



PARLIAMENTARY DEBATES

DEWAN NEGARA (SENATE)

OFFICIAL REPORT

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FEDERATION OF MALAYA
DEWAN NEGARA (SENATE)
Official Report

Vol. II

Second Session of the First Dewan Negara

No. 15

Monday, 13th February, 1961

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

PRESENT:

- The Honourable Mr. President, DATO' HAJI ABDUL RAHMAN BIN MOHAMED YASIN, S.P.M.J., P.I.S., J.P. (Johore).
- „ the Minister of Justice, TUN LEONG YEW KOH, S.M.N. (Appointed).
- „ TUAN HAJI ABBAS BIN HAJI MOHAMED (Trengganu).
- „ ENCHE' ABDUL HAMID BIN MAHMUD, J.M.N. (Appointed).
- „ ENCHE' AHMAD BIN SAID, A.M.N. (Perak).
- „ ENCHE' A. M. ABU BAKAR, J.M.N. (Appointed).
- „ ENCHE' ABDUL WAHAB BIN IDUS, P.J.K. (Negri Sembilan).
- „ ENCHE' AMALUDDIN BIN DARUS (Kelantan).
- „ ENCHE' CHAN KWONG HON, A.M.N., J.P. (Selangor).
- „ ENCHE' CHOO KOK LEONG (Appointed).
- „ DATO' J. E. S. CRAWFORD, J.M.N., J.P. (Appointed).
- „ ENCHE' DA ABDUL JALIL BIN HAJI AWANG (Trengganu).
- „ ENCHE' HASHIM BIN AWANG, J.P. (Penang).
- „ ENCHE' KOH KIM LENG (Malacca).
- „ DATO' LEE FOONG YEE, J.M.N., P.P.T., J.P. (Negri Sembilan).
- „ ENCHE' LIM HEE HONG, A.M.N. (Appointed).
- „ ENCHE' MOHD. SALLEH BIN MOHAMED ARIFF (Malacca).
- „ ENCHE' MOHD. ZAHIR BIN HAJI ISMAIL (Kedah).
- „ ENGKU MUHSEIN BIN ABDUL KADIR, J.M.N., P.J.K. (Appointed).
- „ ENCHE' ATHI NAHAPPAN (Appointed).
- „ ENCHE' NIK HASSAN BIN HAJI NIK YAHYA, J.M.N. (Appointed).
- „ TUAN HAJI NIK MOHD. ADEEB BIN HAJI NIK MOHAMED (Kelantan).
- „ TOK PANGKU PANDAK HAMID BIN PUTEH JALI, P.J.K. (Appointed).
- „ RAJA RASTAM SHAHROME BIN RAJA SAID TAUPHY (Selangor).
- „ DATO' G. SHELLEY, P.M.N., J.P. (Appointed).
- „ TUAN SYED AHMAD BIN SYED MAHMUD SHAHABUDIN, J.M.N. (Kedah).
- „ ENCHE' T. H. TAN, J.M.N. (Appointed).

- The Honourable DATO' E. E. C. THURASINGHAM, D.P.M.J., J.P. (Appointed).
 „ ENCHE' S. O. K. UBAlDULLA (Appointed).
 „ ENCHE' WAN AHMAD BIN WAN DAUD, P.J.K., J.P. (Perlis).
 „ DATO' WAN IBRAHIM BIN WAN TANJONG, J.M.N., P.J.K.,
 Orang Kaya Indera Maharaja Purba Jelai (Pahang).
 „ ENCHE' YEOH KIAN TEIK (Perak).
 „ ENCHE' ABDULLAH BIN ISHAK (Perlis).

ABSENT:

- The Honourable ENCHE' CHEAH SENG KHIM, J.P. (Penang).
 „ DATO' DR. CHEAH TOON LOK, J.M.N., J.P., Dato' Maha
 Kurnia (Nominated).
 „ ENCHE' S. P. S. NATHAN (Nominated).
 „ DATO' SHEIKH ABU BAKAR BIN YAHYA, D.P.M.J., P.I.S.,
 J.P. (Johore).
 „ ENCHE' YAP KHEN VAN, A.M.N., J.P. (Pahang).

