by which he will have this problem solved.

Dato' Haji Sardon: I think that is not quite right. Some of the quarters are on the hills too, but it just happens that this part is the low side of the hill. But all the same, the Railway Administration has done its best to build two feet high dwarf walls around their doors through which water used to flood in. Now, I hope there will be no water coming into their houses. That is what we can do for the time being, Sir.

Enche' V. David: This week there was heavy flooding in Bungsar Road. It is not for me to tell—you can ask anybody who has been passing that way and he will be able to vouch for my statement here. So, the action taken by the Railways has not satisfied the demand to prevent floods in that area. So let me have a reply from the Minister that he will take a personal interest in the matter to re-investigate whether a solution could be found to prevent the flooding in that area.

Enche' K. Karam Singh: The Minister has said that he built a two-foot wall. But since now he knows that that has not solved the problem, will he take further action, perhaps to add height

to that wall, rather than being satisfied with the two-foot wall?

Dato' Haji Sardon: Whatever the height of the wall, I think those concerned have already measured what was the last height of the water in that part during floods. But you cannot expect me as Minister to measure and give you an opinion on technical matters—sorry!

Enche' V. David: The engineers are doing administrative job in the Railways, Sir, and the Minister can ask them to do it.

FEDERAL HIGHWAY, PANTAI—ACCIDENTS

5. Enche' V. David asks the Minister of Works, Posts and Telecommunications whether he is aware of the frequent accidents at the Federal Highway at Pantai; and if so, whether he could consider constructing a pedestrian crossing there, either a sub-way or an overhead bridge.

The Minister of Works, Posts and Telecommunications (Dato' V. T. Sambanthan): Mr Speaker, Sir, the Honourable Member has not stated which precise section of the road he is referring to. It is presumed that, when he refers to the Federal Highway at Pantai, he means the highway to the roundabout on the old Klang Road and Kampong Kerinchi. Accident statistics only record one accident in which a pedestrian has been involved throughout the entire length of this road, since it was opened about two years ago. Apart from the one previously mentioned, such accidents as have taken place have involved motor vehicles. As such, the construction of a pedestrian crossing, either over or under this highway, is unwarranted. I can assure the Honourable Member that a close watch will be kept on the incidence of accidents.

Enche' V. David: Am I to take that the Government always waits for a number of people to die before it takes action? Mr Speaker, Sir, on both sides of the road there are large numbers of squatter houses, and in these Malay kampongs a number of school-going children are living and they find it impossible to cross the road, because of

the high speed of traffic. I only ask the Minister to arrange for a crossing—whether it be zebra crossing, overhead bridge, or sub-way—to solve the problem. I am not demanding anything else. I have been staying in this place and I know the Minister would have seen the place himself and I only invite the attention of the Government to see that a solution is found to this problem to avoid further accidents.

Dato' V. T. Sambanthan: Mr Speaker, Sir, if the Honourable Member would refer to his question, he would find that he had asked me whether I was aware of the frequent accidents at the Federal Highway and consequently, as a result of these accidents, whether a sub-way or an overhead bridge would be constructed. I was replying to his question.

Enche' V. David: There is also a school, Sir, across the road and a large number of school children are crossing the road daily. I only invite the Minister to reconsider the suggestion of constructing either a zebra crossing, or any other crossing for that matter, to prevent children from becoming victims of accidents.

Dato' V. T. Sambanthan: If the Honourable Member wants me to consider this matter, of course, I can consider it.

Enche' K. Karam Singh: I think the Government is not taking its work seriously, Mr Speaker, Sir (*Laughter*).

Mr Speaker: What is your question?

Enche' K. Karam Singh: My question is this: in support of what my Honourable friend from Bungsar said that Government will only act after a few people have died, I am reminding the Minister that in Petaling Jaya a zebra crossing was just put up besides the Assunta Convent after a number of people had died. So will the Minister put up a zebra crossing, or some traffic lights, before a tragedy forces him to do it? Now, we are trying to do it before anything bad happens.

Dato' V. T. Sambanthan: I have already answered the question put by the Honourable Member for Bungsar and, I think, he is quite happy about what I answered (*Laughter*).

BILLS

THE TOWN, DISTRICT AND RURAL COUNCIL (APPOINTMENT) BILL

Withdrawal

The Assistant Minister of Interior (Enche' Cheah Theam Swee): Mr Speaker, Sir, I beg to move that the order in respect of the Town, District and Rural Council (Appointment) Bill be discharged and the Bill be withdrawn.

Mr Speaker: A note to that effect in the Votes and Proceedings will be made.

(Bill withdrawn by leave of the House)

THE INSURANCE (AMENDMENT) BILL

Second Reading

Mr Speaker: May I know who is going to move the second reading of the Insurance (Amendment) Bill?

Enche' Cheah Theam Swee: The Assistant Minister of Commerce and Industry, Sir.

Mr Speaker: It is on the Order Paper today.

Enche' Zulkiflee bin Muhammad: Mr Speaker, Sir, may I know what usually happens if there is nobody to move the Bill.

Mr Speaker: I will decide later on. *(Laughter)*.

The Assistant Minister of Commerce and Industry (Tuan Haji Abdul Khalid bin Awang Osman): Sir, I beg to move that a Bill entitled "an Act to amend the Insurance (Amendment) Act, 1963", be read a second time. I have nothing further to add to the Explanatory Statement as contained in the Bill. Sir, I beg to move.

Enche' Cheah Theam Swee: Sir, I beg to second the motion.

Enche' Tan Phock Kin (Tanjong): Mr Speaker, Sir, may I express my amazement at the brevity of the speech by the Honourable Assistant Minister concerned in moving this important Bill. This Bill in accordance with the Explanatory Statement points out that

the Insurance Bill is to be amended because of certain difficulties. Surely, I think, as a responsible Minister he should explain in detail what are those difficulties—and what are the reasons that motivated the Government to move an amendment to the Bill. Even before the Minister decides to move the Bill, there seems to be a great deal of hesitation as to who should move the Bill. It appears to me that there is something wrong in the machinery of the Government and that, perhaps, somebody must have forgotten to do his homework. *(Laughter)* This is an example, Sir, of the ineptitude, the incompetence, which we in the Opposition have been talking about for so long; and if an example is needed, here is one glaring one, and it is for the people of this country to judge how competent they are. It was only yesterday that the Honourable Minister of Finance stated in no uncertain terms the achievements of the Government. If this is an example of their performance, then I am afraid the electors who voted them in must have felt very sorry for having done so.

I now would like to seek a clarification from the Honourable Minister concerned with regard to this particular Bill. If he is in no position to explain, then the logical thing for any responsible Minister to do will be to seek your permission for a postponement of consideration of the Bill, so that he may have sufficient time to read up, so that he can have sufficient time to be briefed by the officers concerned, as to the technicality of the Bill and as to the necessity of the Bill. But for a Minister to act as he has acted today is, to say the least, most deplorable, and I would like to appeal to his good sense. If he does not know the Standing Orders, I shall help him because I noticed that before moving the Bill he was trying to look up at the Standing Orders to see in what manner he can get a postponement. I would suggest that before the Bill is resolved in Committee he can always move "that the Bill be read six months hence". That will give him sufficient time to acquaint himself with the provisions of the Bill. So, Sir, in the light of what very little has been

said on the Bill, I would like the Honourable Minister to inform this House as to the necessity of the Bill. It seems to me on reading the Explanatory Statement that the intention of the Bill is to assist certain foreign-owned banks with regard to execution of deeds. May I ask the Minister what is the necessity of according foreign banks this special convenience, because after all if it is impossible for foreign banks to guarantee on behalf of an insurance company, there are local banks capable of doing so. We were told that it is here difficult, because some foreign banks have their company seal in a foreign country but, may I remind the Minister that there are plenty of local banks with seals locally capable of doing the work. If foreign insurance companies are going to function in this country, I think it is about time that we teach them to patronise in local banks. I am sure it is not the intention of the Government to lay down a condition that foreign insurance companies should patronise only foreign banks and I see no reason why there should be provision in this Bill to assist in that purpose. I hope the Honourable Minister concerned can enlighten this House on this.

Enche' D. R. Seenivasagam (Ipoh): Mr Speaker, Sir, this is not the first time that this particular Honourable Assistant Minister has moved a Bill and, I am sure as now and as before, subsequently being unable to answer legitimate points asked for by the Opposition. This Bill is more or less a legal Bill dealing with legal matters, and it is significant thing that the Mover of the Bill did not give one single reason, except to say that it is in the Explanatory Statement. That is unfair to us on this side of the House, because I hope that it is the intention of the Government where possible to get unanimity in passing our laws which will affect a large number of people.

Now in a matter of this nature the Explanatory Statement itself says this, "(a) there is at present no law in Malaya governing deeds;" Is that a correct statement? As far as I am advised, there is a law governing deeds,

at least in the Settlements, or what were former Settlements, in which such law still applies. Will the Honourable Mover explain what is meant by "there is no law governing deeds"? What are deeds? Sections in the original Insurance Act are referred to in this Bill. We are not supposed to know, or even if we are supposed to know, I am sure many of us in this House have not read the original Act, and it is necessary that the Honourable Mover should explain what are the sections referred to, what were the provisions in the original law and how they are amended and what is the effect of those amendments. Then it speaks of difficulties in the previous law. What are the difficulties? Why cannot deeds be executed validly in this country? Can the Mover explain those facts? If he can then, perhaps, he can be supported. If he cannot, I suggest, as the Honourable Member for Tanjong has suggested, that we take steps to get this matter deferred.

Enche' Zulkiflee bin Muhammad (Bachok): Tuan Yang di-Pertua, saya tidak hendak berchakap panjang. Oleh kerana Menteri Yang Berhormat itu telah kechiwa memberikan Dewan ini keterangan² yang chukup bagi memulakan Dewan membahathkan Rang Undang² ini. Di-chadangkan bahawa Undang² ini di-bahathkan 6 bulan dari sekarang.

Dr Burhanuddin bin Mohd. Noor (Besut): Tuan Yang di-Pertua, saya sokong.

The Assistant Minister of the Interior (Enche' Cheah Theam Swee): Mr Speaker, Sir, I am sure the House would appreciate, and the Opposition too would appreciate, the bewilderment we are in at the moment. Perhaps you, Sir, would be good enough to consider suspending the meeting for ten or fifteen minutes. I would appeal to you, Mr Speaker, Sir. I think in fairness to the House, and in fairness to the Members who have asked questions which are of a technical nature, you would be good enough to allow the Honourable Assistant Minister to have some time to get the answers.

Mr Speaker: The difficulty is that there is now a motion before the House, moved by the Honourable Member for Bachok and which has already been seconded, that the Bill be postponed for six months. This is under Standing Order 53 (4)—to leave out the word “now” and to replace it with the words “on this day six months”. I have got to dispose of this motion first by the House.

Question put, and negatived.

Sitting suspended at 10.45 a.m.

Sitting resumed at 11.22 a.m.

(Mr Speaker in the Chair)

Mr Speaker: The debate on the second reading of the Bill before the House will resume.

The Minister of Finance (Enche' Tan Siew Sin): Mr Speaker, Sir, in the first place, I would like to apologise to the House for this mix-up which has occurred in the presentation and introduction of this particular Bill. I should add, if not in mitigation, at least in explanation, that the Order Paper, which was supplied to the Treasury on the previous evening, stated that the first item on the Order Paper today following Question Time would be the resumption of consideration of the Development Supplementary Estimates for 1963, which in turn will be followed by the Development Estimates for 1964. Unfortunately, as it has turned out, this was the wrong Order Paper, because it was never issued, and it was replaced by a subsequent Order Paper. In spite of all this, Sir, the practice is that the Treasury always has a Duty Officer on duty at the House at all times during a Budget Session. In this particular case, though we had a Duty Officer present, I do not know what happened to him, but he did nothing about summoning me to the House until after the Insurance (Amendment) Bill had actually come before it—this particular officer was rather inexperienced. Although all Duty Officers have been told what to do, apparently, the instructions have not been very fully understood. I, therefore, apologise to the House for the inconvenience caused as a result of this mix-up.

Mr Speaker, Sir, I believe a number of questions were raised by two Honourable Members on the implications of this Bill. I should add that the purpose of the amendment is to rectify a technical deficiency in the Insurance Act, 1963. It is of a mechanical nature only and does not in any way affect the principles of the original Act. The Insurance Act, 1963 requires a deposit of \$300,000, or a bank guarantee by way of a deed for a like amount as a condition precedent to the registration of an insurance company.

In a bank guarantee the bank contracts that in the event of certain happenings in connection with an insurance company it will deposit \$300,000 with the Accountant-General. Such a contract lacks consideration, since nothing valuable passes from the Accountant-General to the bank, and, consequently, is required by section 8 to be made in the form of a deed over the common seal of the bank.

When section 8 of the Act was drafted it was not appreciated by the authors of the Bill that there was no law in Malaya governing deeds, and because there is no law governing deeds, a deed executed in this country is not enforceable in this country, and deeds executed in other countries are only enforceable in those countries. Furthermore, it has been discovered that in at least one of these countries there is no law governing deeds, and enforcement in that country would therefore be impossible.

This Act amends section 8 of the Insurance Act, 1963 by providing that the bank guarantee shall be made by agreement, which shall be enforceable notwithstanding the lack of consideration. Such an agreement can then be executed locally by the manager of the bank concerned under power of attorney. It also makes provision for existing deeds to be enforceable in the States of Malaya.

Enche' K. Karam Singh: Mr Speaker, Sir, what we have witnessed in this House today is a very shameful spectacle. Far from being worthy as a leader in the Government as the Finance Minister is, he has reduced

himself to the lowest depth of cowardice by attacking an officer of his Ministry for his own neglect and failure to be present in this House. That officer, Mr Speaker, Sir, is not a member of this House, so he cannot defend himself. I think the Minister must withdraw those remarks, which cannot be answered by that officer, because it was not that officer who was absent but the Finance Minister. Perhaps, what happened today was that, after having told a lot of tall tales to this House about his achievements yesterday, he could not face this House today with a clear conscience, or by Providence he was struck ill, or kept away otherwise. So, Mr Speaker, Sir, nature has its way of revealing untruths. But it has never happened that a leader, a brave man, a courageous man, a man of truth, would expose an officer of his Ministry to the full glare of the thousands and thousands of eyes which will read the papers tomorrow of a castigation before the entire Malayan nation.

So, Mr Speaker, Sir, today is a day of shame in the annals of parliamentary democracy for this country. Had I done it—a Member of the Opposition—or had a backbencher done it, it may have been understandable. But for one of the three most important people in the Government to have done this—attack a defenceless civil servant—is, to say the least, something highly deplorable. And this, Mr Speaker, Sir, is a clear case, a clear example, a clear illustration of what the Government does. When the civil servants do something well, e.g. they write their speeches well, the Ministers take the whole glory of it. They bask in the glory; they take every ounce of credit of it. But when there is a mishap due to their own negligence, they find a scapegoat somewhere. Is this the way the Government is going to carry on? I think the Minister should rightly resign, now and here, to save this House.....

Mr Speaker: Order! order! I think you have taken too much time on that point. The Minister has already tendered his apology for it, and I think that is quite enough. Will you confine your observations to the second reading of this Bill before the House?

Enche' K. Karam Singh: Mr Speaker, Sir, what I am bringing into controversy is not about the Bill but the Minister of Finance, who has given us a very shameful spectacle in this House, and, as I have said, the right course for him to do would be to resign from his seat in this House, so that we can have better people, braver people, who will fully admit their faults. However, I think that is not one of the characteristics of this present Minister of Finance.

Enche' D. R. Seenivasagam: Mr Speaker, Sir, I spoke last time and only made some clarification. May I ask for your guidance, Sir, whether I am entitled to say a few words?

Mr Speaker: Well, I can treat that as an explanation; it is allowed under the Standing Orders.

Enche' D. R. Seenivasagam: Mr Speaker, Sir, I only want to say that when I asked for explanation, I asked for it genuinely, because I believe that we should have some explanation before we are asked to consider this Bill. I did not at any time intend to pass any censure on the Minister of Finance, because he was not here; neither did I intend by any means to ridicule the Member who moved this motion. The Minister has now told us the circumstances under which he was absent, and as far as I am concerned, I am satisfied with what the Minister has said.

Enche' Stephen Yong Kuet Tze (Serawak): Mr Speaker, Sir, I think in Sarawak and Sabah only those insurance companies insuring third party risks in respect of motor vehicles, are required to appoint a person or place for the purpose of accepting the process of service but not the other types of insurance such as marine insurance. So, the insurance of the latter kind if to be bought in the territories of Sabah and Sarawak must be done through brokers but the insurance company would be able, when people wish to claim on the insurance, say that the place where the contract is made is not in that territory. As a result of this, the insured will have, when making a claim, to sue the insurance company not in his territory

but in the territory where the company's head office is, which may be outside the states of Sabah or Sarawak. Therefore, I feel that it will cause great hardships in cases of this sort. So, it is essential to my mind that the Insurance Act of 1963 should be made a law of general application so that hardships that I have mentioned may not occur and the flaw remedied.

Wan Mustapha bin Haji Ali (Kelantan Hilir): Mr Speaker, Sir, section 8 of the Insurance Act, 1963, required formerly an insurance company to place a deposit of \$300,000. The purpose of that deposit was to safeguard the insured against insurance companies which are not genuine. Formerly a deed was required and, in fact, Clause 2 of this Bill says, ".....which provides that a deed whereby a bank covenants to deposit a sum of money.....". In other words, a "deed" carries more weight and it is more binding. Again, the wording "bank covenants" is very strong legal phrasing—if an insurance company fails, then the bank has got to remedy it. Now, we are altering that by passing a Bill where only an agreement would be sufficient. Further, Clause 2 (1) (a) says:

"(a) by substituting in sub-section (1) for the words 'delivers to the Accountant-General a deed' the words 'makes with the Accountant-General an agreement'—in other words an agreement to replace the deed which was formerly required—and by adding immediately after the words 'so covenanted for' the words 'and the sum so covenanted for shall be recoverable notwithstanding that no consideration is furnished on the agreement'";...

I am a bit worried because of the fact that it is clearly stated here that no consideration will be given. I think it is the fundamental law of contract that any contract is only enforceable when there is consideration—it does not matter whether it is \$1,000 or \$1. Will it not be a safeguard if some sort of consideration is given, even one dollar, for the bank to make an agreement with the Accountant-General? By not having this consideration, there might be complications later on. The bank might try to evade its contract by going to the Court and saying, "There is no consideration at all in this contract with the Federation Government". The

result will be that the bank will not pay and the insured will suffer. It is in the Explanatory Statement:

"A difficulty has been encountered with regard to the execution of deeds, by reason that—

- (a) there is at present no law in Malaya governing deeds;"—that is granted—
- (b) 'a bank incorporated outside Malaya',—in other words one of the reasons why this Bill is put before the House is because of the difficulties encountered—usually has its common seal at its head office in a country outside Malaya, and consequently a deed to be executed by the bank must be executed outside Malaya;...."

This is a good reason, where the Government can persuade the bank to have those companies, those banks, which are incorporated outside Malaya to incorporate here, or at least ask them, to have their common seal in Malaya. If the reason given is that because the common seal is not in Malaya, it cannot be executed in Malaya, why not have it executed here?—they can send their common seal by air, probably. Then you have, ".....such deed is enforceable only in that country;"—I am doubtful about this: even though if it is executed outside Malaya, nevertheless, if it is properly done, I think it can be enforced here. Then, I come to (c) which reads:

"(c) some countries (outside Malaya) in which deeds are executed, do not have any law governing deeds, and there is no way in which deeds executed in those countries can be made enforceable."

In other words, I am just wondering, if there was no law in those countries as regards the execution of the deeds, how was it executed outside Malaya? In those countries, if there is no law regarding the execution of the deeds, then why in the first instance were they executed in those countries? If the Minister can give an assurance that these deeds can nevertheless be enforced, then I think we will, on this side of the House, not oppose the Bill.

Mr Speaker: (To *Enche' Tan Siew Sin*): Do you want to say anything?

Enche' Tan Siew Sin: No.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

Clauses 1 and 2—

Enche' Tan Siew Sin: Mr Chairman, Sir, one Honourable Member expressed some concern about the procedure, which has been chosen to get round this difficulty. He as a lawyer will appreciate that because of this legal difficulty, we have had to think of this way of getting round it. The Honourable Member will appreciate that in the circumstances of the cases with which we are likely to deal, it is not the habit to give consideration for a deed, and hence we have chosen this way of getting round the difficulty. It is, of course, always open to an insurance company, which does not like to comply with this procedure, to pay the \$300,000 deposit to the Accountant-General, and I have no doubt that the Accountant-General will be only too pleased to receive that money.

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

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

THE TARIFF ADVISORY BOARD (AMENDMENT) BILL

Second Reading

Enche' Tan Siew Sin: Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to amend the Tariff Advisory Board Act, 1963" be read a second time.

Honourable Members will recall that when introducing the Tariff Advisory Board Act, 1963, I pointed out that under Clause 7 of the Act, the Board is required to carry out a review of the revenue duties in force in Malaysia before the end of 1968, with a view to harmonising the duties in force by the end of that year. This provision was originally inserted because paragraph 4 (2) of Annex J to the Malaysia Agreement states explicitly that "revenue duties in force in Singapore on 1st July, 1963, and the corresponding duties in force in the Federation of

Malaya shall be harmonised as soon as practicable". The Singapore Government has, however, pointed out that in so far as the Board itself is concerned, the provisions of paragraph 4 (4) which provide, among other things, that "before 31st December, 1968, the Tariff Advisory Board shall review the revenue duties in force at that time in Singapore and in the remainder of Malaysia and shall make recommendations regarding the amendment of such duties or the imposition of additional duties", are more relevant.

The Central Government has accepted this interpretation which, in fact, would not derogate from its powers at all as the Tariff Advisory Board is purely advisory, as its name implies, and its findings are not binding on the Central Government in any case. Clause 2 of the Bill which seeks to amend section 7 of the Tariff Advisory Board Act, 1963, carries this agreement into effect. The reason why the original provision was inserted was because the Central Government felt that it would be desirable to know the views of the Board before making its decisions even on matters which were entirely its responsibility. The effect of substituting the proposed amendment for the original provision would be that the Central Government can now act on its own without consultation with the Board in accordance with paragraph 4 (2) of Annex J to the Malaysia Agreement.

Sir, I beg to move.

Dato' Haji Sardon bin Haji Jubir: 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 TREASURY BILLS (EXTENSION) BILL

Second Reading

Enche' Tan Siew Sin: Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to extend the operation of the Treasury Bills (Local) Ordinance, 1946, to all parts of Malaysia and to amend that Ordinance" be read a second time.

Treasury Bills are at present issued under the provisions of the Treasury Bills (Local) Ordinance, 1946. This Ordinance which originally fixed the authorised ceiling of Treasury Bills issued and outstanding at any one time at \$20 million also has provision for such a ceiling to be raised by the authority of a Resolution of a Legislative Council. At present, the maximum amount permitted to be issued and outstanding is not to exceed \$150 million.

With the establishment of Malaysia, it is considered necessary to extend the scope of the Ordinance to the States of Singapore, Sarawak and Sabah. This is provided for by Clause 2 of the Bill now being considered by this House.

With the inclusion of the new States and the need to raise an increased volume of funds by the sale of Treasury Bills, it is considered that the maximum limit under Section 2 (1) of the Ordinance should be raised to \$300 million. This is provided for under Clause 3 of the Bill. This amendment will also help to promote the establishment of a domestic market as an adequate supply of Treasury Bills is a prerequisite for the development of a short term money market.

Provision is also made in Clause 4 of the Bill to transfer the responsibility for the issue and management of Treasury Bills from the Accountant-General to Bank Negara, Malaysia. As it is, Bank Negara has been fairly successful in fostering some interest in the market in Treasury Bills and has also provided limited rediscounting facilities. With the transfer, the Bank will be placed in a much better position to assess the likely demands upon its rediscounting facilities and this, in turn, will enable it to give a more positive encouragement for the holding

of Treasury Bills by banks and other financial institutions. In future, the principal holders of Treasury Bills are likely to be commercial banks and discount houses. In view of the fact that Bank Negara has close relationships with such financial institutions and further, as the Bank has its offices not only in Kuala Lumpur, but also in Penang and Singapore and intends to establish branches in the Borneo States, it is considered appropriate that it should become responsible for the issue of Malaysian Government Treasury Bills. The terms of each loan issue, however, will be determined by the Minister of Finance and this is provided for under this clause.

Sir, I beg to move.

Dato' Haji Sardon bin Haji Jubir:

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 5 inclusive ordered to stand part of the Bill.

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

THE ROAD TRAFFIC (AMENDMENT) BILL

Second Reading

Dato' Haji Sardon bin Haji Jubir: Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to amend the Road Traffic Ordinance, 1958, and to make further provision with respect to that Ordinance" be read a second time.

It has been experienced from time to time that defects have come to light in the provisions of the Road Traffic Ordinance, 1958; but these defects being inconsequential in nature have not justified the preparation of a Bill unless their number is sufficiently large. Their accumulation since the coming into force of that Ordinance has now made it desirable for necessary remedial steps to be taken.

At present a person disqualified from driving or obtaining a licence cannot, during the period that he is disqualified, apply for that disqualification to be removed. Where a person's livelihood may depend on driving, the difficulty presented by disqualification is a real one and can have adverse effects on members of the family of such person. In deserving cases, disqualification should be removed and the offender be permitted to drive again. To enable him to apply for removal of disqualification a provision is therefore made in Clause 2.

Clauses 3 and 4 deal with offences of causing death by reckless or dangerous driving and the reckless or dangerous driving itself. The law in the Federation dealing with death as a result of the driving of motor vehicles (section 304A of the Penal Code) is based on a decision of the Federated Malay States Court of Appeal in *Cheow Keok v. P. P.* ((1940) M. L. J. 103). That decision is more than twenty years old but has been dissented from by the full Court of Appeal, Singapore, in the case of *Woo Sing and Sim Ah Kow v. Regina* ((1954) M. L. J. 200) and criticised by an appellate judge at Kuala Lumpur in the case of *Anthonyssame v. P. P.* ((1956) M. L. J. 247) in that it likened the offence created by section 304A of the Penal Code to the offence of manslaughter by negligence in England, and therefore required a very high degree of wicked or criminal negligence to sustain a conviction. That case was decided when the F.M.S. Road Traffic Enactment, 1937 (No. 17 of 1937) which was essentially a reproduction of the English Road Traffic Act, 1930, was in force.

In England, a new section added to the Act of 1930 by an amending Act in 1956, dealing with death caused by reckless and dangerous driving. It is considered that the law of the Federation should be amended to deal with such offences, particularly in view of the increasingly large number of vehicles on the road today and the number of deaths resulting from road accidents in the Federation.

The conviction of any person for an offence under section 35 of the Road

Traffic Ordinance, 1958, shall not, in the event of a death subsequently occurring as a result of the commission of the said offence, be a bar to a subsequent conviction for the offence under the new provision.

At present a notice of intended prosecution against offences under Road Traffic Ordinance, 1958, is in writing and issued to either the driver of the vehicle by whom the offence is committed or to the registered owner of such vehicle. In many cases, the police have been put to great difficulties by the need to ascertain the names and addresses of drivers or registered owners; and the requirement that notices must be served within fourteen days of the commission of the offence has sometimes resulted in prosecution having to be dropped where such notice could not be served in time. A notice of intended prosecution has for its purpose nothing more than the need to inform an offender while the facts are still fresh in his mind of the steps that may be taken against him by the police. It is thought that this could be as well achieved if the notice is given verbally at the time of the accident. This mode provided in Clause 5 is an alternative to the mode now provided for.

Clause 6 provides for the limitation of the hours of duty of drivers of goods vehicles and to prescribe the conditions of service of such drivers. This provision is to prevent employers from forcing their drivers to drive for long hours without a rest which practice constitutes a menace to all road users. In doing this, we are following the practice in Great Britain where restriction of the hours of work of goods vehicle drivers has been in force for some time under their Road Traffic Act, 1960 and has been found to be of great benefit, particularly to the drivers themselves.

Clause 14 provides for the control of the conduct of drivers of goods vehicles whilst they are on the roads. This control is similar to the existing control of drivers and conductors of public service vehicles, that is, drivers of taxis and buses. The control of the conduct of drivers of goods vehicles is essential in view of the prevalence of offences usually committed by drivers of goods

vehicles. The big increase in the number of goods vehicles on the road from 24,555 in December, 1958 to 35,268 by 31st October, 1963 has made the need for the control of these drivers even more urgent. Only drivers of goods vehicles whose maximum permissible laden weight exceeds 40 cwt will come under the new provisions, that is, drivers of small goods vehicles and vans will be exempted. Before the vocational drivers' licences are issued, the drivers will be required to pass a test on speed limit regulations, maximum permissible laden weights, etc.

At present doubts exist as to the applicability of the existing section 62 of the Road Traffic Ordinance, 1958, relating to the installation of parking meters and levying of charges for use of parking places provided by an Appropriate Authority. It is, therefore, desirable that that section be amended as in clause 8 in order to clarify and remove once for all these doubts.

Opportunity has also been taken to re-define Appropriate Authority so as to give that expression its up-to-date meaning as laid down in Clause 7.

In view of the parking problems in the Federal Capital it is considered appropriate and desirable that the Government should reserve to accredited Diplomatic Missions whose countries have accorded to Malaysian Missions abroad reciprocal treatment, parking places for the vehicles of members of the Missions and this is provided for in Clause 8.

Experience has shown that the existing procedure for dealing with applications for commercial as well as public service vehicle licences by one Central and ten Regional Licensing Boards is cumbersome. Experience has also shown that there had been inconsistencies in the decisions of the various Regional Licensing Boards in respect of applications for commercial vehicle licences despite the directives issued by the Minister under section 107 (3) of the Road Traffic Ordinance, 1958. This has caused some embarrassment to the Road Transport Department. When applications are dealt with by one Licensing Board, there will be

uniformity of decisions. In order to simplify and improve the existing cumbersome procedure, it is desirable to have one single Licensing Board to deal with all applications in place of the existing ten Regional Licensing Boards and the Central Licensing Board. Rules will be made under section 135 of the Road Traffic Ordinance, 1958 to provide among other things the following:

- (a) Procedure to be followed by the Licensing Board in respect of applications and appeals.
- (b) A Chairman and two members will form a quorum.
- (c) Meeting of the Licensing Board may be held at various centres for the convenience of those who are required to appear before the Board, which is not the case now. In the case of the Central Licensing Board, all those who are required to appear before the Board—everybody from all over the Federation—will have to come up to Headquarters at Kuala Lumpur.

Appeals against the decision of the Board still will have to be addressed to the Minister. Clauses 11 to 13, therefore provide for the establishment of a single Road Transport Licensing Board and also the provision for appeal to the Minister.

It is found at present that the Police in carrying out investigation of traffic offences especially of accidents has been hampered due to lack of powers under the Road Traffic Ordinance, 1958. As a remedy to facilitate the police investigation such powers are now provided in clause 16.

The erection of large advertisement boards or other structure near highways has now become usual and requires regulation. The main danger constituted by such advertisement or structure is the distraction it affords to drivers. In relation to the keeping of roads in good conditions, control over the activities of owners of land on either side of the road is necessary; such activities as are likely to damage roads relate to the building of drains which run towards the roads which may result in flooding. Provisions for these

remedies are made in Clauses 9, 10 and 15.

Opportunity has also been taken to repeal certain provisions consequential upon amendments and to correct minor errors and this is provided in the First Schedule of the Bill.

I believe that the existing defects in the provisions of the Road Traffic Ordinance, 1958, will be remedied by the provisions made in this Bill.

Sir, I beg to move.

The Minister of Agriculture and Co-operatives (Enche' Mohamed Khir Johari): Sir, I beg to second the motion.

(Mr (Deputy) Speaker *in the Chair*)

Enche' Tajudin bin Ali (Larut Utara): Tuan Yang di-Pertua, saya bangun menyokong Rang Undang² yang telah di-kemukakan oleh Yang Berhormat Menteri Kenderaan. Sa-belum saya berbuat demikian, mengikut Standing Order 35 cheraian (7), saya hendak menyatakan saya ada-lah sa-orang Managing Director Bas, tetapi perkara yang akan saya chakapkan ini tidak-lah ada apa² perkara yang directly kapada saya sendiri, bahkan tegoran saya ini faedah-nya kapada negara kita 'am-nya.

Tuan Yang di-Pertua, saya hendak berchakap berkenaan dengan Fasal² 11, 12, 13 dan 14 pada muka 7 dalam Rang Undang² ini. Tuan Yang di-Pertua, dalam Dewan yang lama saya telah menyatakan berkenaan dengan penubuhan Lembaga Pelesen ia-itu Lembaga Pelesen Tempatan dan Lembaga Pelesen Pusat. Saya berpendapat, Tuan Yang di-Pertua, lembaga² ini telah pun di-tubuhkan mengikut dengan Kertas Puteh No. 17 (1955) di-mana telah di-nyatakan Kerajaan tidak puas hati di-atas kalangan orang² Melayu mengambil bahagian yang chergas dalam lapangan kenderaan. Oleh sebab itu-lah saya berpendapat, Tuan Yang di-Pertua, kedua² lembaga ini di-tubuhkan. Tetapi sa-belum lembaga² ini telah di-tubuhkan, dalam Dewan yang lama dahulu, saya telah menyatakan susunan² yang tidak berapa baik tidak begitu lichin kerana tujuannya satu, ia-itu hendak memberi peluang kapada orang Melayu mengambil bahagian yang chergas dalam hal ehwal

kenderaan. Jadi lain yang sakit lain yang di-ubat, Tuan Yang di-Pertua. Kerana sa-lepas sahaja di-tubuhkan lembaga² ini kita dapati permintaan atau permohonan daripada orang Melayu telah pun di-lawan atau pun di-chelen (challenge) oleh orang² yang lain ia-itu daripada pihak keretapi dan daripada bangsa asing yang memakai loyar² dan pakar². Jadi peluang orang Melayu hendak mengambil bahagian sangat-lah tipis, kerana, Tuan Yang di-Pertua, perchaya dengan saya orang Melayu tidak berduit. Jadi sa-bagaimana saya katakan tadi, lain yang sakit lain yang di-ubat.

Saya rasa lebih baik, Tuan Yang di-Pertua, Kerajaan mengadakan satu Lembaga seperti Lembaga Biasiswa. Ia-itu satu lembaga untuk orang Melayu sahaja. Saya nampak ini bukan-lah menyentuh hal-ehwal atau pun perniagaan bangsa asing, kerana Kerajaan chuma memberi peluang kapada orang Melayu menjalankan perniagaan kenderaan itu di-jalan baharu sahaja mengikut laporan Kertas Puteh No. 17 (1955). Jadi itu-lah pandangan saya ia-itu elok-lah Yang Berhormat Menteri Kenderaan mengambil perhatian, ia-itu tidak usah di-adakan Lembaga Pelesen Pusat, kerana tiap² satu permintaan orang Melayu itu di-chelen dengan hebat-nya daripada sa-genap ahli perniagaan, sa-bagaimana yang saya nyatakan terlebih dahulu tadi.

Tuan Yang di-Pertua, saya suka hendak menyatakan di-sini dahulu-nya ada 10 Lembaga Pelesen Tempatan dan satu Lembaga Pelesen Pusat. Sunggoh pun ada banyak Lembaga² Pelesen ini saya dapati, Tuan Yang di-Pertua, beribu² permintaan² maseh belum di-pereksa atau pun di-dengar oleh Lembaga² ini. Oleh sebab itu dengan adanya satu Lembaga Pelesen Pusat yang dahulu-nya mentadbirkan hal-ehwal pusat dan Commissioner of Road Transport yang bukan sahaja melihat atau menyelenggarakan hal-ehwal Lembaga ini sahaja bahkan seribu satu macham kerja² lain yang di-buat-nya. Saya berpendapat sunggoh pun ada-nya Undang² ini pekerjaan itu tidak akan boleh berjalan dengan baik dan teratur. Ma'alom-lah, Tuan Yang di-Pertua, 10 tempat kosong, 10 orang yang

memikul beban itu pun tidak boleh jalan dengan terator apa-tah lagi apabila beban yang berat itu di-tanggong oleh sa-orang sahaja.