IN ATTENDANCE:

- The Honourable the Deputy Prime Minister and Minister of Defence, TUN
 ABDUL RAZAK BIN DATO' HUSSEIN, S.M.N. (Pekan).
 „ the Minister of Finance, ENCHE' TAN SIEW SIN, J.P.
 (Malacca Tengah).
 „ the Minister of Transport, ENCHE' SARDON BIN HAJI JUBIR
 (Pontian Utara).
 „ the Minister of Health and Social Welfare, DATO' ONG
 YOKE LIN, P.M.N. (Ulu Selangor).
 „ ENCHE' ABDUL HAMID KHAN BIN HAJI SAKHAWAT ALI
 KHAN, J.M.N., J.P. Assistant Minister (Batang Padang).
 „ TUAN HAJI ABDUL KHALID BIN AWANG OSMAN, Assistant
 Minister (Kota Star Utara).
 „ ENCHE' CHEAH THEAM SWEE, Assistant Minister (Bukit
 Bintang).
 „ ENCHE' V. MANICKAVASAGAM, Assistant Minister (Klang).

PRAYERS

(Mr. President *in the Chair*)

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Mr. President: Ahli² Yang Berhormat, dua perutusan telah di-terima daripada Dewan Ra'ayat berkenaan dengan Rang Undang² yang telah di-luluskan oleh Dewan itu. Setia Usaha Majlis ini akan membacha perutusan² itu.

(The Clerk reads the Messages).

“Mr. President,

The House of Representatives has passed the following Bills—

A Bill to amend the Immigration Ordinance, 1959.

A Bill to amend the Notaries Public Ordinance, 1959.

A Bill to amend the Betting Ordinance, 1953.

A Bill to declare the age of majority.

A Bill to provide for the establishment of a Totalisator Board, the powers of such Board, the conduct of betting by agencies of such Board, and for matters incidental thereto.

A Bill to consolidate the law providing for the legitimization of children born out of wedlock.

A Bill to amend the Betting and Sweepstake Duties Ordinance, 1948.

A Bill to provide for the Guardianship of Infants.

A Bill to provide for the control and rationing of supplies, and transmit them to the Senate for its concurrence.

Dated 7th February, 1961.

(Sd.) DATO' HAJI MOHAMED NOAH BIN OMAR, *Speaker.*"

"Mr. President,

The House of Representatives has passed the Bill to amend the Minor Offences Ordinance, 1955, and transmit the same to the Senate for its concurrence.

11th February, 1961.

(Sd.) DATO' HAJI MOHAMED NOAH BIN OMAR, *Speaker.*"

ORAL ANSWERS TO QUESTIONS

Tingkatan Kelulusan Sekolah Permulaan

1. Enche' Da Abdul Jalil bin Haji Awang bertanya kepada Menteri Pelajaran ada berapa jenis-kah tingkatan (Grade) kelulusan sekolah permulaan (Primary School) dan ada-kah tingkatan "C" itu satu kelulusan atau sa-baleknya.

The Assistant Minister of Education (Enche' Abdul Hamid Khan bin Haji Sakhawat Ali Khan): Tuan Yang di-Pertua, hasil peperiksaan murid² ka-Sekolah² Menengah di-bahagikan kepada empat bahagian, bahagian A, B, C dan D. Murid² dalam bahagian C ada-lah di-angap murid yang harus tidak akan tamat dengan jaya mengikuti kursus Sekolah Menengah yang ada sekarang ini dan murid² daripada bahagian C di-terima hanya apabila ada tempat di-Sekolah² Menengah, sa-lepas semua murid dalam bahagian A dan B itu di-tempatkan atau di-beri masok. Bahagian C itu bukan-lah markah kelulusan.

Enche' Da Jalil: Tuan Yang di-Pertua, siapa-kah yang menentukan bahawa sa-tengah daripada murid² yang lulus itu dapat di-angkat, dan sa-tengah-nya tidak dapat di-angkat?

Enche' Abdul Hamid Khan: Tuan Yang di-Pertua, saya minta ulang balek.

Enche' Da Jalil: Tuan Yang di-Pertua, siapa yang menentukan bahawa sa-tengah daripada murid² yang lulus itu dapat di-angkat ka-Sekolah Menengah, dan sa-tengah-nya tidak dapat masok ka-Sekolah Menengah?