Tuan Yang di-Pertua tentu bertanya barangkali katakan-lah, kalau susah jumpa Menteri, kita tahu-lah Menteri kita ini orang-nya baik tetapi sa-kali dia jeling orang dah lari apa-tah lagi kalau di-sergah apa akan jadi. Ini-lah patut kita fikirkan lebeh² lagi saya nampak mengikut Rang Undang² ini, orang yang tidak puas hati akan menghantar bantahan kepada Yang Berhormat Menteri Pengangkutan. Tuan Yang di-Pertua tentu-lah bersetuju dengan saya bahawa jawatan Menteri ini jawatan politik. Orang² daripada pehak Perikatan apa² keputusan yang di-beri oleh Menteri itu tentu-lah akan berpuas hati tetapi saya perchaya tidak sa-orang pun daripada pehak² Pembangkang akan puas hati. Kalau dia dapat dia akan puas hati, kalau tidak dapat dia mesti berkata bahawa Menteri ini mempengaruhi atau menyebelahi orang² Perikatan. Oleh sebab itu-lah di-atas hal ini saya rasa molekul-lah sangat Menteri kita memerhatikan hal ini supaya perkara desas desus itu tidak akan timbul. Tuan Yang di-Pertua, saya dapati Menteri kita ini selalu sahaja hendak buat kerja laju tetapi kalau sudah laju hendak balek da-belakang saperti hendak adakan Lembaga Pelesen dan apa kerja yang di-kerjakan oleh beliau itu sendiri.

Satu perkara lagi berkenaan dengan Lembaga Pelesen Pusat ini, Tuan Yang di-Pertua, dahulu-nya saya rasa ada 5 orang, sekarang sudah bertambah 8 orang. Saya hendak tengok mereka ini mentadbirkan pekerjaan di-seluruh Persekutuan Tanah Melayu ini. Sa-orang dua daripada Ahli² Lembaga ini saya kenal sangat kerja mereka itu sangat banyak. Jadi saya dapati, Tuan Yang di-Pertua, saya rasa susah-lah bagi mereka itu mentadbirkan perkara ini sunggoh pun ada Yang Berhormat Menteri tadi menyatakan mereka akan pergi ka-negeri² kalau sempat. Jadi oleh sebab kerja macham itu terlampau banyak, saya ragu²-lah menyatakan yang mereka itu tidak akan boleh menjalankan pekerjaan mereka dengan sa-penoh²-nya atau memberi puas hati

kapada kehendak ra'ayat sekalian memandangkan permohonan² yang berlonggok² dan bertimbun² dalam pejabat itu.

Tuan Yang di-Pertua, berkenaan dengan Fasal 14 ini saya sangat² susah hati memikirkan perkara ini. Mengikut Road Traffic Ordinance muka 75; saya minta izin Tuan Yang di-Pertua, membachakan-nya:

"95 (1) For the purposes of this Part of this Ordinance and any rules made thereunder public service vehicles shall be divided into the following classes—

- (a) School buses;
- (b) stage buses;
- (c) charter buses;
- (d) excursion buses;
- (e) express buses;
- (f) taxi cabs;
- (g) hire cars."

Jadi saya dapati di-sini, Tuan Yang di-Pertua, Menteri Yang Berhormat ini hendak champor adokkan orang² yang membawa taxi dan bus dengan orang² yang membawa lori. Perkara ini ada dua kumpulan-nya, Tuan Yang di-Pertua, ia-itu membawa orang ramai dan keselamatan orang ramai. Satu lagi membawa kayu dan ada-kah orang itu hendak di-jadikan kayu dan kayu itu hendak di-jadikan orang. Jadi Undang² ini, satu hendak jadikan kayu dan satu lagi hendak jadikan orang di-champor adokkan. Saya rasa ini tidak baik dan ada banyak bunyi desas desus di-atas perkara ini kerana tidak puas hati mereka itu. Ta' tahu-lah Menteri Yang Berhormat suka jadikan orang kayu, itu saya minta-lah Menteri itu menjawab-nya kemudian.

Tuan Yang di-Pertua, Yang Berhormat Menteri tadi telah menyatakan untuk menjaga keselamatan orang ramai kerana telah banyak lori menyebabkan kemalangan. Saya di-sini hendak bertanya kepada Yang Berhormat Menteri, berapa-kah kemalangan² telah terjadi kerana kechuaian daripada driver² lori. Saya rasa kalau Tuan Yang di-Pertua perhatikan dengan teliti-nya tentu dapati kemalangan lebeh banyak datang-nya kerana kesilapan orang ramai tidak faham berjalan di-merata² jalan raya. Kadang² dia berjalan ka-sebelah kiri dan ka-sebelah kanan

maka dengan sebab itu orang awam jua menyebabkan kemalangan² di-jalan² raya. Jangan-lah di-buboh kesalahan itu sa-penoh²-nya kapada lori, bus atau pun taxi.

Jadi sekarang, Tuan Yang di-Pertua, saperti mana yang di-katakan oleh Yang Berhormat Menteri Pengangkutan tadi, ikhtiar bagi mengurangkan kemalangan² jalan raya itu, driver² lori mesti-lah memakai badge, badge ini saya sendiri ada di-sini. Saya boleh kemukakan badge itu di-sini. Kalau kita pakai gantungan di-dada kita, nampak pada orang ramai sangat-lah tidak baik sekali, dan saya dapati tidak ada apa guna-nya, kerana tiap² lori itu ada mempunyai nombor-nya masing², dan kalau di-dapati salah driver lori itu ambil nombor lori itu dan saman dia. Apa guna-nya di-adakan licence saperti ini, saya fikir tidak ada satu guna pun, dan untuk mendapatkan licence ini, dia kena pereksa doctor dan kena bayar \$5. Kebanyakan orang² itu tidak erti dan terpaksa berjumpa dengan petition writer, dia kena bayar \$1 dan Kerajaan pula berkehendakkan \$16 di-atas licence itu sahaja. Dan ini apa ada faedah-nya? Barangkali Yang Berhormat Menteri Pengangkutan akan berkata untuk pengenalan, tiap² sa-orang driver itu akan dapat di-kenal, dia ada kad pengenalan, kemudian dia ada heavy licence lagi, dan ada pula vocational licence. Jadi, poket driver itu penoh dengan licence. Yang sa-benar-nya, saya fikir driving licence ini memadai-lah, Tuan Yang di-Pertua, dan kalau sa-kira-nya driver itu lari terlampau laju dan membuat salah, pehak yang berkenaan akan menchatet nama² mereka itu supaya driver itu tidak boleh memandu lori-nya lagi. Di-sini saya suka mengambil peluang bertanya kapada Menteri yang berkenaan, berapa licence² lori di-negeri Perak yang sampai hari ini telah ditarek, atau pun di-chatetkan. kerana kesalahan memandu lori² mereka itu dengan laju-nya. Saya fikir dalam satu bulan, barangkali satu pun tidak ada, kerana lori² ini ada-lah di-punya² oleh company yang besar. Jadi, Tuan Yang di-Pertua, kita tahu kalau company itu ada mempunyai duit banyak, tentu pengaruh-nya besar dan jarang² benar, kalau dia buat salah kechil umpama-nya,

di-pejamkan mata oleh pehak yang berkenaan, dengan yang demikian jarang benar lori, atau pemandu itu di-saman. Saya beri satu chontoh, mithal-nya Lorry Company Man Chong yang berjalan dari Perak sampai ka-Singapura, boleh di-tanya company itu, ini mithalan, ada-kah driver² lori itu di-da'awa di-dalam Mahkamah dalam tempoh satu bulan. Saya boleh menyatakan di-sini dalam masa satu bulan yang lepas tentu tidak ada, yang kena da'awa ia-lah orang² taxi, orang² yang miskin. Orang² yang sa-macham ini selalu kena. Jadi, berbalek sa-mula pada perchakapan saya, Tuan Yang di-Pertua, kalau-lah perkara ini di-luluskan, maka tidak lain dan tidak bukan, poket lori driver itu akan penoh dengan licence sahaja, licence yang ta' berguna, bahkan satu licence, saya fikir, sudah memadai, sudah meliputi semua-nya. Macham saya, licence saya sangat besar sa-hingga saya boleh membawa kereta kebal yang boleh melawan Sukarno (*Ketawa*). Bila² masa pun.

Saya takut, Tuan Yang di-Pertua, kalau kita keluarkan licence terlampau banyak, badge ini akan ta' ada guna-nya, barangkali besok pemandu² scooter dan penonggang² bicycle yang menggunakan jalan² raya akan di-kenakan pakai badge ini, kena bayar duit doctor, kena bayar duit licence yang saya fikir tidak memberi menasabah langsung, kapada sa-siapa juga pun. Kerajaan ta' akan berkehendakkan duit² yang sa-macham ini, kerana dia ada banyak hasil lain. Saya rasa tujuan-nya yang utama ia-lah hendak mengawal kemalangan di-jalan² raya sahaja, dan berkenaan dengan hendak mengambil sa-mula licence-nya itu, saya rasa tidak ada siapa yang boleh ambil licence itu, melainkan dia sendiri pergi ka-Mahkamah untuk mengambil licence-nya. Jadi, saya rasa dan saya minta-lah kapada Yang Berhormat Menteri Pengangkutan itu sendiri supaya memberi fikiran dan mendalami lagi dalam perkara ini sa-belum undang² ini di-luluskan. Pemandu² lori itu, Tuan Yang di-Pertua, bekerja sangat keras, bekerja sangat berat dan mereka itu ada-lah terdiri daripada orang² yang miskin, sa-hingga hendak mengambil licence sa-kali pun sampai bagitu susah sa-kali, dan ini tentu-lah ta' ada ma'ana

pada mereka itu, dan dengan yang demikian tentu-lah ada tegoran² dan rasa ta' puas hati di-kalangan mereka itu, wal hasil tujuan mereka itu ia-lah untuk menjalankan kereta²-nya dengan terator dan baik. Sekian-lah, wabillah hi taupik, Assalamualaikom warah matullah hi wabarakatoh, kalau hendak terjemah minta pak² lebai PAS itu terjemahkan, saya kurang faham.

Enche' D. R. Seenivasagam (Ipoh): Mr Speaker, Sir, I am obliged to the Honourable Member for Larut Utara for telling us today that we have a corruptible police force, because that is what he says

Enche' Tajudin bin Ali: No, I did not say that.

Mr (Deputy) Speaker: Please sit down.

Enche' D. R. Seenivasagam: when he says that the Mun Chong Lorry Transport Co., is not summoned to court because people close their eyes, which is a clear inference that somebody is corrupted, and the people who it is alleged are corrupted is the police force of this country, because it is the police force who is supposed to take offenders for traffic offences to court for prosecution. I used the word "corrupted" and any member who understands the English language knows that "corrupted" can mean a number of things—not only corruption by money, corruption by several ways. Indeed the people of Malaya would be glad to hear that the Honourable Member for Larut Utara contradicts the Deputy Prime Minister, when he said a few days ago that an honest, good Government exists in the country. For that we are obliged to the Honourable Member for Larut Utara.

The Honourable Member for Larut Utara started off.

Enche' Tajudin bin Ali: Mr Speaker, Sir, I never said that.

Mr (Deputy) Speaker: On a point of clarification, or on a point of order?

Enche' Tajudin bin Ali: To clarify the statement made by the Honourable Member from Ipoh.

Enche' D. R. Seenivasagam: I am very sorry—I do not give way.

Enche' Tajudin bin Ali: I never said that.

Enche' D. R. Seenivasagam: Mr Speaker, Sir, the Honourable Member for Larut Utara started off by disclosing his interests in road traffic matters but ended up by becoming a thought reader, or mind reader, when he said that the Opposition will never be satisfied unless they get something which they want from the Minister of Transport. His occupation seems to be two in number now: mind reader and transport operator (*Laughter*).

Mr Speaker, Sir, the provisions of this Bill are important and, taken by and large, they are good amendments where the enforcement of the Road Traffic Ordinance has made them desirable. I refer particularly, Mr Speaker, Sir, to the one referring to written notice of intended prosecution. There had been in the past some cases where by inadvertence the required notice was not served and the court, although on the facts should have and would have found the person guilty, could not do so merely on this technicality, with the ultimate result that the estate or the beneficiaries of the dead persons had lost the benefit of criminal conviction against the wrongdoers thereby prejudicing to a certain extent any civil claim which they might have for the purposes of that estate—and that amendment will be welcomed by everybody in this House and outside this House.

There is one provision, however, with which I agree with the Honourable Member from Larut Utara and that is the provision requiring these several licences to be taken out by public service vehicle drivers and operators. I think it is unfair because it serves no purpose. What is the purpose of getting this number of licences? I am sure it is not the intention to get revenue out of them. Revenue can be obtained in other ways. It should never be a revenue item. Is it for the purposes of identification? Again, I say it cannot be, because identification is by so many methods already in existence. It cannot be for the purpose of tracing the identity of the

driver in the event of the driver moving away, because the responsibility of furnishing particulars lies not with the driver of the vehicle but with the owner of the vehicle. I strongly condemn that particular provision because it causes hardships, unnecessary financial burden and a great deal of inconvenience and trouble to those who have to take out these numerous licences.

Mr Speaker, Sir, I am glad that the Honourable Minister of Transport has decided to simplify what is now obviously a cumbersome method of obtaining a Public Service Vehicle licence. The position today is to have Boards at various district levels which, in the first instance, deal with applications. Even if a man is successful at that level it will take him more or less six to eight months before he is finally sure that he is the successful applicant, because from that level there is an appeal, then there is further appeal to a higher authority, and finally it comes to the Minister. All these things take a considerable length of time. Therefore, even in the case of a successful applicant, by the time he is finally certain that he is not going to be disturbed, he will have to wait so long that sometimes by the time when the final result is known he is in no position to start his public service business. That cumbersome method must be done away with. Perhaps, this is a good way of doing away with it—however, there are number of dangers attendant on the proposed procedure. The greatest danger is the constitution of this central Board. Now, who are the people who are going to constitute the Board? I know that under the proposed Bill they will be selected by the Honourable Minister. Mr Speaker, Sir, here I would like to say that the success of this procedure will depend on the members of the Board. They must be, for obvious reasons, persons who are not politically inclined, or politically known to the public eye to be open and active supporters for any political party in the country, because if they are so known, then there would be a tendency, whether they are susceptible to it or not, for applicants to approach them through other political leaders of directly, be-

cause as prominent politicians they will have to see members of the public. Therefore, my first request is that they should not be known political figures, or supporters of any political party in the country. Then, secondly, it must be made very certain that they themselves are not interested in the transport business. Now, I realise that it may be difficult to find persons, if you are going to say that they should not be this and they should not be that. Nevertheless, those are the dangers, and I hope the Honourable Minister will do his best to try to get the persons who will be beyond criticism.

The second point is that this Board will go on circuit round the country, and I would urge that it should do so in good time so that there would be no inconvenience, no delay, in dealing with the applications, because I think the sole purpose of this amendment is to expedite matters.

Mr Speaker, Sir, there is then the question of parking meters and parking places. We, in Ipoh, are particularly glad that this amendment has come up because, although we may maintain we have a legal right, as the Honourable Minister has said, there have been doubts. Now that the doubts are clarified, I am sure Kuala Lumpur can follow Ipoh.

Mr Speaker, Sir, subject to these comments I have nothing else to say.

Enche' Abdul Samad bin Osman (Sungei Patani): Tuan Yang di-Pertua, saya suka hendak mengambil peluang berchakap berkenaan dengan Rang Undang² ini. Satu perkara sahaja yang saya hendak chakapkan ia-itu dalam Clause 4, yang meminda Section 35 (1) yang berbunyi:

“Any person who drives a motor vehicle on a road recklessly or at a speed or in a manner which having regard to all the circumstances (including the nature, condition and size of the road and the amount of traffic which is or might be expected to be on the road) is dangerous to the public shall be guilty of an offence and shall on conviction be liable to a term of imprisonment not exceeding six months or to a fine not exceeding one thousand dollars....”

Jadi, Tuan Yang di-Pertua, saya nampak denda yang di-kenakan kepada orang

yang di-namakan "reckless dangerous driving" tinggi sadikit, sebab term "reckless dangerous driving" itu umum sadikit. Jadi kalau kita bawa kereta termasuk dalam parit, dan tidak kena sa-siapa, boleh di-katakan "reckless" juga, kalau sa-saorang itu bawa kereta melanggar orang dan orang itu mati "reckless" juga. Perkara ini telah terjadi kepada saya, ia-itu saya balek lepas daripada Meshuarat Parlimen ini, sebelum sampai Slim River, kereta saya entah macham mana masok parit—boleh jadi kerana jalan basah—tetapi saya tidak chedera, orang lain pun tidak kena apa², jalan Kerajaan pun tidak jahanam. Saya repot perkara itu ka-balai polis, kemudian di-bawa kamahkamah, saya di-denda \$30. Itu-lah yang saya kata denda itu tinggi, kerana kalau mengikut tafsiran Section 35 (1) ini kalau saya bawa kereta termasuk dalam parit, tetapi tidak kena sa-siapa dan harta pun tidak jahanam, chuma kereta sahaja, boleh kena 6 bulan jel. Kalau ada orang yang mati boleh-lah di-denda. Kalau mengikut term ini boleh di-denda sampai 6 bulan—kalau satu dua hari tidak apa, tetapi boleh kena jel atas kesalahan, itu-lah saya nampak tinggi.

Saya minta kepada Menteri yang berkenaan mengambil perhatian ia-itu di-tambah yang mana sa-suai di-sini untok beri perkechualian kepada perkara yang begitu. Jadi tidak patut di-denda sampai masok jel. Kalau begitu harus banyak Members of Parliament masok jel, kerana salah bawa kereta.

Enche' Zulkiflee bin Muhammad: Tuan Yang di-Pertua, kita sukachita hari ini kerana satu undang² di-kemukakan dalam Dewan ini bagi mengemas-kan Undang² Lalu Lintas di-dalam negeri ini dengan tujuan, ia-itu dapat merupakan satu undang² mengawal kepentingan orang yang bersangkutan dalam lalu lintas. Satu daripada perkara yang telah di-nyatakan oleh Yang Berhormat Menteri Kenderaan ia-lah ke'azaman-nya supaya dapat di-kawal perjalanan kenderaan di-dalam negeri ini sa-hingga kemalangan² berkurangan, dan ini-lah agak-nya sebab di-kemukakan Fasal 3 dan Fasal 4 daripada undang² ini.

Tuan Yang di-Pertua, membuat undang² ada-lah satu kerja. Kerja yang besar sa-kali ia-lah memerhatikan pelaksanaan undang² itu sendiri.

Ahli Yang Berhormat dari Larut Utara telah menyatakan beberapa mithal dalam Dewan ini di-mana undang² itu mungkin di-ketepikan oleh kerana sa-suatu sebab yang tertentu. Pada pendapat saya, Tuan Yang di-Pertua, apa yang di-katakan oleh Ahli Yang Berhormat itu perlu-lah mendapat perhatian yang halus daripada Kementerian, sebab tidak guna di-wujudkan satu undang² yang baik, tetapi pelaksanaan-nya tidak di-kemaskan.

Saya juga sa-faham dengan Yang Berhormat dari Larut Utara tentang bahawa tidak ada hikmat atau kemestian bagi memakai "nombor" yang di-gantong pada pemandu² kereta yang berkhidmat di-dalam negeri ini.

Saya teringat pada suatu masa dahulu apabila kita gadoh di-dalam Dewan ini bahawa driver² lori khusus-nya membawa kereta lebeh daripada yang di-tetapkan laju-nya bagi mereka itu. Telah di-sebutkan oleh Menteri Yang Berhormat khusus-nya terhadap saya bahawa Kerajaan akan mengambil tindakan di-dalam hal ini. Tindakan yang di-ambil rupa²-nya ia-lah mengadakan nombor driver yang di-gantungkan pada badan driver itu serta di-ikat pada lengan-nya. Tuan Yang di-Pertua, nampak saya kesan daripada langkah itu tidak begitu besar. Kalau di-katakan tidak ada lansong pun boleh jadi ada sa-orang dua yang telah dapat ditangkap nombor yang di-gunakan-nya. Tetapi kata Ahli Yang Berhormat dari Larut Selatan itu boleh di-lakukan dengan chara² yang lain.

Sekarang ini, Tuan Yang di-Pertua, apa yang hendak di-hadapi oleh Rang Undang² ini di-dalam bab 3 dan 4 maseh boleh merupakan satu anchaman kepada lalu lintas di-dalam negeri ini ia-itu membawa kereta yang tidak bertimbang rasa dan sa-bagai-nya. Bab 4 dari Rang Undang² ini merupakan membawa kereta yang Reckless and dangerous driving. Ahli Yang Berhormat dari Sungei Patani atau di-mana tadi telah mengatakan dia telah terkena dalam

hal ini. Satu daripada perkara yang saya minta penerangan daripada Menteri Yang Berhormat memperhatikan pelaksanaan di-dalam hal ini supaya Rang Undang² ini dapat di-perhatikan dengan halus ia-lah ta'arif Reckless and dangerous driving. Di-sini di-buat-nya satu ikatan yang berbunyi:

"...having regard to all the circumstances (including the nature, condition and size of the road and the amount of traffic which is or might be expected to be on the road) is dangerous to the public...."

Saya telah membaca surat khabar satu masa waktu Menteri membuka jalan daripada Sungei Way ka-Klang di-adakan-lah satu grand prix kechil. Menteri Yang Berhormat Menteri Kerja Raya telah membawa motor-car-nya sampai sa-laju 100 batu satu jam, sampai di-sipatkan oleh Menteri Kenderaan, "You are a devil in driving", that is dangerous driving. Menurut fahaman saya Undang² ini tentu-lah mengatakan oleh kerana motor-car-nya Mercedes Benz—tegoh, elok dan driver ini pun Menteri, orang pun tidak ada di-tepi jalan dan jalan pun baharu dibuka, that is not reckless and dangerous driving. Memang benar tidak ada orang yang akan mati kerana tidak ada orang yang duduk di-tepi jalan, tidak belanggar dengan motor-car sebab bila Menteri hendak membuka jalan tentu-lah ditutup jalan ini. Tetapi yang menjadi soal kapada kita ia-lah sipat dangerous driving itu ada pada perbuatan yang saperti itu. Soal ini hanya akan dapat di-tentukan oleh Mahkamah, tetapi bagi kepentingan orang ramai yang hendak-lah di-kawal oleh Undang² ini. Apa yang di-buat oleh Mahkamah tidak dapat menahan sa-suatu yang di-kehendaki untuk mengelakkan bahaya²-nya daripada diri mereka itu sendiri.

Tuan Yang di-Pertua, saya telah menhadangkan kapada Dewan yang mulia ini supaya Menteri Yang Berhormat memikirkan satu chara yang teknik—makenik—terhadap perkhidmatan lori² dan sa-bagai-nya supaya mereka tidak dapat melampau batasan dan batasan yang di-tentukan dalam kelulusan mereka itu sendiri. Kalau di-serahkan kapada pemakaian sa-suatu di-tangan mereka dan di-serahkan kapada pentafsiran Undang² reckless

maka dengan sendiri-nya hal ini merupakan satu anchaman juga kapada dia sendiri. Patut juga saya ingatkan kapada Menteri Yang Berhormat kalau dia terlupa; dia ini tentu-lah tahu, tidak ada benda yang dia tidak tahu berkenaan dengan transport. Tetapi satu benda yang patut saya ingatkan ia-itu sa-orang driver yang membawa lori besar ada mempunyai dua perkara di-dalam fikirannya yang pertama Undang² kenderaan; itu sudah baik sangat-lah. Yang kedua kepentingan tauke² yang bergantung kapada diri-nya sendiri. Undang² kenderaan menyuruh dia bechermat, kepentingan tauke-nya menyuruh dia laju.

Lori² bijeh banyak terdapat di-dalam Persekutuan Tanah Melayu ini sama ada bijeh timah atau bijeh besi dan memberikan bayaran yang lebeh kapada mereka yang boleh menambah trip perjalanan mereka mengangkut bijeh dari satu tempat ka-satu tempat yang lain. Dorongan bagi mendapatkan wang lebeh banyak bagi pemandu² kereta yang mudah memikirkan sementara besi tengah ada ini lebeh baik dia mendapatkan wang, ini tidak-lah dapat dengan mudah di-atasi oleh dorongan hendak menjadikan sa-orang warga negara yang baik di-dalam memandu motor-car. Jadi, Tuan Yang di-Pertua, walau apa pun di-katakan saya maseh mangatakan, Undang² ini akan kosong dan tidak akan membawa erti sa-suatu sa-kira-nya tidak di-buat peratoran chara² teknik yang boleh mengawal dan membataskan kelajuan yang di-hadkan laju-nya bagi mereka itu. Rashuah, Tuan Yang di-Pertua, tentu-lah mempunyai peranan yang besar di-dalam hal ini, kalau tidak masakan kita dapat melihat bahawa di-depan anggota polis driver² lori ini melajukan lori mereka. Tetapi, Tuan Yang di-Pertua, hal ini telah lama di-katakan dalam Dewan ini dan saya perchaya Menteri Yang Berhormat itu akan bangkit bagaimana biasa; sebab perkara ini bukan-lah perkara baharu bagi saya dan bagi dia akan berkata, itu hal polis bukan hal saya.

Kita membuat undang² hendak mengawal kepentingan lalu lintas dalam negeri ini. Kalau kita rasa bahawa dengan chara polis tidak begitu dapat

terjamin, maka chari-lah chara yang lain. Chara yang di-buat oleh Kementerian Kenderaan itu dapat pula di-kawal oleh Menteri Kenderaan itu sendiri. Menurut apa yang di-fahamkan kapada saya bahawa Enforcement Officer ada di-dalam Kementerian Kenderaan yang memerhatikan perlaksanaan sharat² yang tertentu kapada mereka yang mempunyai licence² lori dan sa-bagai-nya. Maka saya berharap kapada Yang Berhormat Menteri ini akan menggunakan apa sahaja yang boleh kapada-nya bagi membolehkan-nya mengawasi, menyeliaikan perlaksanaan² peratoran yang di-buat oleh Kementerian-nya itu dengan di-ikuti oleh Licensing Board, atau sa-bagai-nya.

Tuan Yang di-Pertua, saya ingin berchakap berkenaan dengan Bab 12—Establishment of Road Transport Licensing Board. Mudah²an kerja² mendapatkan licence seperti mana yang di-chadangkan dengan menubuhkan Road Transport Licensing Board yang meliputi dalam kuasa-nya bagi seluroh Tanah Melayu ini. Saya fikir ini ada-lah langkah yang baik. Yang hendak saya chakapkan ini ia-lah berkenaan dengan policy. Di-dalam memberikan licence yang akan menjadi tugas Lembaga Pelesen yang akan di-tubuhkan itu seperti yang di-katakan oleh Ahli Yang Berhormat dari Larut Utara, Kerajaan pada masa ini ada-lah berchadang hendak membanyakkan penyertaan orang² Melayu dalam lapangan perusahaan kenderaan dalam negeri ini. Ada-lah menjadi tugas-nya, oleh sebab yang demikian Lembaga Pelesen ini hendak-lah memerhatikan dengan halus-nya dasar Kerajaan dalam hal ini. Yang Berhormat Menteri tentu-lah memerhatikan, memang itu-lah kerja kami. Saya pun tahu, tetapi ada beberapa perkara yang perlu di-perhatikan oleh Yang Berhormat Menteri itu sendiri. Memberi licence kapada orang² Melayu hendak-lah di-kawal supaya jangan menjadi “Ali Baba” pula licence itu. Saya tahu Yang Berhormat Menteri Kenderaan tahu hal ini, tetapi saya ingin supaya langkah mempermain²kan bangsa Melayu dengan provision, sharat² kelulusan Perlembagaan dalam hal ini hendak-lah di-berhentikan, walau pun dia itu di-lakukan oleh sa-siapa.

Pengawalan yang ketat yang tidak menekan orang² Melayu, saya kata di-ketatkan dengan tidak menekan orang² Melayu, hendak-lah di-fikirkan, sebab kita tahu pada masa ini banyak orang² Melayu yang mendapat licence, tetapi tidak dapat menjalankan kerja-nya dan akhir-nya licence itu di-beli oleh bangsa lain untuk di-jalankan.

Tuan Yang di-Pertua, ada-lah menjadi kewajipan bagi Road Transport Licensing Board mengemukakan kapada Yang Berhormat Menteri dan menjadi kewajipan pula kapada Menteri itu mengemukakan kapada Dewan ini, apa-kah kawalan² yang di-sediakan bagi menjamin dasar memberi peluang kapada orang² Melayu lebeh banyak lagi dalam perusahaan transport ini berjalan dengan lebeh baik dengan tidak menekan orang² Melayu itu sendiri. Itu susah-lah kata-nya, yang susah itu-lah kerja dia. Saya fikir sa-lain daripada memberi keutamaan kapada company² sharikat Melayu, hendak-lah sentiasa di-perhatikan bahawa orang² yang akan di-beri licence membawa taxi dan sa-bagai-nya, hendak-lah benar² terdiri daripada gulungan² mereka yang pada fikiran kita dapat menjalankan kerja² itu sendiri. Kita tidak dapat lagi meluluskan dalam keadaan dasar yang ada sekarang ini bahawa kita berikan licence itu walau pun dia orang Melayu, kalau orang² yang sa-mata² menjadikan permintaan-nya dan memandang akan licence itu sa-bagai satu sumbar hidup dia sa-mata². Di-siapkan-lah wang dan dia meminta dan kita berikan kapada-nya, akhir-nya apabila dia rasa berat hendak menjalankan kerja perusahaan kenderaan itu, maka di-serahkan-nya-lah kapada bangsa lain. Ini-lah yang perlu di-kawal, Tuan Yang di-Pertua, sebab saya telah nampak banyak orang² yang merasa² bahawa kalau dia mendapat satu plet taxi, dia boleh senang hidup, kerana di-lihat-nya yang orang lain telah senang hidup, tetapi kesedaran-nya telah mula² timbul kapada mereka² itu bahawa rupa²-nya tidak-lah sa-mudah apa yang di-katakan oleh orang² lain dan apabila.....

Mr Speaker: Order! Order! The time is now one o'clock. The sitting is suspended till 4.30 p.m.

Sitting suspended at 1 p.m.

Sitting resumed at 4.30 p.m.

(Mr Speaker in the Chair)

**THE ROAD TRAFFIC
(AMENDMENT) BILL**

Second Reading

Debate resumed.

Enche' Zulkiflee bin Muhammad:

Tuan Yang di-Pertua, tengah hari tadi saya telah membayangkan kesulitan² yang mungkin timbul di-dalam memberi lesen terutama taxi kepada orang² Melayu. Sekarang ini satu soal yang patut kita fikirkan ia-lah berkenaan dengan procedure—perjalanan pekerjaan² yang di-jalankan pada masa ini di-dalam memberikan lesen atau tidaknya kepada sa-saorang. Pada siapa sahaja apabila telah di-setujui hendak memberi lesen taxi atau sa-bagai-nya maka di-bukakan-persetujuan itu bagi bantahan dan bangkangan daripada pehak² yang berkenaan kenderaan di-dalam daerah itu. Sa-bagaimana Ahli Yang Berhormat dari Larut Utara tadi saya juga telah memerhatikan bahawa terutama bagi orang² Melayu di-sini-lah di-dapati satu halangan yang besar dan anchaman terhadap kelichinan memberikan lesen kepada mereka. Sebab tentu-nya terlebih dahulu daripada itu telah ada mereka² yang mempunyai modal yang lebeh banyak sama ada dalam perkara taxi atau lori yang telah menjalankan perniagaan di-daerah yang berkenaan. Menurut apa yang biasa-nya di-buat bangkangan² ini di-kemukakan oleh pehak² itu dengan lawyer² atau sa-bagai-nya hingga menyebabkan orang yang mungkin mendapat lesen itu terancam di-dalam peluang-nya yang telah pun pada awal-nya di-berikan oleh pehak pelesen itu sendiri. Perkara yang patut kita timbangkan di-sini ia-lah kuasa di-dalam menentukan sama ada bangkangan itu di-beri nilai sesuai dengan dasar Kerajaan hendak memberi peluang yang lebeh besar kepada orang Melayu di-dalam perusahaan kenderaan.

Saya merasa, Tuan Yang di-Pertua, kalau kita tunggu satu masa bahawa orang Melayu ini chukup sempurna hingga tidak dapat di-chelah²kan lagi permintaan mereka maka harus-lah tidak dapat mereka menyertai perusahaan kenderaan dengan chara yang berma'ana. Boleh jadi taxi² di-berikan

kapada mereka tetapi apabila hendak di-berikan lesen lori yang besar maka ada² sahaja anchaman-nya. Saya men-chadangkan kapada Kementerian ini supaya di-dalam menilai bangkangan tersebut hendak-lah di-beri nilai yang tinggi dasar Kerajaan dan hendak-lah di-timbangan bahawa tidak akan tiba masa-nya bagi bangsa Melayu boleh di-tentang dengan orang² yang telah mempunyai alat dan peluang di-dalam kenderaan itu sekarang. Ini kita minta dapat jaminan kapada Menteri Yang Berhormat supaya jangan-lah menjadi mudah sahaja apabila telah ada bangkangan yang makbul maka di-ketepikan-lah peluang yang di-berikan kapada peminta² Melayu.

Sa-kira-nya ini di-panjangkan kapada bab 13 yang menggantikan bab 129 yang memberikan kuasa rayuan dan menimbangkan-nya kapada Yang Berhormat Menteri, hal ini akan bertambah sedap pada zahir-nya. Sebab kapada orang Melayu kita hendak kata dia tidak betul, dia tidak faham dasar Kerajaan dan tidak mahu mengeraskan kehendak supaya di-beri peluang kapada orang Melayu. Saya perchaya Menteri yang ada ini tentu-lah tidak mahu mengaku diri-nya demikian walau pun Ahli Yang Berhormat dari Larut Utara mengatakan dia itu suka menengking² tetapi saya minta dia hari ini menunjukkan kapada Dewan ini bahawa apabila di-adakan rayuan kapada-nya maka pertimbangan-nya bukan-lah hendak di-jalankan dengan chara Datok Hakim sa-mata² tetapi hendak di-jalankan menurut dasar yang telah di-jalankan ia-itu memberikan keutamaan yang besar kapada orang Melayu di-dalam penyertaan perusahaan ini. Kalau sa-saorang politician tidak dapat berbuat demikian maka tidak ada-lah harapan bagi kita hendak menjalankan usaha hendak masuk lebeh banyak orang Melayu di-dalam perusahaan kenderaan ini. Hal ini saya minta supaya dapat pertimbangan daripada Menteri Yang Berhormat sebab kuasa ini dengan sa-besar²-nya di-berikan oleh-nya kapada diri-nya sendiri.

Datin Fatimah binti Haji Hashim (Jitra-Padang Terap): Tuan Yang di-Pertua, Rang Undang² yang di-kemukakan untuk di-bahathkan ini, saya suka

mengambil peluang di-sini untuk mengemukakan pandangan saya terhadap Kementerian yang berkenaan ini.