Enche' Abdul Hamid Khan: Sa-bagaimana yang saya terangkan tadi sa-kiranya murid² itu dapat A dan B dalam ujian-nya, itu menunjukkan ia itu ada kelayakan untuk masok ka-Sekolah Menengah, tetapi murid² yang mendapat C di-beri peluang untuk belajar dalam Sekolah Menengah sa-kira-nya ada tempat yang demikian. Jadi tidak-lah di-halag bahkan di-galakkan, jika ada tempat.

Enche' Amaluddin bin Darus: Sa-bagaimana yang saya fahamkan, murid² yang berkelulusan C daripada sekolah Inggeris yang berbahasa Inggeris mendapat peluang, chuma murid² yang berkelulusan C Sekolah Menengah yang menggunakan bahasa penghantar bahasa Melayu di-tunggu, kechuali kalau ada peluang.

Enche' Abdul Hamid Khan: Tuan Yang di-Pertua, perkara ini tidak benar.

Enche' Da Jalil: Tuan Yang di-Pertua, saya bertanya tadi siapa yang menentukan bahawa sa-tengah daripada murid² yang lulus itu dapat di-angkat ka-Sekolah Menengah, dan sa-tengah-nya tidak di-terima masok ka-Sekolah Menengah.

Enche' Abdul Hamid Khan: Tuan Yang di-Pertua, sa-lepas murid² A dan B di-beri tempat, di-hitong dalam satu² negeri berapa-kah ada tempat lagi di-dalam tingkatan 1 dalam Sekolah Menengah. Sa-telah di-hitong murid² yang dalam sekolah yang mendapat peringkat C, kata-lah, dalam satu negeri itu ada 700 tempat kosong, jadi di-hitong daripada angka yang satinggi²-nya sampai ka-bawah, sa-banyak itu-lah murid² di-beri tempat. Di-sini saya suka menyatakan dalam Persekutuan Tanah Melayu ini dalam peperiksaan yang lalu murid² daripada Sekolah Kebangsaan yang mendapat peringkat C telah juga di-beri tempat sa-banyak

3,992. Tidak-lah berma'ana murid² yang mendapat C itu tidak mendapat tempat.

Enche' Da Jalil: Jadi peluang yang di-beri kepada murid² yang lulus mendapat C itu atas dasar mana? Sebab saya rasa murid² yang mendapat C tentu-lah kita tidak bezakan, jadi macham mana-kah ada perbezaan untuk memberi tempat sa-paroh-nya di-beri dan sa-paroh-nya lagi tidak?

Enche' Abdul Hamid Khan: Saya telah beri tahu tidak ada perbezaan di-antara murid² sekolah sama ada Sekolah Kebangsaan atau Sekolah Jenis Kebangsaan, dan mengikut angka yang saya telah beri tadi ada-lah murid² yang mendapat Grade C dalam Sekolah Kebangsaan telah pun mendapat tempat sa-banyak mana yang ada kosong.

Enche' Amaluddin bin Darus: Nampak-nya daripada jawapan yang di-beri oleh Yang Berhormat Menteri Muda nyata-lah bahawa Kementerian Pelajaran sangat bertimbang rasa kepada nasib murid² yang mendapat Grade C. Erti-nya, kalau ada tempat maka mereka itu akan dapat peluang. Jadi sa-kira-nya terus mereka tidak mendapat tempat, apa-kah satu rancangan untuk menampung kedudukan mereka pada masa yang akan datang?

Enche' Abdul Hamid Khan: Tuan Yang di-Pertua, saya telah beri tahu tadi tempat itu ia-lah untuk murid² yang mendapat A dan B. Sa-kira-nya ada lagi tempat kita akan beri peluang kepada murid² yang dapat C dengan tidak menghiraukan sama ada murid itu daripada Sekolah Kebangsaan atau Sekolah Jenis Kebangsaan. Kementerian Pelajaran, supaya mengelakkan salah faham, ia-itu ada pula tuduhan "pileh kaseh" di-antara murid Sekolah Kebangsaan atau Sekolah Jenis Kebangsaan, telah pun mengeluarkan perintah supaya semua murid yang mendapat C itu di-hitong sama sa-kali, ia-itu Sekolah Kebangsaan dan Sekolah Jenis Kebangsaan. Sa-kira-nya ada dalam negeri ini, kata-lah, 700 tempat seperti yang saya katakan tadi, di-kirakan murid C daripada Sekolah Kebangsaan, Inggeris, China, Melayu dan sa-bagai-nya. Marakah itu di-hitong daripada atas sampai ka-bawah dengan tidak menghiraukan jenis sekolah. Dengan chara itu-lah

murid² itu di-tempatkan dalam tempat yang kosong itu.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, apa yang berbangkit daripada jawapan Yang Berhormat Menteri Muda itu terkeliru. Saya maksudkan, saya ingin mendapat timbang rasa Kerajaan kerana saya nampak daripada jawapan yang pertama tadi nyata-lah Kementerian Pelajaran ada memberi timbang rasa kepada anak² yang mendapat kelulusan grade "C". Jadi, kalau ada tempat akan di-beri peluang. Jadi, saya bertanya jika sa-kira-nya tidak ada tempat, apa-kah persediaan Kerajaan mengisi anak² supaya jangan di-buang masa mereka itu pada hal mereka ada hak untuk mendapat pelajaran.

Enche' Abdul Hamid Khan: Tuan Yang di-Pertua, sa-kira-nya Ahli Yang Berhormat itu ada membacha Penyata Rahman Talib yang baharu di-keluarkan pada tahun 1960, di-situ ada Rancangan Kerajaan untuk mengadakan Sekolah Lanjutan atau Post Primary School dan murid² sa-umpama itu yang tidak dapat meneruskan pelajaran mereka ka-Sekolah Menengah akan di-masokkan di-dalam Post Primary School atau pun Sekolah² Lanjutan mulai tahun 1962.

Enche' Amaluddin bin Darus: Saya boleh mengaku yang saya telah membacha Penyata itu tetapi saya maksudkan jaminan daripada Menteri dalam Dewan ini ia-itu kerana Penyata atau Report ini biasa-nya kadang² bila di-kaji hasil-nya ada 30 dan 40 persen tetapi jaminan benar², bukan suroh saya membacha balek Penyata itu.

Engku Muhsein bin Abdul Kadir: Daripada soalan ini saya nampak.....

Enche' Abdul Hamid Khan bin Haji Sakhawat Ali Khan: Saya boleh jawab. Tuan Yang di-Pertua, sa-kira-nya Ahli Yang Berhormat itu ada juga mengikut perbahathan di-dalam Dewan Ra'ayat baharu² ini Menteri Pelajaran telah menyatakan mulai daripada tahun 1962, darjah² yang sa-umpama itu akan di-adakan ia-itu bagi buat permulaan course dua tahun. Jadi, sudah ada jaminan bahawa darjah² itu akan di-mulakan pada awal tahun 1962.

Engku Muhsein bin Abdul Kadir: Tuan Yang di-Pertua, perkara ini di-luar daripada nombor 1.

Raja Rastam Shahrome bin Raja Said Tauphy: Tuan Yang di-Pertua, saya sokong.

Pukat² Jerami Tiruan

2. Enche' Da Abdul Jalil bin Haji Awang bertanya kepada Menteri Pertanian dan Sharikat Kerjasama berapa banyak-kah pukat Nylon yang sedang di-pakai oleh nelayan² di-Negeri Trengganu dan apa-kah jenis²-nya.

Dato' Ong Yoke Lin: Tuan Yang di-Pertua, alat² penangkap ikan yang berlesen yang di-buat daripada jerami tiruan ia-itu jerami Saran "N" sarupa dengan Nylon tetapi berat sedikit. Dalam tahun 1960 ia-lah seperti berikut: Pukat Hanyut 139. Tiap² pemegang lesen itu menggunakan 15 hingga 18 buah Pukat Hanyut yang di-buat daripada jerami Saran "N" yang di-sambong²kan jadi sa-buah pukat. Pukat Dalam, ada pun Pukat Dalam yang di-perbuat daripada Saran "N" yang berlesen ia-lah 10 buah. Pukat Jerut, ada 12 buah. Pukat Jerut yang di-perbuat daripada Saran "N".