Tuan Yang di-Pertua, berchakap berkenaan dengan Lembaga Pelesenan Tempatan ini, saya suka menyampaikan bagaimana susah dan lambat-nya orang ramai yang sa-lama ini bagi mendapatkan licence taxi, sunggoh pun banyak jalan² baharu telah di-buat di-kawasan² luar bandar, dan sunggoh pun RIDA sedia membantu bagi mengadakan perkhidmatan bas di-jalan² yang baharu di-buka, tetapi dengan sebab lambat di-adakan dengan tidak menchukupi bas yang patut di-adakan, maka orang² kampung yang tinggal di-luar bandar itu ada-lah menanggung kesusahan untuk membawa barang² tanaman-nya ka-luar, atau membawa orang² sakit, atau pun menghantar anak²-nya ka-sekolah. Maka dengan sebab kurang, atau ketiadaan taxi, atau bas itu-lah yang menyebabkan terpaksa bagi ibu² bapa, kanak² menggunakan kereta² private sa-bagai taxi, dan kereta² itu pula kebanyakan-nya ada-lah burok dan di-isi pula ramai orang² di-dalam-nya hingga 10 sampai 15 orang kanak² untuk di-hantar ka-sekolah. Perkara yang demikian ini, Tuan Yang di-Pertua, ada-lah membahayakan keselamatan kanak² tersebut. Sa-lain daripada itu ada-lah merugikan pehak Kerajaan daripada mendapat chukai bagi taxi² ini. Ini ada-lah perkara yang menjolok mata polis yang menjaga di-kawasan² luar bandar dan bagi pehak polis terpaksa pula menjalankan undang² dan tanggung-jawab-nya untuk menangkap driver² tersebut. Perkara yang demikian ini, Tuan Yang di-Pertua, ada terjadi, sungutan² dari segala pehak terutama sa-kali dari ibu² bapa dengan sebab susah-nya kenderaan bagi anak² mereka pergi ka-sekolah, atau untuk membawa orang² sakit, dan dengan sebab itu driver² itu kena tangkap, dan kalau tidak di-tangkap ada-lah menyusahkan pula bagi sa-buah dua kereta yang sudah ada licence di-tempat itu, konon-nya mereka itu kurang mendapat pelanggan, atau kurangkan pendapatan mata pencharian mereka.

Masaalah ini, Tuan Yang di-Pertua, timbul dari kekurangan taxi² driver, dan dengan kekurangan ini saya harap

perkara ini akan mendapat perhatian dari Kementerian Pengangkutan supaya dengan ada-nya pindaan undang² ini akan dapat di-laksanakan, melekasakan dan membanyakkan pengeluaran licence² taxi di-luar² bandar.

Berkenaan dengan hendak mengadakan badge driver itu, saya ada-lah menyokong di-atas perkara itu supaya di-adakan, kerana ini ada-lah penting untuk keselamatan orang ramai, tetapi dalam mengadakan badge itu, patut juga di-kaji dengan sa-halus²-nya supaya semua pehak berpuas hati.

Tuan Yang di-Pertua, berkenaan dengan taxi ini ada banyak sulit-nya, terutama bagi pehak penumpang² yang terdiri dari kaum wanita yang berasa churiga di-atas keselamatan diri mereka, kalau hendak menggunakan atau menyewa taxi itu. Mudah²an dengan ada-nya rancangan mengadakan badge pengenalan ini akan menyenangkan mengenalkan bagi kedua belah pehak. Dengan itu, saya mengemukakan pandangan ia-itu jangan di-adakan sa-chara badge saperti mana yang telah ditunjokkan oleh Ahli Yang Berhormat sahabat saya tadi, Ahli dari Larut Utara. Saya mengeshorkan supaya pehak yang berkenaan dapat mengadakan sa-chara Kad Pengenalan dengan mempunyai sa-keping gambar driver itu dan di-tulis nama driver itu, serta nombor licence, nombor motokar dan hendak-lah di-lekatkan di-hadapan chermi di-mana dudok-nya driver itu pada sa-belah kiri supaya senang dapat di-lihat oleh penumpang² apakala mereka naik membuka pintu, maka dengan senang dapat melihat dengan jelas-nya Kad Pengenalan yang di-adakan dan yang di-gantungkan itu untuk pengenalan.

Dengan itu ini-lah sahaja pandangan saya dalam perkara ini dan saya ada-lah menyokong Rang Undang² Pindaan yang ada di-bentangkan di-hadapan Majlis ini.

Tuan Haji Azahari bin Haji Ibrahim (Kubang Pasu Barat): Tuan Yang di-Pertua, di-hadapan kita ini ada satu Rang Undang² yang akan membuat beberapa pindaan kapada Undang² Lalu Lintas Jalan Raya bagi tahun 1958. Memandang kapada pindaan² yang

di-kemukakan dalam Rang Undang² ini, saya berpendapat bukan sahaja Yang Berhormat Menteri Pengangkutan patut membuat pindaan yang tertentu dalam Rang Undang² ini bahkan harus juga Yang Berhormat Menteri Pengangkutan ini mengkaji sa-mula Undang² Lalu Lintas Jalan Raya tahun 1958 supaya dapat mensesuaikan tujuan² dan kehendak² serta hasrat ra'ayat yang duduk dalam satu negara yang merdeka ini.

Tuan Yang di-Pertua, saya suka hendak menarek perhatian Yang Berhormat Menteri Pengangkutan ia-itu Undang² Lalu Lintas, 1958 ini ada-lah di-buat oleh Dewan yang belum mempunyai perwakilan yang penoh seperti mana kita yang ada pada hari ini satu Parlimen yang mewakili ra'ayat seluroh negeri ini. Undang² ini juga di-buat sa-lepas di-dapati ia-itu pada masa itu di-kehendaki satu perubahan baharu bagi keadaan pengangkutan dan kenderaan bagi negara kita, yang mana pada sa-belum itu telah di-jalankan mengikut Road Transport Proclamation dalam masa B.M.A. dahulu. Jadi, pada hari ini harus-lah kita memandang ia-itu undang² ini hanya boleh meng-untongkan satu pihak dan merugikan pihak yang lain. Saya berani kata bagitu ia-lah kerana apa yang kita dengar atau pun kita selalu mendapat pengakuan² daripada Yang Berhormat Menteri Pengangkutan ini yang hendak menolong ra'ayat, terutama sa-kali ra'ayat yang terdiri dari bangsa saya supaya mereka itu ambil bahagian dalam lapangan kenderaan dan pengangkutan, tetapi malang-nya, tujuan² dan kehendak² Undang² Lalu Lintas, 1958 ini ada-lah bertentangan dengan kehendak² dan chita² Yang Berhormat itu. Saya fikir Undang² Lalu Lintas ini ada-lah menentukan segala chara² dan segala peratoran² bagaimana ra'ayat dalam negeri ini boleh mengambil bahagian dalam lapangan pengangkutan dan kenderaan, tetapi kuasa² yang ada dalam undang² itu tidak dapat di-gunai oleh Yang Berhormat Menteri itu sendiri. Hanya kita dapat mengikut sa-tengah atau satu dua section sahaja atau pun di-sebutkan di-sini dengan Section 129 yang mana bererti sa-kira-nya mana² pihak yang tidak puas hati

terhadap permintaan mereka yang di-buat kepada Lembaga Pelesen mahu pun pada masa sekarang Lembaga Pelesen Tempatan atau pun Pusat, maka boleh-lah di-buat rayuan pula kepada Menteri Pengangkutan supaya di-timbangkan sa-mula. Jika sa-kira-nya Menteri Pengangkutan ini hanya ada kuasa² yang bagitu terhad dan chukup sedikit, maka saya dapati ini bererti-lah Lembaga Pelesen Tempatan atau pun Pusat ini akan mengkongkong segala kuasa² dalam soal pengangkutan dan kenderaan.

Tuan Yang di-Pertua, kita dalam Dewan ini belum lagi puas hati mendengar sebab² yang sunggoh² boleh memberi sokongan kepada Yang Berhormat Menteri Pengangkutan ini untuk memansokhkan Lembaga Pelesen Tempatan itu yang ada dalam tiap² negeri dengan di-gantikan kepada satu Lembaga Pelesen Pusat di-Ibu Kota negeri ini. Saya pun hairan atau pun berasa churiga dengan kerana saya tidak tahu daripada mana unsur² ini datang-nya yang boleh membawa fikiran Yang Berhormat Menteri Pengangkutan supaya bersetuju di-adakan satu pindaan yang boleh membawa hapus-nya Lembaga Pelesen Tempatan.

Tujuan mula² kita adakan Traffic Ordinance, 1958 itu ia-lah untuk memberi kemudahan atau pun kesenangan bagi pihak negeri² yang ada dalam Persekutuan pada masa ini supaya lembaga itu dengan mudah-nya dapat mengetahui keadaan² dan kedudukan² permintaan² atau pun permohonan² dari ra'ayat untuk mengadakan lesen seperti lesen teksi atau lesen lori, kerana sa-kira-nya Ahli Lembaga Pelesen Tempatan tiap² negeri itu dapat mengawal dan mengkaji dengan sa-dalam² nya keadaan dan kedudukan permintaan itu bagi lesen² seperti lesen teksi atau lesen lori, maka saya dapati ini boleh meng-untongkan ra'ayat bagi satu² negeri. Tetapi sa-kira-nya jika di-beri kuasa penoh kepada Lembaga Pelesen Pusat yang ada di-Kuala Lumpur ini, maka saya perchaya Lembaga Pelesen Pusat ini kena bergantung kepada repot² atau pun kepada recommendation atau kapada hujah² yang di-datangkan oleh Pendaftar Kereta (R.I.M.V.) bagi satu² negeri. Jadi di-sini nampak-nya pihak

ra'ayat tidak boleh mengadakan satu perhubungan yang rapat dengan R.I.M.V. bagi satu² negeri itu melalui Lembaga Pelesen Tempatan.

Ini-lah satu keadaan yang boleh memburokkan soal pengangkutan dan kenderaan, bukan sahaja bagi ra'ayat satu² negeri bahkan bagi orang Melayu juga.

Tuan Yang di-Pertua, kita dapati dalam Section 12 hendak di-tubuhkan satu Lembaga Pelesen Pusat, maka di-adakan 8 orang ahli dudok di-dalam lembaga itu dengan di-pengerusikan oleh Commissioner of Road Transport. Ini-lah yang saya hendak mengingatkan kapada Yang Berhormat Menteri Pengangkutan supaya sa-kira-nya undang² ini di-luluskan juga—dan saya perchaya akan di-luluskan—maka beliau akan memberi satu pertimbangan kapada chorak Lembaga Pelesen ini yang mengandongi ahli²-nya sa-banyak 8 orang itu. Pada masa ini kita tahu baik² ada pehak² yang boleh mewakili derebar teksi, yang boleh mewakili union atau pun sharikat² pengangkutan atau kenderaan, maka harus-lah Yang Berhormat Menteri Pengangkutan memberi pertimbangan supaya ahli² itu terdiri juga daripada pehak² sa-bagaimana yang saya katakan tadi. Ini.....

Dato' Haji Sardon bin Haji Jubir: Tuan Yang di-Pertua, nampak-nya Yang Berhormat itu tersasul sadikit. Kalau beliau itu beri jalan, saya suka hendak terangkan sa-belum beliau itu berchakap panjang. Soal yang hendak di-pinda ini.....

Tuan Haji Azahari bin Haji Ibrahim: Boleh.

Mr Speaker: Tuan sendiri ada hak boleh menjawab.

Dato' Haji Sardon bin Haji Jubir: sa-belum beliau itu berchakap panjang tentang perkara ini. Soal yang hendak di-pinda ini bukan Majlis Penasihat yang di-chakapkan-nya tadi. Yang di-pinda ini ia-lah Majlis Pelesen. Jadi sa-belum Yang Berhormat itu berchakap panjang, saya suka terangkan Majlis Penasihat itu tidak di-pinda dan maseh ada lagi.

Tuan Haji Azahari bin Haji Ibrahim: Tuan Yang di-Pertua, saya faham baik²

apa yang terkandung dalam Section 12 itu.

Mr Speaker: Proceed.

Tuan Haji Azahari bin Haji Ibrahim: Di-dalam section itu di-sebutkan berkehendakkan 8 orang. Jadi, di-dalam kita hendak menentukan sa-suatu permintaan yang di-datangkan oleh ra'ayat bagi mengadakan lesen saperti lesen teksi atau lori, maka di-sini apa yang saya dengar tadi ia-itu sa-orang Chairman dan dua orang ahli-nya sahaja sudah chukup bagi hendak menimbangkan sa-suatu permintaan.

Dan saya khuatir sa-kira-nya ahli² ini datang daripada pehak yang tidak ingin hendak memajukan kedudukan pengangkutan dan kenderaan negeri ini, lebeh² lagi daripada segi orang² Melayu, ini-lah yang saya sebutkan tadi. Tetapi bagi pehak Lembaga Penasihat itu boleh menasihatkan sahaja-lah kerana apa yang saya tahu pada hari ini kita ada Lembaga Penasihat, semenjak ini hari, Tuan Yang di-Pertua, tempat² dan kampong² yang berkehendakkan teksi untuk membawa orang² yang susah, orang² yang mendapat keche-masan belum lagi di-nasihatkan oleh Lembaga Penasihat ini supaya membawakan pertimbangan² kapada Jabatan R.I.M.V. ini untuk menjadikan satu² tempat bagi mengadakan teksi² tadi. Tuan Yang di-Pertua, apa yang menjadikan kebimbangan saya ia-lah tidak ada pehak² yang boleh menguatkan pendirian permintaan² yang di-datangkan oleh ra'ayat bagi kenderaan atau pengangkutan itu. Berhubung dengan section 138 ia-itu section 15, di-sini, Tuan Yang di-Pertua, telah menentukan denda sa-banyak \$100 bagi orang² yang mengganggu jalan² raya atau pun reserve road yang boleh membawakan satu bahaya kapada lalu lintas. Pada pendapat saya, Tuan Yang di-Pertua, ini ada-lah hukuman yang chukup ringan jika di-letakkan denda sa-banyak \$100 itu, kerana apa saya nampak dalam negeri ini kalau kita pergi balek ka-Kuala Lumpur ini dan saya sendiri pergi balek dari Alor Star ka-Kuala Lumpur, kerap kali saya berjumpa orang² kampong mengikatkan lembu atau kerbau mereka di-tepi² jalan, ma'alum-lah kadang² kerbau dan lembu ini boleh

putus tali-nya dan selalu membawakan bahaya dan boleh di-katakan banyak mengikut report² accident di-Balai Polis bahawa yang accident itu ada-lah bersabit dengan lintasan kerbau lembu di-atas jalan. Saya fikir ada barangkali ahli² di-sini biasa kena bagitu atau berjumpa dengan accident yang bagitu. Jadi, semenjak dahulu sampai sekarang ini saya belum tahu lagi sama ada Yang Berhormat Menteri Pengangkutan ini sunggoh² benar hendak menjaga accident ini supaya di-redakan, tetapi hari ini baharu saya tahu ada satu pindaan yang hendak di-buat menghukumkan orang² yang membawa bahaya kepada jalan² raya atau pun kepada road reserve yang mengikatkan kerbau lembu mereka di-situ.

Pada penghabisan sa-kali, Tuan Yang di-Pertua, berkenaan dengan section 129 di-dalam Road Transport Ordinance tadi, yang mana di-sini ada satu Bill mengikut section 13 yang mengatakan:

"Any person aggrieved by any decision of the Board may within the prescribed time appeal to the Minister against that decision".

Masa yang tertentu itu satu perkara yang saya suka hendak menarek perhatian Yang Berhormat Menteri Pengangkutan. Pada masa sekarang ini saya perchaya masa yang tertentu itu sangatlah suntok bagi pehak yang membuat permohonan, tetapi di-tolak oleh Lembaga Pelesen supaya mengemukakan rayuan kepada Yang Berhormat Menteri Pengangkutan sendiri menimbangkan atau mengkaji sa-mula. Tuan Yang di-Pertua, Kerajaan hari ini bukan sahaja ra'ayat demikian juga ibu² mengambil bahagian di-dalam kenderaan, orang² kampung yang dudok terpenchil ingin juga kerana hendak mengikut seruan yang di-buat oleh Menteri Yang Berhormat itu supaya orang² kampung mengambil bahagian. Jikalau permintaan² itu di-tolak dengan hanya di-dapati satu surat keterangan sa-chara bertulis melalui pos, maka saya dapati selalu ada kelambatan tentang hendak menerima satu pengakuan bahawa permohonan itu di-tolak oleh Lembaga Pelesen, kadang² dua hari lagi dari masa itu di-hadkan baharu-lah di-terima satu surat yang di-kirirkan melalui pos yang mengatakan permohonan itu di-tolak. Jadi, ada-kah masa

bagi pehak pemohon itu hendak mengemukakan satu appeal kepada Kementerian itu? Saya harap sa-boleh-nya tolong-lah panjangkan lagi masa itu supaya tidak-lah teraniaya kepada pemohon² itu.

Enche' Abdul Rauf bin A. Rahman (Krian Laut): Dato' Yang di-Pertua, saya berdiri ada-lah untuk mengambil bahagian berkenaan dengan Undang² pindaan yang di-kemukakan oleh Yang Berhormat Menteri Pengangkutan. Saya tidak-lah hendak mengambil bahagian yang panjang di-dalam membahathkan Undang² ini, saya suka-lah mengambil satu perkara ia-itu dalam section 4 amendment of section 35. Dato' Yang di-Pertua, Undang² yang di-buat oleh Menteri Pengangkutan ini tidak lain dan tidak bukan ia-lah untuk menjaga keselamatan sama ada daripada segi driver lori, teksi atau pun kereta sendiri dan juga terhadap ra'ayat² di-dalam negeri ini. Mengikut pindaan Undang² yang ada ini nampak-nya hanya Undang² ini di-kenakan kepada driver² yang membawa kereta dengan tidak chermat, dan dia boleh di-hukum sampai enam bulan lama-nya. Tetapi kita hendak-lah juga menchari jalan untuk keselamatan orang² ramai juga. Dato' Yang di-Pertua, sa-tahu saya kemalangan yang berlaku ini selalu-nya ia-lah di-luar daripada bandar. Saya suka memberi satu pandangan, apa yang telah berlaku di-dalam kawasan saya, kemalangan² yang telah berlaku di-jalan raya, ada yang mati, ada yang patah, ada yang luka dan sa-bagai-nya. Mengikut record atau penyata daripada pegawai polis jajahan saya lebeh kurang lima puluh kemalangan yang berlaku pada tahun 1963 ini. Kemalangan ini kebanyakan-nya apakala sampai ka-pengetahuan polis dan di-bicharakan, di-dapati driver² itu tiada di-kenakan hukuman denda atau pun jel, sebab-nya di-dalam per-bicharaan itu menunjokkan orang² ramai juga mempunyai kesilapan tidak menjaga keselamatan diri masing². Jadi, di-sini, Dato' Yang di-Pertua, saya suka untuk memberi satu fikiran kepada Yang Berhormat Menteri Pengangkutan ini untuk menyelamatkan atau pun menjaohkan kemalangan² yang berlaku di-jalan² raya, elok-lah Kementerian ini

mengambil satu perundingan dengan Kementerian Kerja Raya supaya membuat jalan kiri kanan jalan raya itu cycle-track) ia-itu di-mana tempat kita fikirkan banyak penduduk di-jalan² itu.

Umpama-nya di-kawasan saya sahingga-lah sampai di-kawasan sahabat saya Yang Berhormat wakil dari Krian Darat ia-itu daripada sempadan seberang Perai dengan Perak, di-Parit Buntar sa-hingga sampai ka-Kampung Dew lebeh kurang 20 batu, boleh dikatakan sa-panjang² jalan ini rumah orang tidak putus² dan di-tempat ini-lah selalu-nya mendapat kemalangan dan kemalangan ini macham saya sebutkan tadi bukan-nya dalam bandar tetapi luar bandar. Jadi pada fikiran saya, jika sa-kira-nya kita betul² hendak menyelamatkan bukan sahaja driver² lori daripada melanggar orang ramai dan untuk menyelamatkan orang ramai supaya jangan di-langgar oleh lori, di-adakan-lah jalan kiri kanan sa-bagaimana yang ada sekarang ini; saya sa-orang daripada ahli Jawatan-Kuasa Lalu Lintas Jajahan Krian dengan chadangan daripada Ketua Polis Jajahan Krian minta di-adakan jalan di-kiri kanan jalan raya ini ia-itu untuk orang ramai berjalan dan juga basikal². Barangkali mudah²an jika ada-nya sachara ini harus kemalangan² tidak akan berlaku sa-bagaimana berlaku yang sudah².

Di-Jajahan Krian juga sudah ada di-buat sa-tengah² tempat itu ada 5 kaki lebar-nya daripada kiri kanan jalan dan di-buboh batu halus atau pun quarry dust di-tempat orang ramai berjalan dan juga basikal². Tetapi susah sadikit, Tuan Yang di-Pertua, Polis tidak boleh membuat apa² jikalau sa-kira-nya orang berjalan juga di-jalan raya tidak berjalan di-tempat yang di-untukkan ini, kerana Polis tidak ada kuasa untuk menangkap-nya. Jadi saya fikir jika boleh perkara ini di-buat oleh Kementerian Kenderaan berunding dengan Kementerian Kerja Raya apakala lulus Undang² ini di-gazettekan ma'ana-nya orang ramai mesti-lah berjalan di-tempat yang kita siapkan (5 kaki di-kiri kanan jalan tadi) jikalau dia berjalan juga di-atas jalan raya tidak di-jalan atas yang di-tentukan, Polis ada kuasa menangkap-nya. Jadi pada fikiran saya

ini-lah satu daripada-nya yang saya fikir jikalau di-buat boleh menyelamatkan bukan sahaja driver² akan kena denda kalau bersalah, juga orang ramai barangkali tidak ada yang banyak kena kemalangan² di-jalan raya, Tuan Yang di-Pertua, saya sa-bagai sa-orang daripada ahli Jawatan-kuasa Lalu Lintas Jawatan-kuasa ini telah mengambil keputusan akan menghantar perkara ini kepada Kementerian Kenderaan atau pun kepada Kementerian Kerja Raya untuk minta di-adakan jalan kiri kanan dan di-gazettekan sa-kali, mudah²an dengan ada jalan cycle tracks harus barangkali perkara ini tidak akan berlaku sa-bagaimana yang saya sebutkan ia-itu lebeh kurang 50 orang yang kena langgar ada yang mati, ada yang patah dan ada yang sakit. Jadi di-sini dengan ada-nya Undang² ini saya sokong-lah kerana untuk kebajikan bukan sahaja kepada satu pihak tetapi kepada kedua² belah pihak ia-itu sama ada driver dan juga orang ramai, sekian-lah, Tuan Yang di-Pertua.

Enche' Ibrahim bin Abdul Rahman (Seberang Tengah): Tuan Yang di-Pertua, saya berasa terharu pada pagi tadi oleh sebab tuduhan yang saya anggap berat oleh Ahli Yang Berhormat dari Ipoh terhadap sahabat saya dari Larut Utara. Ia menudoh sahabat saya itu dengan chara tidak langsung mengatakan pihak Polis corrupt. Jadi saya perchaya Ahli Yang Berhormat itu ada-lah sa-orang yang terpelajar—learned man. Jadi dia selalu memusing²kan dan memutar²kan perkataan yang di-keluarkan oleh Ahli Yang Berhormat dari Larut Utara. Saya perchaya dan saya berani menegaskan di-sini, tujuan Ahli Yang Berhormat dari Larut Utara bukan menudoh mana² jabatan corrupt tetapi maksud-nya ia-lah ada jabatan² khas-nya Polis atau siapa² juga kerana sudah menjadi tabi'at manusia—natural bedza membeza, pandang memandang. Jadi kata-nya tadi ada satu kompani yang tauke-nya kaya mempunyai lori yang banyak, kalau driver² lori itu deras dan laju membawa lori, Polis tidak tangkap. Pada pendapat saya maksud-nya bukan corrupt tetapi maksud-nya ia-lah; saya mithalkan manusia ini memang kita katakan pandang memandang. Orang

memandang tinggi kepada orang kaya dan orang yang berpangkat lebih. Jadi sa-saorang itu kalau berpangkat tinggi membuat kesalahan, dia rasa takut dan segan hendak menegor-nya. Bagitu juga kepada orang yang berpangkat besar, mithal-nya Ahli Yang Berhormat membawa kereta laju di-pekkan Ipoh, saya perchaya tentu-lah semua orang kenal terutama pehak Polis juga kenal yang dia membawa kereta laju, tetapi Polis sendiri merasa segan atau barangkali takut kerana pandang memandang hendak tangkap atau menahan, ini-lah maksud sahabat saya Yang Berhormat dari Larut Utara tadi. Di-katakan juga ucapan yang di-buat oleh Yang Berhormat dari Larut Utara tadi contradiction—berlawanan dengan apa yang di-buat oleh Yang Berhormat Timbalan Perdana Menteri dalam Dewan ini berkenaan dengan berseh-nya perjalanan jabatan² Kerajaan dalam Persekutuan Tanah Melayu.

Keterangan ini, Tuan Yang di-Pertua, saya sendiri telah pun mengalami-nya di-Butterworth—Bagan, ia-itu waktu saya ulang alek ka-Pulau Pinang. Pada satu hari motor-car saya terpaksa ditahan oleh Pegawai Kastam dan di-pereksa di-depan dan di-belakang. Tetapi ada sa-orang Eropa kereta-nya tidak di-tahan dia kata “jalan-lah”. Ini-lah saya maksudkan ada-nya bedza membedza. Kita tahu Ahli Yang Berhormat dari Larut Utara itu meminta jabatan² bahagian ini mengamalkan “all are equal in the eyes of law!” Jadi siapa juga pada segi Undang² ada-lah sama, ini-lah yang dia minta tadi.

Berkenaan dengan bab 11, 12 dan 13 ia-itu berhubung dengan Lembaga Pelesen. Lembaga Pelesen boleh di-katakan hari ini banyak orang² yang bukan Melayu atau kompani² yang bukan Melayu terutama kompani² bus telah pun membuka peluang kepada orang² Melayu untuk membeli saham².

Jadi, saya ucapkan terima kaseh kepada Yang Berhormat Menteri Pengangkutan yang sedang menggalakkan orang² bukan Melayu dan juga saya ucapkan terima kaseh kepada company² yang telah membuka saham²-nya itu kepada orang² Melayu, tetapi ada lagi company² yang berkongsi ia-itu orang² Melayu yang berkongsi dengan

orang² China yang mana banyak terjadi perkara yang selalu di-sebutkan dalam Dewan ini perkara “Ali Baba”. Oleh itu, saya minta kepada Lembaga Pelesen ini apabila waktu temu-duga, atau waktu hendak di-keluarkan licence itu, hendaklah di-siasat dengan halus-nya, bukan sahaja pada masa itu, tetapi setelah licence itu di-keluarkan hendaklah di-pereksa sa-lepas satu dua bulan, atau pun di-pereksa “spot check”, ada-kah company² Melayu/China itu memakai pekerja² orang Melayu sa-bagaimana yang di-kehendaki, atau pun lain² lagi, kerana perkara “Ali Baba” ini maseh lagi berluas². Jadi, salah-nya bukan salah Yang Berhormat Menteri Pengangkutan, atau pun Lembaga Pelesen ini, tetapi salah-nya ia-lah orang² Melayu sendiri. Oleh itu, saya minta kepada Yang Berhormat Menteri Pengangkutan dan juga Lembaga Pelesen ini supaya menyiasat dengan halus-nya sa-kira-nya sa-suatu permohonan itu di-buat, sekian.

Enche' Geh Chong Keat (Penang Utara): Mr Chairman, Sir, I would like to speak on Clause 14. In Clause 14, there are provisions for occasional licences of goods vehicles, and under these you have classifications of licences—“A”, “B”, and “C”. I would like to draw to the Minister's attention the question of finding a solution by relaxing the present condition or to make provision for another classification to help the rural folks, that is the smallholders, the cultivators and the farmers. We know very well that to apply for a licence, the capital of these smallholders or cultivators is not big enough to enable them to qualify for the application of a new licence and neither can they group together to share the licence to carry goods of their individual production.

Now, rural development has progressed to such an extensive and successful stage that, even before our First Five-Year Plan could be completed, we have started on the Second Five-Year Plan, and many visitors from other nations have complimented us on our progress. Sir, I have spent some time studying the rural developments in Puerto Rico, and I say that our progress achieved here needs a little bit of

blowing our trumpet, in order to blow it at the right tune, because if we allow other people to blow, no matter how well they blow, they still blow it out of tune.

Sir, in this respect, I say that in our rural development we have provided marketing centres, and we have also provision for helping the rural people to cultivate. In general, the basic idea is aimed at rural economic uplifting. Now, we would not be doing our job—or, shall I say, we would not be completing this rural economic uplift—if we do not go to the extent of having the co-operation of the Minister of Transport. By his co-operation, I mean that he could allow these people to progress further. We make the roads for them, to enable them to bring out their home produce. So, let us help them to get a licence, or some sort of concession to transport their home produce to the market. We know very well that people in the city, can afford big American Cars of the latest type, but the rural folks only need to by second-hand cars—or shall I say, boneshakers—and get them into the kampongs, the rural areas, and transport their home produce, such as eggs and vegetables and other products to the market. I most sincerely hope, that help will be given to them to solve this problem of transport, and by so doing, the small cultivators and farmers will be saved from the embarrassment of being arrested every now and then by the Police. We also know, Sir, that each arrest means a fine, and in addition to that, the produce will be kept in the police station as evidence, and it may take a week or two for the produce to be released, and by the time it comes out, it means another loss in earnings. Therefore, Sir, I would like to request the Honourable Minister to make a provision in respect of this so as to help in the uplifting of rural economy.

Now, I come to my second subject. Mr Chairman, Sir, I have heard several speeches in this House about the *Ali Babas* and the towkays, Malay participation, Malay rights, and the Malay privilege of holding taxi licences, and I have this to say. Sir, I do not hold or intend to apply for any licence, and

I have no intention of being a transporter. I am here only to express the fear of businessmen. We have heard that every now and then the Minister of Transport had been to various centres, various cities throughout the country to accelerate Malay participation. I would like to point out that in Malay participation, there may be some fear or intimidation caused to these operators.

Mr Chairman: Order, Order, under what section are you talking? Now we are dealing with the principle of the amendment to the Bill before the House.

Enche' Geh Chong Keat: Mr Chairman, Sir, under the Road Traffic Ordinance and the policy as a whole concerning licensing, Sir.

Mr Chairman: We are not dealing with the full policy of the Road Traffic Ordinance. We are dealing with this amendment.

Enche' Geh Chong Keat: Yes, Mr Chairman, Sir, I am just saying this to touch on the surface effects of the policy. (*Laughter*).

Mr Chairman: Do not make it long.

Enche' Geh Chong Keat: I shall make it as short as possible. (*Laughter*), Sir. I support this Malay Participation, and I support the acceleration of this Malay participation. However, I want to point out the fear of the small businessmen, in that, they have their licences cancelled for some minor infringement of the terms or conditions under which their licences had been issued. Now, these people have been misled by some people in kampongs and in towns, in that, if their licences are cancelled and if they get a Malay to share such with them, then their licence can be revived. If that were the case, then it would be very bad as a policy, because if a licence had been cancelled it must have been cancelled because of contravening the conditions as stipulated in the licence. Mr Chairman, Sir, I hope that the Minister would study each case on its merits and try to dispel such fear, and that if occasions arise in meetings with the operators' association, or taxi-holders' association, or businessmen's association, he would take the opportunity to dispel the fear and inform

them that such cancellation would be only on the contravention of the terms and conditions stipulated in the licences and that before he cancels any licence he will look into the matter very carefully. Thank you very much, Mr Chairman, Sir.

Enche' Abdul Ghani bin Ishak (Melaka Utara): Tuan Yang di-Pertua, saya mengalu²kan Rang Undang² Lalu Lintas Jalan Raya (Pindaan). Saya menyokong supaya dapat di-laksanakan dengan lebih baik lagi pada masa yang akan datang, terutama sa-kali dalam hal keselamatan lalu lintas atau pun nyawa manusia yang sangkut-paut dengan jalan raya. Tuan Yang di-Pertua, kalau sa-takat yang ada pada hari ini saya rasa tidak berapa kurang juga kemalangan² yang telah timbul. Undang² ini boleh mencegah pemandu² kereta dan lori serta bas oleh pegawai² yang bertanggung-jawab. Saya rasa elok juga bagi pihak Kementerian ini menchari jalan supaya kenderaan yang membawa barang², penompang (passenger) dan lain itu supaya kita control enjen-nya. Kita selalu lalu di-Johor, kita dapati lori yang membawa balak dan membawa trailer itu boleh potong kita kalau kita lari 50 batu sa-jam. Perkara ini juga kita hendak perhatikan. Bagitu juga bas, kita tengok di-belakang-nya 35 atau 40 batu sa-jam, saya dapati dalam perjalanan saya dari Seremban ka-Kuala Lumpur mereka lari 50 batu sa-jam, kita susah kalau berselisih dengan mereka. Jadi nyawa manusia yang ada dalam kenderaan itu hendak juga di-kira. Kalau enjen itu di-kechilkan walau macham mana mereka lari pun had itu sahaja. Saya rasa itu ada lebih baik lagi.

Tuan Yang di-Pertua, sa-lain daripada itu masaaalah api. Sekarang ini kereta mercedez benz terlampau banyak di-jadikan teksi. Api kereta ini ka-atas macham mata udang. Kalau mereka itu dip api-nya, kita merayau hendak membawa kereta. Saya selalu bawa kereta malam. Saya selalu berselisih dan mengalami perkara yang saperti itu. Perkara ini pun patut di-ambil perhatian. Kita telah banyak dapat saksikan pelanggaran yang merbahaya, terutama sa-kali di-jalan yang banyak kereta. Sekarang ini dari bandar Melaka ka-

Commonwealth camp terlampau banyak teksi. Perniagaan mereka itu telah maju. Jadi kita susup sasap apabila selisih dengan kereta yang macham itu. Oleh itu, saya rasa boleh di-peterikan dip lampu itu, jadi walau macham mana di-tekan tidak boleh naik ka-atas dengan itu banyak menyelamatkan nyawa.

Sekarang, Tuan Yang di-Pertua, saya suka berchakap sedikit berkenaan dengan Lembaga Pelesen. Masa hendak mengeluarkan permit dan sa-bagai-nya ada sedikit perkara yang patut di-perhatikan. Mithal-nya, kalau satu permit itu telah di-matikan kerana kesalahan² yang tertentu, tetapi ada masa-nya saya dukachita betul, kerana sa-telah lesen itu mati orang kampung yang ramai itu susah. Apabila di-minta permit baharu, jawab-nya nanti di-timbangkan. Sudah dua tahun lebih belum ada lesen baharu. Saya recommend pun tidak laku. Jadi macham mana masaaalah ini. Kapada siapa kita hendak mengemukakan perkara ini? Kapada Lembaga Pelesen-lah supaya menimbangkan. Jadi dengan chara yang macham ini, pirate teksi atau teksi sapu banyak. Jadi kemalangan yang berlaku kapada pirate teksi ini tidak payah saya ulangi lagi. Banyak nyawa telah hilang. Kebanyakan orang yang mati itu tidak mempunyai insuran. Pirate teksi sa-bagaimana yang di-katakan oleh rakan saya Yang Berhormat dari Jitra-Padang Terap membawa murid sekolah dan kereta-nya kebanyakan telah burok. Kalau berlaku kemalangan tidak tahu-lah macham mana nyawa manusia ini hendak di-katakan. Perkara ini patut-lah pihak yang berkenaan menimbangkan. Negeri kita ini sudah terlampau maju sekarang ini, agak-nya hasil luar bandar kita terlampau banyak hendak di-keluarkan. Jadi penduduk yang sa-ramai 2,000 orang itu patut mendapat satu permit. Sekarang ini banyak lagi yang hendak-kan kenaikan yang betul² dapat menjaga keselamatan nyawa-nya atau harga-nya. Kalau naik kereta teksi sapu kalau ada barang tertinggal mereka sapu terus, kalau naik teksi betul, barangkali mereka itu akan pulangkan sa-mula, kita boleh buat repot, sa-kian² jam kita naik sa-kian² teksi. Perkara ini patut-lah

di-timbangkan supaya tidak menjadi perkara² yang tidak baik.