Enche' Da Abdul Jalil bin Haji Awang: Tuan Yang di-Pertua, boleh-kah pehak Menteri yang berkenaan itu menerangkan, apa-kah hasil-nya daripada penggunaan Pukat jenis baharu ini.

Mr. President: Perkara ini saya fikir tidak bersangkutan dengan hasil-nya itu.

Enche' Da Abdul Jalil bin Haji Awang: Tuan Yang di-Pertua, yang saya tahu Pukat Nylon ini dapat menangkap ikan yang banyak.

Mr. President: Soal itu tidak berbangkit dengan perkara ini. Jika banyak dapat menangkap ikan, itu soalan lain. Jadi, kita pergi kepada soalan lain.

Enche' Da Abdul Jalil bin Haji Awang: Tuan Yang di-Pertua, jadi, ada-kah menjadi dasar Kerajaan untuk menggalakkan nelayan² itu menggunakan pukat jenis baharu ini.

Mr. President: Itu pun tidak kena mengena, Yang Berhormat bertanya berapa banyak sahaja.

Pegawai² Kemajuan Negeri, Trengganu

3. Enche' Da Abdul Jalil bin Haji Awang bertanya kepada Menteri Pembangunan Luar Bandar berapa orang-kah Pegawai RIDA seperti Pegawai² Kemajuan Negeri S.D.O. dan penolong-nya, dalam Negeri Trengganu dalam tahun 1959, 1960 dan 1961.

The Assistant Minister of Rural Development (Tuan Haji Abdul Khalid bin Awang Osman): Tuan Yang di-Pertua, pegawai RIDA yang ada dalam negeri Trengganu ada-lah seperti berikut: Tahun 1959 ada sa-banyak 6 orang, sa-orang Pegawai Kemajuan Negeri dan 5 orang Penolong-nya. Tahun 1960, sa-banyak 4 orang Penolong Pegawai Kemajuan Negeri. Sa-orang daripada-nya di-lantek menjadi Pengetua Pegawai Kemajuan Negeri. Tahun 1961 ada sa-banyak 5 orang Penolong Pegawai Kemajuan Negeri. Sa-orang daripada-nya sudah di-lantek menjadi Pengetua Pegawai Kemajuan Negeri.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, kenapa-kah Pegawai Kemajuan Negeri ini maseh berkekurangan di-bandingkan dengan tahun 1959, 1960 dan 1961 itu.

Tuan Haji Abdul Khalid bin Awang Osman: Tuan Yang di-Pertua, saya tidak boleh-lah mengatakan kekurangan, sebab tahun 1959 kita ada 6 orang, tahun 1960 kita ada 4 orang, tahun 1961 telah di-naikkan balek 5 orang, harus pada masa akan datang di-naikkan lagi.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, berbangkit daripada keterangan yang di-berikan oleh Menteri Muda ini, saya mengetahui, kenapa-kah Trengganu tidak ada Pegawai Penolong Kanan untuk mengetuai RIDA di-sana tetapi hanya Pemangku jadi erti-nya pegawai yang tidak chukup bertanggung jawab yang penoh.

Tuan Haji Abdul Khalid bin Awang Osman: Tuan Yang di-Pertua, tahun 1961 memang kita ada sa-orang pegawai

yang chukup berkelayakan nama-nya Enche' Sa'ad, malang-nya pegawai ini telah pun mendapat satu jawatan di-Brunei dan beliau telah pun bertolak ka-negeri itu. Sa-hingga hari ini kita maseh lagi menchari pegawai yang chukup berkelayakan. Buat sementara ini kita mengadakan chuma Pemangku Pegawai Kemajuan Negeri. Soalan hendak menchari pegawai sangat susah sebab kita hendak mencharikan pegawai² yang chukup berkelayakan. Hingga hari ini jawatan² Penolong Pegawai Kemajuan Negeri pun belum di-isikan di-merata² tempat.

MOTION

REPORT OF STANDING ORDERS COMMITTEE

The Minister of Justice (Tun Leong Yew Koh): Mr. President, Sir, I beg to move,

That the Report of the Standing Orders Committee laid on the table as Paper No. DN. 1 of 1961 be approved and the amendments contained therein be incorporated as the Standing Orders of the Senate.

Enche' T. H. Tan: Sir, I beg to second the motion.