Saya telah mendengar, Tuan Yang di-Pertua, derebar dan tuan punya teksi bersungut, kerana mereka banyak bayar chukai dan insuran, hutang kereta tidak dapat bayar sebab pirate teksi banyak dan mereka banyak dapat wang, kerana mereka boleh masuk ka-tempat² lain. Saya rasa dalam perkara ini patut-lah kita sama² perhatikan supaya negara kita ini dapat kemajuan, dan undang² yang kita jalankan ini dapat menafaat yang benar² kepada seluroh ra'ayat. Terima kaseh.

Enche' Tan Cheng Bee (Bagan): Mr Speaker, Sir, I support this Bill because, as I see it, it will have a tendency to improve much of the misgivings which we find in the original Road Traffic Act, 1963. My concern, Sir, is about the Regional Licensing Boards which the Bill proposes to centralise.

Sir, applications nowadays are sent from the various States, especially the 11 States of the Federation of Malaya, and we can see very often in the *Gazette* notifications of these applications. I wonder if the Minister of Transport thinks that a single Licensing Board comprising of 11 members would be sufficient to go round the 11 States of Malaya. I agree that the intention of the amendment is to streamline the present cumbersome procedure and to cut short unnecessary appeals except to the Minister of Transport who will have the final say. I would appeal to the Minister to increase the number of members of the Board adequately to meet the demands of the public so that consideration of their applications would not be unduly delayed.

Another subject I would like to touch on is Clause 8, which is the provision of parking places by the appropriate Authorities. In view of the large number of cars nowadays, I feel this is a very good amendment, but I am afraid the collection of fees for the parking of cars authorised by the appropriate Authorities is sometimes done without regard to the difficulties caused to car owners or car drivers.

Sir, in the City of George Town, Penang, the City Council had gazetted

certain streets in Penang as "parking-metered" areas, i.e., areas installed with parking meters for the parking of cars. The charge is 10 cents for 30 minutes and the maximum time allowed is, I think, 2 hours, costing 40 cents. These parking meters are usually in very busy areas. It is in these areas where you park your car and get along with your business in the City, but when you exceed the maximum time allowed, you will see a notice pinned to the wiper of your car asking you to pay \$5 penalty to the City Treasurer, Penang. I say, Sir, this is most unfair—the levying of this penalty is really unfair, because lawyers and doctors are nowadays so busy that when you call on them you have often got to wait to see them, and by the time you come out of their offices you would have exceeded the maximum time you paid for parking. The penalty imposed by the City Council is, I think, really unfair, and as far as I am aware is not being practised in any of the countries near here. In this matter I do not think the Minister of Transport could help us because the City Council is not under the control of the Alliance Government, nor is it a Council with a majority of Alliance Members. But I would appeal to the City Council in this House to follow the system applied in Singapore, that is, to charge the appropriate fees for any time exceeding the amount one has paid for parking.

Enche' Harun bin Abdullah (Baling): Dato' Yang di-Pertua, saya juga menyokong di-atas Rang Undang² tambahan yang di-chadangkan oleh Menteri Pengangkutan ini. Dalam perkara ini saya suka-lah berchakap sedikit ia-itu mengenai Lembaga Pusat Pelesen, ahli² pelesen pusat yang telah di-tetapkan sa-banyak lapan orang. Boleh jadi chadangan ini ada-lah mengambil perimbangan dengan pemeriksa² kereta dan pendaftar kereta negeri. Jadi, saya rasa mengikut pendapat saya elok-lah daripada lapan orang itu di-jadikan sa-belas orang, kerana wakil² yang akan di-angkatkan itu boleh menchadangkan tiap² sa-buah negeri sa-orang. Sa-kiranya di-lantek lapan orang sahaja dan ada negeri² yang tidak ada wakil-nya maka tentu-lah lembaga pelesen itu susah hendak mendapat penerangan

yang sa-penoh-nya dalam masa menimbangkan permohonan mereka² itu. Walau pun ada laporan² daripada pemereksa² dan pendaftar² daripada negeri, tetapi hendak memuaskan hati ra'ayat maka elok-lah di-chadangkan supaya di-adakan 11 orang, jadi hendaklah di-tambah lagi tiga orang. Berkenaan dengan ahli yang hendak ditambah itu saya suka juga hendak mendapat perhatian dari pihak Kementerian ini sa-kira-nya di-lantek orang² dari pusat sahaja tentu-lah tidak 'adil, rasa saya elok-lah di-angkat orang² itu di-bahab sama rata dari orang tiap² negeri di-dalam Persekutuan ini. Dengan ini kira-nya ada apa² yang hendak di-kemukakan kehendak ra'ayat oleh Jawatan-Kuasa itu tentu-lah mudah di-tujukan kepada Lembaga yang ada di-dalam negeri-nya itu masing². Sa-kira-nya dengan chara di-lantek salongkok sahaja tentu-lah susah ahli² pemohon itu hendak mengemukakan pendapat² mereka dengan chara bermulut. Tidak-lah semua orang² yang memohon ini dapat datang ka-Kuala Lumpur ini. Jadi, dengan lantekan yang kita tetapkan sama rata tiap² negeri itu, maka boleh menolongkan kepada pemohon² itu.

Lagi satu perkara mengikut chara yang telah lalu waktu hendak meluluskan itu di-adakan satu temuduga di-peringkat² negeri. Jadi, saya tidak-lah dapat memahamkan ada-kah temuduga yang akan datang akan di-buat di-peringkat Lembaga Pelesen Pusat, sa-kira-nya demikian saya rasa akan menyusahkan orang memohon lesen teksi² itu, kechuali-lah orang² kaya ini tentu-lah bagi orang yang mempunyai modal yang banyak, dan orang² yang macham ini tentu-lah mampu datang ka-Kuala Lumpur ini untuk di-temuduga, tetapi bagi orang² yang miskin yang memohon itu umpama daripada bekas pasokan keselamatan maka tentu-lah mereka itu tidak dapat datang ka-Kuala Lumpur ini kerana terpaksa menggunakan wang yang banyak. Jadi, hal ini saya harap kalau hendak mengadakan temuduga hendaklah di-buat di-negeri itu juga. Dan lagi berkenaan dengan lantekan, ada Ahli Yang Berhormat yang berchakap dahulu daripada saya tadi menchadangkan

Jawatan-Kuasa Lembaga itu tidak-lah daripada ahli² siasah. Saya berasa boleh bersetuju juga dengan chara itu, tetapi kerana kedudukan sekarang ini hendakkan orang² yang bukan di-dalam siasah itu tentu-lah susah, kerana ra'ayat sekarang ini hendak memohon itu dan ini ada-lah di-tumpukan kepada orang² siasah, terutama sa-kali kepada wakil² ra'ayat. Jadi, kalau pun di-pilih orang itu ia-itu daripada orang² yang ahli siasah maka tentu-lah mereka dapat menjalankan kerja² itu dengan sa-chara 'adil. Oleh itu pada pendapat saya tidak payah-lah kita hendak menetapkan bahawa orang yang di-lantek itu daripada orang yang bukan di-dalam siasah dan terpulang-lah kepada Menteri memikirkan sama ada orang² itu boleh mengambil bahagian di-dalam ahli Jawatan-Kuasa ini.

Sa-perkara lagi berhubung dengan memberi lesen teksi itu mengikut dasar yang ada sekarang ini ia-itu di-berikan kepada ahli² pasokan keselamatan atau pun kepada orang² yang sudah membuat sharikat, dan juga manakala di-jalankan temuduga kepada pasokan² keselamatan ini Lembaga ini bertanya berapa banyak wang yang ada pada mereka itu. Jadi, orang itu hendak-lah memberi keterangan yang penoh untuk membeli sa-buah motokar itu, mithal-nya motokar itu harga-nya \$8,000 dan hendak-lah pemohon itu mempunyai wang yang cukup untuk membeli motokar itu, dan sa-kira-nya persediaan wang itu hanya sedikit sahaja maka boleh jadi pihak yang memberi temuduga itu tidak perchaya. Jadi, dalam hal ini saya tidak bersetuju sa-kira-nya kita berkehendakkan pemohon itu mesti mengadakan wang yang banyak baharu kita menimbangkan permohonan-nya, dan kita hendak-lah memberikan kemudahan kepada mereka, umpama-nya sa-bagaimana yang di-buat oleh saudagar motokar ia-itu dengan chara sewa beli, sa-kira-nya mereka boleh mengaku dengan mengadakan wang \$1,000 atau \$2,000 maka boleh-lah kita fikirkan dan mereka boleh-lah di-beri peluang untuk mendapat-nya. Jikalau pihak Lembaga Pelesen ini berkehendakkan wang yang sa-banyak sa-buah motokar maka tentu-lah orang² miskin terutama sa-kali ahli² daripada pasokan keselamatan

sampai bila² pun mereka tidak akan dapat membeli motokar, oleh sebab itu saya harap patut-lah perkara ini dapat di-longgarkan. Dato' Yang di-Pertua, sa-takat itu-lah sahaja pandangan saya dan saya ucapkan terima kaseh.

Tuan Haji Ahmad bin Saaid (Seberang Utara): Tuan Yang di-Pertua, saya bangun untuk menyokong Rang Undang² pindaan bagi Undang² keselamatan jalan raya. Tuan Yang di-Pertua, sa-barang pindaan untuk hendak mengemaskan lagi Undang² yang ada sekarang ini ada-lah di-sambut baik khas-nya oleh semua pengguna jalan raya. Saya ingin menarek perhatian Yang Berhormat bahawa sa-takat mengemaskan Undang² sahaja tidak-lah memadai, kerana ada lagi perkara² yang maseh berjalan terus di-antara orang² yang menggunakan jalan raya ini, saya ingin menarek perhatian Yang Berhormat bahawa sa-takat mengemaskan Undang² sahaja tidak memadai kerana ada lagi perkara² yang maseh berjalan terus di-antara orang² yang menggunakan jalan raya ini, ada di-antara kalangan orang² tidak tahu langsung berkenaan Undang² lalu lintas. Jadi, dengan sebab itu-lah mengikut kenyataan bahawa kemalangan jalan raya dalam Persekutuan ini ia-lah satu taraf yang tinggi juga kalau di-bandingkan dengan negara² yang lain. Oleh yang demikian, Tuan Yang di-Pertua, saya ingin menarek perhatian Yang Berhormat itu supaya menggalakkan atau pun berikhtiar memberi tunjok ajar memberi didekan dalam pelajaran berkenaan dengan peratoran lalu lintas melalui Road Safety Council (Lembaga Penasihat Keselamatan Jalan Raya). Saya dapat tahu langkah² telah di-ambil untuk menubuhkan Lembaga Penasihat Keselamatan Jalan Raya bagi tiap² negeri. Tetapi, Tuan Yang di-Pertua, peruntukan yang di-berikan kepada Lembaga Penasihat itu tidak mencukupi. Saya dapati sa-buah negeri di-berikan chuma \$1,000 sahaja, jadi, ini tentu-lah tidak cukup. Saya berharap kepada Yang Berhormat supaya ditumpukan tenaga-nya ka-arrah memberi didekan pelajaran kepada pengguna² jalan raya itu supaya dapat mengurangkan kejadian kemalangan jalan raya bagaimana yang telah berlaku sekarang ini.

Enche' Mohamed Yusof bin Mahmud (Temerloh): Tuan Yang di-Pertua, saya suka mengambil bahagian dalam bahathan Rang Undang² pindaan berkenaan dengan hal lalu lintas ini. Pada pendapat saya bahawa badan ini ia-lah menubuhkan dua perkara, ia-itu pertama untuk mententeramkan kehendak² ra'ayat untuk mengambil bahagian sa-berapa yang banyak dalam perkhidmatan pengangkutan dan sa-bagai-nya, terutama untuk orang² Melayu yang hendak mengambil bahagian yang chergas dalam perkara ini yang mana kita telah menetapkan kota atau bahagian di-untukkan kepada orang Melayu.

Yang kedua ia-lah untuk mengurangkan sa-berapa boleh kemalangan² berkenaan dengan hal lalu lintas di-jalan raya ini. Sekarang saya ambil pada bahagian pertama untuk memberi kepuasan hati kepada seluroh ra'ayat mengambil bahagian di-dalam perkhidmatan ini. Mengapa-kah yang menjadi idaman sangat daripada segala pehak dalam hal bahagian pengangkutan ini? Ia-lah tidak lain dan tidak bukan perkhidmatan ini akan memberi peluang pendapatan yang baik—pendapatan² yang lumayan, sebab itu-lah berlumba² orang hendak masuk di-dalam bahagian ini. Walau pun mereka itu tidak ada modal untuk menjalankan atau membeli perkara² yang akan menjalankan perkhidmatan ini tetapi mereka boleh dapat pendapatan yang lumayan. Umpamanya sa-orang mendapat satu plate taxi walau pun dia tidak dapat membeli kereta, dia dengan senang-nya boleh memberi kepada pehak yang lain dengan sagu hati sa-banyak \$100 sa-bulan.

Bagitu juga perkhidmatan lori bahagian klas "A", pendapatan satu bulan tidak kurang daripada seribu ringgit. Maka ini juga kita nampak sabab² berlumba² ra'ayat persaingan hendak masuk dalam perkhidmatan ini, oleh sebab ada pehak² yang sanggup memberi perkara² yang saya sebutkan tadi. Jadi saya rasa untuk mengelakkan perkara ini, kita hendak-lah mengadakan Undang² saperti yang di-chadangkan oleh Menteri ini, tetapi boleh-kah kita menuju kepada matalamat yang kita kehendaki, saya perchaya mustahil kita dapat sa-penoh²-nya. Oleh sebab ada di-antara mereka² yang suka hendak

menggalakkan perkara² yang tidak diingini yang di-sebutkan maka selama itu-lah perkara ini tidak dapat di-jalankan.

Sa-bagaimana ucapan saya selalu dalam perkara ini, patut-lah saya rasa Kerajaan atau Menteri yang bertanggung-jawab menimbangkan satu chara pula supaya menchegeh peluang² bagi orang² yang suka menchari chara² yang saya cheritakan tadi, ia-itu di-khaskan perkhidmatan pengangkutan² ini kepada sharikat² atau kompani² sahaja tidak di-bahagikan kepada persaorangan. Dengan ini memberi peluang terutama sa-kali kepada orang² Melayu mengambil bahagian dalam kompani² dengan modal mereka yang sedikit itu. Saya berchakap ini, kerana pada masa yang lepas, telah di-berikan jawapan oleh Menteri, ia-itu kata-nya dia telah menyebabkan mereka² ini menubuhkan kompani² tetapi tidak mendapat sambutan. Jadi saya rasa, tentu-lah ada jalan lain, sa-bagaimana pada masa saya kechil² dahulu ia-itu sa-belum ada bus² kompani ini, Kerajaan telah mendapat kesulitan² yang di-alami oleh mereka² yang persaorangan ini, di-adakan-lah satu Legislation atau Undang² ia-itu mengharamkan atau menutup segala persaorangan dan di-benarkan lesen² itu kepada kompani² sahaja. Saya rasa, dengan jalan ini-lah orang Melayu dapat masok dalam perkhidmatan ini dengan modal mereka yang sedikit itu.

Berkenaan dengan menchegeh kemalangan² yang banyak. Saya rasa perkara² yang dapat kita adakan ia-lah yang pertama pada masa ini kita perhatikan laju-nya kereta di-jalankan oleh driver² lori kayu atau pun lori² dagang yang berat². Jadi saya rasa patut-nya dapat kita chegeh kemalangan² sa-kira-nya ia-itu dagangan² di-mana dikeluarkan berdekatan dengan lintasan keretapi atau pun train tidak di-benarkan lesen² lori dan sa-bagai-nya menggunakan perkhidmatan yang mana banyak perkhidmatan itu boleh di-jalankan dengan jalan keretapi ini. Sebab kita tengok dalam penyata tiap² tahun perkhidmatan keretapi ini telah merusut dalam hal perdagangan-nya oleh sebab pertandingan yang kuat daripada lori² ini.

Rasa saya driver² yang mengambil bahagian dalam hal keselamatan lalu lintas terutama bus² atau lori² ini patut-lah kita tidak benarkan bagi mereka² atau driver² yang kurang pengalaman. Sa-patut-nya kita hadkan umur-nya sa-umpama 25 ka 50 tahun dan ada berkhidmat menjalankan kereta² dengan amalan tidak kurang daripada 5 tahun. Jadi ini saya rasa satu chara yang saya fikir sa-telah mereka itu berumur 25 tahun mereka akan sedar kedudukan mereka dan akan berchermat dalam chara² menjalankan kereta. Bagitu juga telah mendapat pengalaman sa-lama 5 tahun lama-nya.

Saya perhatikan juga accident² ini di-lakukan oleh mereka² yang kurang berpengalaman dalam hal membawa kereta, patut-lah saya rasa, chara yang ada sekarang ia-itu orang² yang hendak mendapat lesen chuma di-benarkan belajar sa-lama tiga bulan dengan lesen "L" selepas mana boleh-lah mendapat lesen membawa kereta tetap. Jadi saya rasa patut-lah di-lanjutkan kepada satu tahun dalam mana baharu-lah boleh mereka² ini dapat lesen yang tetap untok memandu kereta.

Lagi dalam hal menchegeh kemalangan ia-itu kita menchadangkan dalam Rang Undang² mengadakan tempat²—parking space supaya tidak menghalang lalu lintas di-jalan raya. Ini saya rasa satu perkara yang sangat baik terutama sa-kali di-bandar² besar. Saya rasa bagaimana pada masa² yang lampau saya telah menchadangkan satu chara meletakkan kereta itu, jangan menyusahkan kepada orang² yang mempunyai kereta sa-bagaimana menghadkan masa sa-bagaimana telah di-laporkan tadi, patut di-timbangkan, kita biarkan-lah mereka² itu meletakkan sa-berapa lama yang mereka suka tetapi dengan syarat mereka mesti-lah membayar harga kerana menggunakan tempat² itu.