Enche' Da Abdul Jalil: Tuan Yang di-Pertua, saya pohon mendapat penjelasan di-atas pindaan 22 (1) ini yang mengatakan: Perenggan (*k*) sampai (*n*) di-gantikan dengan huruf (*m*) sampai (*p*) masing², dan masokkan perenggan² baharu saperti yang tersebut di-bawah ini:

"sa-suatu pertanyaan itu hendak-lah jangan mengandongi apa² sebutan kurang adab berkenaan dengan negeri luar yang baik dengan negeri ini."

Saya kurang faham berkenaan dengan negeri luar yang baik dengan negeri kita ini. Ada-kah bererti kalau sa-suatu negeri itu berlainan fahaman-nya dengan kita di-sifatkan negeri itu tidak baik dengan kita, atau ada-kah yang di-maksudkan negeri² yang baik itu terlingkong dalam negeri² Commonwealth sahaja, atau pun macham mana?

Nik Hassan bin Haji Nik Yahya: Tuan Yang di-Pertua, bagi memberi keterangan yang jelas berkenaan dengan pertanyaan itu pada pendapat saya bahawa negeri kita ini mempunyai satu

dasar ia-itu dasar berbaik² dengan semua negeri dalam dunia ini. Jadi kita tidak-lah hendak mengeluarkan perkataan "chachi-menchachi", "keji-mengkeji" kapada negeri² yang kita pandang bersahabat dengan negeri kita ini, dan tidak ada satu keterangan yang lebeh lanjut dalam perkara ini, melainkan barangkali tuan yang bertanya itu hendak tahu mana-kah satu negeri yang di-fikirkan boleh di-keji dalam Dewan ini sa-bagai negeri yang bermusoh. Pada sa'at ini saya rasa mengikut dasar kita ada-lah negeri yang berbaik² dengan semua negeri dalam dunia ini. Maka tentang negeri itu bermusoh atau tidak, itu pada masa yang akan datang, barangkali kita boleh menentukan. Tidak siapa yang boleh menentukan mana negeri yang kita boleh keji atau pun kita boleh chachi, sebab dasar kita ada-lah berbaik² dengan semua negara yang ada dalam dunia ini.

Enche' Da Abdul Jalil: Tuan Yang di-Pertua, jadi erti-nya selagi sa-buah negeri itu tidak berada di-dalam keadaan perang dengan kita ma'ana-nya semua negeri² itu berbaik²-lah.

Nik Hassan: Itu erti kapada tuan yang bertanya itu sendiri memahamkan di-atas perkataan itu.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, mengikut Fasal 22 (1) yang baharu ini kalau di-terima bererti selalu sangat menyekat kapada anggota Dewan ini untuk berchakap atau bertanya pada sa-suatu masaalah yang mengenai antara negeri kita dengan negeri yang berkaitan. Dalam hal² ini yang mungkin timbul antara negeri kita dengan negeri jiran kita sekali pun French yang di-maksudkan itu ada bersahabat tidak ada bermusoh dengan kita, tetapi ada satu perkara yang kadang² ada kala-nya yang mesti kita mengambil tahu dan mesti kita mem-perkatakan kerana kepentingan negara kita. Maka kalau dengan ini bererti kita tidak dapat bertanya dan tidak dapat berchakap kerana mempertimbangkan kehormatan sechara persahabatan sa-hingga kita sendiri tidak dapat mengatakan yang hak dia itu benar untuk keselamatan dan kepentingan negara kita sendiri. Jadi saya rasa perkara ini tidak-lah menasabah di-kekalkan* kerana pada 'am-nya kita

ada-lah satu bangsa orang² timur yang sangat² tahu menghormati serta pandai berbudi bahasa.

Nik Hassan: Tuan Yang di-Pertua, tidak ada satu kenyataan di-sini yang menyekat kita bertanya dalam satu² masaalah yang tidak berupa mengeji.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua.

Mr. President: Saya minta ma'af—ta' boleh sebut dua tiga kali.

Question put, and agreed to.

Resolved,

That the Report of the Standing Orders Committee laid on the table as Paper DN 1 of 1961 be approved and the amendments contained therein be incorporated as the Standing Orders of the Senate.

BILLS PRESENTED

THE PENAL CODE OF THE FEDERATED MALAY STATES (AMENDMENT) BILL

Bill to amend the Penal Code of the Federated Malay States, 1961; presented by the Minister of Justice; read the First time; to be read a Second time at a subsequent meeting of the House.

THE CRIMINAL PROCEDURE CODES (AMENDMENT) BILL

Bill to amend the Criminal Procedure Codes (Amendment) Bill, 1961; presented by the Minister of Justice; read the First time; to be read a Second time at a subsequent meeting of the House.

THE PREVENTION OF CORRUPTION (AMENDMENT) BILL

Bill to amend and consolidate the law relating to the more effectual prevention of corruption Bill, 1961; presented by the Minister of Justice; read the First time; to be read a Second time at a subsequent meeting of the House.

THE ELECTION OFFENCES (AMENDMENT) BILL

Bill to amend the Election Offences Ordinance, 1954, Bill, 1961; presented by the Minister of Justice; read the First time; to be read a Second time at a subsequent meeting of the House.

BUSINESS OF THE SENATE

Tun Leong Yew Koh: Mr. President, Sir, I beg to ask for permission to proceed with the Second Reading of the following Bills under the amended Standing Order 66:

The Immigration (Amendment) Bill.

The Notaries Public (Amendment) Bill.

The Betting (Amendment) Bill.

The Age of Majority Bill.

The Racing (Totalisator Board) Bill.

The Legitimacy Bill.

The Betting and Sweepstake Duties (Amendment) Bill.

The Guardianship of Infants Bill.

The Control of Supplies Bill.

The Minor Offences (Amendment) Bill.

BILLS

THE IMMIGRATION (AMEND- MENT) BILL

Second Reading

Tun Leong Yew Koh: Mr. President, Sir, I beg to move that a Bill intituled "An Act to amend the Immigration Ordinance, 1959" be read a second time.

Sir, the Governments of the Federation and Singapore are agreed that it is in their mutual interests to keep the Immigration Ordinances of their two territories in line, as far as it is possible to do so, and the Ordinances of the two territories are identical in material respects at the present time. The amendments provided for in this Bill have been made after consultation with the Singapore Government, which has recently passed a Bill containing identical provisions.

The purpose of this Bill is to strengthen the hands of the Government in dealing with illegal immigration into this country. Thanks to the vigilance of the Immigration, Police, Customs and Marine Police, there has been no widespread entry of illegal immigrants into the country. However, because of the open nature of our coast line, the problem of illegal immigration exists and consequently it is felt that the Government should be given legal powers to deal more effectively, not only with illegal immigrants who have entered the country, but also persons who assists in bringing them into the Federation. It is with these objects in mind that the Immigration (Amendment) Bill, 1961, is introduced.

Clause 3 of the Bill seeks to give power to the Controller of Immigration to declare the presence of a person unlawful at any time after his entry if the Controller is satisfied such entry was gained by misrepresentation in the application, or if the person is found to be a prohibited immigrant. At present there is only power to declare the presence of such a person unlawful within two years of his arrival. It is felt that there should be no time limit to removal of a person in respect of whom entry has been gained by false representation, any more than in the case of a person who obtains citizenship by false representation, and who can be deprived without limitation as to time if it is discovered that he misrepresented the facts when applying for registration or naturalisation. The right of appeal to the Minister against a declaration of the Controller is retained.

Clause 4 of the Bill amends the Immigration Ordinance to authorise the seizure, detention and forfeiture of any vessel below 75 tons which has been used or is about to be used for the commission of an offence against the Immigration Ordinance or any regulations made thereunder. This amendment, therefore, covers the seizure and forfeiture of vessels used for the purpose of bringing in illegal immigrants. An Order for forfeiture of a vessel can only be made by a Court, but shall be made if it is proved to its satisfaction that an offence against the Ordinance or any

regulations made thereunder has been committed and that the vessel was used in the commission of such offence, notwithstanding that no person may have been convicted of such offence. It will be seen that forfeiture of a vessel now by virtue of this new definition "vessel" in Clause 2 of the Bill includes everything found in it. This amendment is aimed at persons who seek to bring illegal immigrants into the Federation from neighbouring territories, for payment. In practice it is rare for such a boat-owner to be arrested, and it is felt Government should be armed with this additional power which, if it can be applied, should act as a deterrent to this kind of law-breaker.