Lagi satu dalam Rang Undang² ini kita berchadang hendak mengadakan lesen khas kepada pembawa lori dan kereta² yang berat². Di-sini saya rasa lesen khas di-kenakan bayaran \$12 pada tiap² tahun dan juga \$5 kerana pepereksaan Hospital. Saya rasa ini satu bebanan yang berat kepada pembawa kereta atau pun driver² yang berkenaan ini. Saya bersetuju mereka² ini

di-periksa pada tiap² tahun tetapi dengan syarat di-kurangkan perbelanjaannya atau pun di-kenakan perbelanjaan ini kepada tuan² punya kereta yang dibawa oleh mereka² itu. Bagitu juga lesen yang di-kenakan bayaran \$12 saya rasa ini satu bebanan yang berat kepada driver² itu.

Lagi satu, Tuan Yang di-Pertua, untuk mencegah lagi berkenaan dengan hal kemalangan ini, sunggoh pun di-sini ada di-sebutkan yang mereka² itu boleh merayu kepada pehak yang tertentu supaya licence² mereka yang telah di-batalkan itu boleh di-beri balek kepada mereka² itu. Rasa saya, patut-lah perkara ini tidak boleh kita galakkan, sebab mereka² itu akan mencari sa-ribu helah untuk mendapatkan licence²-nya itu. Jadi, rasa saya, kalau sa-kiranya perkara ini kita jalankan sa-lama lima tahun, sa-bagaimana saya katakan mereka² yang telah di-padamkan, atau di-matikan lesen-nya, saya perchaya dalam masa yang kahadapan nanti, mereka² akan lebeh berhati² dalam menjalankan kereta-nya supaya jangan licence² mereka itu dapat di-batalkan.

Jadi, Tuan Yang di-Pertua, undang² ini memang-lah elok pada segala²-nya, tetapi dalam pada itu, rasa saya tentulah mereka² akan menjalankan sa-ribu helah untuk mendapatkan-nya licence² itu balek. Maka dengan sebab ini-lah yang saya rasa churiga, tetapi untuk kita menchuba menjalankan undang² ini sa-bagaimana yang di-shorkan, saya harap pandangan² yang saya berikan itu dapat di-selitkan pada masa hadapan.

Enche' K. Karam Singh: Mr Speaker, Sir, it is interesting to see that the Government is paying attention to this problem. But nevertheless, I still say that the Government is not making an overall effort in this direction. Mr Speaker, Sir, I would say that if Ministers were to drive their cars the way they manage their Ministries, most of the present Ministers would have been disqualified from being Ministers (*Laughter*) and, perhaps, have their licences of being Ministers suspended or endorsed, or being severely warned—fortunately for them they do not come under the jurisdiction of magistrates, as they are Ministers. So, Mr Speaker, Sir, the Ministers are able to get away with a

lot of bad driving, reckless driving and, sometimes, very dangerous driving in their Ministries.

Mr Speaker, Sir, the Transport Ministry, in my opinion, has no overall transport policy. They do not consider the importance of national interest, and the door has been left wide open for private interests to encroach upon national interest—and that is very clearly proved by the answers we got this morning from the Honourable Minister that the Railways are running at a deficit. The Railways are national property and any profit that they make is the property of the nation. The nation gains if the Railways are well run. However, we feel that the Government is too much under the influence of transport businessmen, and is indiscriminately allowing private transport to kill the Malayan Railways. Therefore, we can see that in regard to the Transport Ministry, although on this section or that section they may attend to things and bring in new section of laws, their essential failing is that they have no overall national policy for the transport industry. Sir, we can say that this Alliance Government has gravely harmed the economy of this country by not having a proper quota system in order to safeguard and reserve a proper proportion of business for the Malayan Railways. That being the case, how is the Malayan Railways going to make a profit, how is it going to survive and flourish, if it is not going to be fed, if it is not going to be given business? Mr Speaker, Sir, it is rather late for the present Government to remedy this state of affairs in the last few months of the existence of this Government—perhaps, other parties if they form the Government in the next Parliament will attend to this grave problem and remedy the damage that the Alliance Party has done to the Malayan Railways and to the national economy.

Mr Speaker, Sir, before I proceed, I would like to say that I appreciate very much what one of the Honourable Members of the Government side said in regard to restricting competition against the Malayan Railways. So, Mr Speaker, Sir, that Honourable Member of the Alliance, who said that, should

not be taken as a communist, or as a subversive or opposition member, and all that usual charges brought against us. In fact, what he has said is in line with what we think and in line with what the nation demands of the Government. So, Mr Speaker, Sir, mine is not a lone voice in asking the Government to look after the Malayan Railways, to preserve the interests of the Malayan Railways. Even a Member of the Alliance Party has waken up to the danger and I hope the Minister will, before this debate closes, inform this House what he intends to do in this respect, so that the country can know whether to expect anything positive from the Government, or whether the things will go on as badly managed as they have been.

Mr Speaker, Sir, there is reference in the Ordinance to appropriate authorities and licensing authorities. What we would want the Government to clarify is how will these licensing officers be appointed, from where will they be drawn, or are they going to be people who have campaigned for Ministers somewhere, or members of the UMNO Youth, or the MCA Youth, or supporters of the Land Finance Co-operative Society, and things like that. Are these people going to be drawn from supporters or campaigners for the Alliance, who have been doing service to the governing Party, but not to the nation, with a view to getting something?

Mr Speaker, Sir, one of the defects of parliamentary government is that Ministers have to depend on people to campaign and canvass for them, to do propaganda for them, whether justified or unjustified.

Dato' Haji Sardon bin Haji Jubir: I have listened to the allegations and I object to them very strongly. If you ask any specific question I will reply.

Enche' K. Karam Singh: Mr Speaker, Sir, I am pointing out the danger (*Laughter*) and the Minister should thank me for cautioning him (*Laughter*) about possible political sharks, who may swarm around him, because I do not mind sincere people helping him in elections, but he must beware of political sharks.

Mr Speaker, Sir, we come again to a question of the prevention of corruption. How can you prevent corruption when you license private interests which make so much profit, because the man who gets a license is going to make a big profit and he will not mind giving a commission to someone somewhere—that is part of the expenses of the business. Even for advertisement people pay five per cent and ten per cent, of their capital; and it will not be surprising if the people who issue licences and the people who obtain licences do engage in corrupt practices, because there is something gained by the person obtaining the licence. Sir, how can the Government end corruption if it goes on like this? It can never end corruption.

Enche' Ibrahim bin Abdul Rahman: Mr Speaker, Sir, I notice that he is addressing the Honourable Minister.

Enche' K. Karam Singh: Mr Speaker, Sir, I cannot stand like a post and just look at you, Mr Speaker, Sir (*Laughter*) but I promise I will not hypnotise him. (*Laughter*).

Mr Speaker, Sir, we have heard of co-operative endeavours and other things about uplifting the people in the kampongs and all that. Why does this Ministry not set up national enterprises to develop the transport industry of the villages in conjunction with co-operatives, so that the profit will belong to the people instead of allowing private business men to reap the fruits of any advance in the transport industry? In that way, Mr Speaker, Sir, when the interests of the people are the same, where there is no conflict, you will find there will be no corruption and there will be progress, and any profit that is made will go to the people. When this Ministry starts thinking, or this Government starts thinking on those lines, we can say that it has become, or it is trying to become, a government for the people and of the people. But at the moment it is just a Government of the people for the capitalists, and especially amongst the capitalists are the road transport operators. So, Mr Speaker, Sir, I hope that—I do not know whether this Minister has claimed himself to

be a Socialist—he will adopt a progressive policy which will benefit the people.

Mr Speaker, Sir, I now touch on another matter—taxi licences. On this matter of taxi licences we find our Minister most harassed. At one time he gives licences to kampong people and you find him a few months later scolding those same kampong people for no longer having those licences. What does this bring to the attention of the Government? It only shows that the poor people in the kampongs cannot stand competition. It is no use scolding them. You keep on scolding them. They will still be squeezed out in the modern world of competition, because these people are new—they have no contact; they have no organisation.

So, Mr Speaker, Sir, here again, what I have said about national endeavour, about co-operative effort, about co-operative policy, and the policy of national as against individual advancement should be adopted by the Minister and by the Government.

The Assistant Minister of Rural Development (Sarawak) (Enche' Abdul Rahman bin Ya'kub): Mr Speaker, Sir, one of the Honourable Members sitting over there made some observations with respect to Clause 2 of the Bill. He said that in his opinion the proposed introduction of new section 31A into the Road Traffic Ordinance should not be encouraged. On the contrary, Mr Speaker, Sir, such provisions exist in many other parts of the world. What we must bear in mind is that the penalty must be commensurate with the nature of the offence. It is not the purpose of sentencing a person so that he should be deprived of his livelihood, which might happen if the proposed section 31A of the Road Traffic Ordinance is not enacted.

The Honourable Member for Bachok has asked for the precise interpretation of the word "recklessly" as used in section 35 which appears in Clause 4 of the Bill. Sir, "recklessly" can mean the voluntary doing by motorists of an improper or wrongful act, or, with knowledge of existing condition, the voluntary refraining from doing a

proper or prudent act when such act or failure to act evinces an entire abandonment of any care. That is the interpretation which has been adopted in various High Courts of the word "recklessly". Mr Speaker, Sir, a man who is reckless may prefer that the contemplated event—the event that had happened—shall not happen at all; or he may, on the other hand, Mr Speaker, Sir, not care whether it happens or not. But the difference between "recklessness" and say "manslaughter", for example, is that in a charge under the proposed section 35, where a person is prosecuted for driving a vehicle recklessly, he does not desire that the event should occur, but it is the usual, unfortunately, attitude of mind of the weak human beings. The word "dangerous" appears in the marginal note. But, Mr Speaker, Sir, the proper expression which must be looked at is "at a speed or in a manner which having regard to all the circumstances". It can, of course, be contended that the expression "having regard to all the circumstances" is a vague expression. But, again, there are many factors in life, many things, which one cannot foresee. We in this part of the world, democratic world—whatever the Member for Damansara (he has unfortunately gone away) may say about the Alliance Government, it is still a democratic Government—have inherited that very high, very praiseworthy, judicial system from the former colonial Government in this country. So, the approach to a question such as this is to leave a certain amount of latitude to the court to interpret the relevant section.

Sir, I think the Honourable Member for Kubang Pasu Barat has made observations with respect to Clause 15 of the Bill concerning the proposed new sections 138A and 138B. When making observations on those new sections, he has also mentioned something about cows and other animals. These particular sections do not seek or purport to cover animals. The question of stray animals is adequately covered by the Minor Offences Ordinance, 1955, section 11. He has also mentioned that the question of penalty, which is \$100, is too lenient. But other Members might feel that it is too excessive. However, in any event,

as I have already said, the law must not appear to be oppressive. The punishment which should be awarded in a particular case should be not for the sole purpose of punishing the offender only, but it should also be as a deterrent measure. It is a matter of opinion whether in a particular case one's punishment is too lenient or too heavy; again, we must trust our Court to dispense justice.

Sir, the Honourable Member for Damansara has already been asking for several days the Ministers and Members in this House to thank him for all the suggestions he has made. I really sympathise with him. Mr Speaker, Sir, let us be sympathetic and give him the thanks that he wants. Thank you (*Applause*).

Dato' Haji Sardon bin Haji Jubir: Dato' Yang di-Pertua, terima kasih saya ucapkan kepada 16 orang banyaknya Ahli² Yang Berhormat yang telah berchakap memberi bermacam² pandangan, masok juga Yang Berhormat dari Damansara, walau pun di-mana dia tidak bersetuju tetapi Kerajaan juga chergas juga-lah dalam perkara ini kata-nya, maka, ini menunjukkan Yang Berhormat belum lupa sa-belum kita pindah ka-bangunan Dewan yang baharu ini, tiap² tahun boleh di-katakan saya kena gasak fasal lori lari kuat, lori lari kuat (*Ketawa*). Saya menjawab bahawa saya sedang menyiasat sa-halus²-nya dan hendak menyiapkan Undang² dan saya akan memajukan ka-dalam Dewan ini dan Ahli² Yang Berhormat semua-nya akan menyokong, tetapi pada hari ini banyak yang salah faham tentang tujuan asal. Maka oleh kerana itu biarlah saya terpaksa memakan masa yang panjang sedikit untuk menerangkan-nya sa-belum menjadi keliru kepada Ahli² Yang Berhormat, terutama sa-kali berkenaan dengan dasar Kerajaan terhadap kepada perniagaan dan pengangkutan kepada orang² Melayu. Sudah dua tahun saya terangkan, tetapi maseh juga keliru. Mengikut kertas putih 17 yang telah memakan waktu sa-lama hampir tiga tahun merundingkan-nya, yang mana daripada tahun 1948 kalau tidak salah yang mana pehak² orang yang bukan Melayu yang berniaga pengangkutan telah pun bersetuju pada

dasar-nya menggalakkan orang² Melayu masok di-dalam perniagaan pengangkutan, chuma yang menjadi soal pokok macham mana chara-nya, maka, sa-chara yang senang orang² Melayu hendak berniaga dengan chara keadaan yang kechil, perniagaan pengangkutan ada tiga tingkatan, ia-itu pertama teksi, kedua lori dan ketiga bus. Teksi itu boleh-lah di-katakan satu perniagaan yang kechil, maka, bagi menggalakkan orang² Melayu tentang perniagaan kechil saperti teksi ini sudah pun di-setujui oleh semua bangsa, sunggoh pun kita belum merdeka lagi pada masa itu. Tetapi atas ke'adilan di-chadangkan tiap² sa-buah negeri mengikut peratus penduduk² orang Melayu, umpama-nya negeri Johor, katakan-lah 52 peratus orang Melayu penduduk-nya, maka dapat-lah di-beri keistimewaan bagi penduduk² Melayu itu sampai 52 peratus had itu. Jika ada peruntokan² teksi sa-sudah penoh; peruntokan bagi orang² Melayu telah penoh had, itu baharu-lah di-negeri² yang itu di-bukakan kepada semua bangsa memohon-nya, tetapi yang hendak memohon itu mesti-lah chukup syarat-nya. Waktu saya menjadi Menteri, sudah bersetuju ramai semua bangsa untok hendak menimbangkan peruntokan teksi² itu. Umpama-nya peruntokan teksi itu di-Kampong Puteh, maka penduduk² di-Kampong Puteh itu di-beri satu syarat yang utama, syarat yang pertama bahawa teksi mesti ada di-situ, yang kedua orang itu tahu membawa kereta, yang ketiga orang² yang telah menjadi perajurit² ia-itu memperjuangkan dalam masa dharurat. Oleh itu satu orang pun tidak boleh mengatakan ini perkara yang tidak 'adil.

Kemudian, Tuan Yang di-Pertua, Ahli Yang Berhormat dari Bachok mengatakan jangan menjadi perniagaan Ali Baba; dan Ahli Yang Berhormat dari Baling pula mengatakan bahawa pehak bekas S.C. itu tidak ada berduit, kita semua ma'alum, Tuan Yang di-Pertua, bahawa RIDA boleh memberi pinjaman dan perkara ini boleh di-rundingkan dengan pehak RIDA tentang soal duit ini. Tetapi kita mesti-lah hendak menyiasat sa-benar²-nya kereta teksi itu tidak pergi kepada orang lain, dan jangan sampai pula di-tukarkan nama kepada orang lain. Ini baharu dua tahun Prentah

No. 1 apabila orang² Melayu di-beri keistimewaan tentang teksi itu hendaklah driver² itu daripada orang Melayu itu sendiri, sa-bagai memenohi syarat meminta, ia hendaklah tahu membawa kereta. Kalau tidak di-buat bagini maka boleh jadi orang China, India boleh memberi satu ribu, atau dua ribu, orang yang bukan Melayu ini boleh menjadi pemandu, yang sa-benar-nya orang yang bukan Melayu yang punya chuma nama sahaja Melayu punya maka sebab ini-lah Kerajaan buatkan syarat, malang-nya kapada mereka yang tidak mahu memberikan kerjasama, janganlah hendak di-salahkan kapada Kerajaan, kita semua hendaklah bersama² untuk memberi nasihat kapada anak buah kita itu supaya jangan menchuaikan hak² Melayu yang telah di-berikan itu di-berikan kapada orang lain, ini satu kesalahan yang besar dari segi peribadi kita sa-bagai orang yang bersemangat kebangsaan. Sebab itu ada-lah hukuman-nya sangat keras, kalau ada keterangan yang chukup beri-lah tahu, Majlis Pelesen akan potongkan permit-nya, itu sahaja hukuman-nya, tidak ada lain. Maka ini hanya kapada teksi, jangan salah faham bagi pehak orang² yang bukan Melayu. Saya minta ma'af juga saya selalu kena tudoh, umpamanya di-Perak, hak bagi orang Melayu di-untokkan 42 peratus, dan kalau ini

sudah penoh ada peruntokan teksi kapada orang² yang bukan Melayu bolehlah memohon, mithal-nya China, India, Ceylon, Serani, siapa pun bolehlah memohon. Tetapi apabila di-tanya: Tahu-kah membawa kereta? Tahu, kata-nya, tinggal di-Kampung Puteh? Ya, kata-nya, ada-kah bekas perajurit? Orang² China, orang² India, Ceylon dan Serani, tidak ada, dia tidak ada jadi bekas perajurit, Melayu ada lima orang, teksi ada sa-buah, maka, di-sini-lah yang Ahli Yang Berhormat tadi berchakap supaya di-bagikan kapada kompeni² sahaja. Nasehat saya, lima orang perajurit itu biarlah bersatu untuk mendapatkan sa-buah teksi itu, dan kalau kurang minta-lah lori, barangkali lori yang muat-nya 3 ton boleh di-buat berniaga dan bolehlah Kerajaan timbangkan, dan mereka bolehlah buat permohonan untuk kita fikirkan, tetapi tidak mahu juga, hendak juga sendiri², maka kalau kita menchabut loteri pun satu orang juga yang dapat dan empat orang lagi tidak mendapat, maka yang tidak dapat memaki kita juga. Oleh itu perkara ini sedang saya selideki.....

Mr Deputy Speaker: Order! order! The time is up. The meeting is adjourned till 10 a.m. tomorrow.

Adjourned at 6.30 p.m.