Clause 5 of the Bill seeks to amend Section 56 of the Ordinance, which deals with offences, by laying the burden of proof that a person has entered the country lawfully, on that person. Experience has shown that it is often difficult for the prosecution to prove a person has entered illegally when such person has been detected after his entry. There are some persons in neighbouring territories in possession of identity cards issued in the initial stages of registration in 1948 to which they are not entitled. It is to strengthen the hands of the prosecution in cases of this nature that the amendment is proposed.

Sir, I beg to move.

Engku Muhsein: Tuan Yang di-Pertua, saya menyokong.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, masalah yang dihadapi kita ini ia-lah pindaan Undang² Imigreshen. Ini ada-lah satu perkara yang sangat patut untuk kita mengetatkan dan sa-boleh²-nya menambah keketatan soal kemasokan orang² asing dalam negeri yang baharu merdeka ini, lebeh² lagi orang masok sa-chara haram. Saya baca surat khabar hari ini, United Kingdom sendiri pun sedang memikirkan dan sedang menyediakan undang² untuk mengetatkan kemasokan orang asing, bukan sahaja ra'ayat negara lain bahkan orang daripada negeri² Commonwealth hendak di-sekat untuk kepentingan negeri-nya. Akan tetapi, agak mengelirukan juga bila

Persekutuan Tanah Melayu mengemukakan satu pindaan Undang² Imigreshen di-kaitkan sa-kali dengan sa-buah negeri asing yang bernama Singapura. Dalam Perlembagaan kita dapati yang di-namakan negeri Persekutuan Tanah Melayu ia-lah negeri² yang dahulu-nya di-kenal negeri Melayu termasuk dua buah negeri ia-itu Pulau Pinang dan Melaka yang dahulu-nya di-kenal Straits Settlements. Sekarang sa-buah negeri asing masuk ka-dalam kawasan negeri kita, erti-nya sa-buah negeri asing bersambung sama dengan kita sendiri. Jadi saya sangat sangsi bagaimana-kah satu pindaan undang² untuk mengetatkan kawalan supaya jangan ada kemasokan sa-chara haram orang dari luar ka-dalam negeri kita, tujuan kita hendak menyekat kemasokan chara haram, sebab negeri kita yang bernama Persekutuan Tanah Melayu ia-itu daripada pantai Johor Bahru sampai ka-Perlis. Singapura ada-lah satu negeri asing. Apabila kita kaitkan dengan Singapura, Tuan Yang di-Pertua, nyata-lah kita telah menjadikan kita ini bilek², tetapi Singapura menjadi serambi dan pintu, padahal ia bukan sa-buah negeri yang di-kenal Persekutuan Tanah Melayu. Sekarang ini dengan kita memberi peluang ia-itu undang² ini terikat sama dan bersetuju sama dengan Singapura, bererti menjemput orang² masuk ka-negeri ini dengan chara illegal atau dengan chara haram. Kerana apabila ia masuk ka-Singapura dengan sendiri-nya pintu kita di-Causeway yang tidak di-tutup itu, bila² ia boleh masuk baik waktu kita jaga atau waktu kita tidor.

Maka dengan kerana itu-lah saya merasa sangat-lah tidak bijak kalau Kerajaan benar² bertujuan untuk mengetatkan kemasokan dengan chara haram sa-kira-nya undang² ini maseh lagi di-jalankan sa-bagaimana yang berjalan sa-belum kita merdeka ia-itu Pan-Malayan. Jadi chara yang seperti ini tidak-lah sesuai sama sa-kali dengan keadaan negeri ini yang telah merdeka pada 31-8-57.

Tuan Yang di-Pertua, saya sangat ingin supaya Kerajaan bertindak dengan lebeh tegas dalam perkara ini. Saya mahu supaya tambak Johor itu di-adakan kawalan yang chukup ketat.

Kita tidak benarkan bilek dan pintu itu terbuka, ini ada-lah negeri kita, tidak termasuk Singapura, apabila pintu itu terdedah orang boleh masuk bila². Saya mahu sa-boleh²-nya kita mesti adakan aturan, peraturan itu kita mahu ringankan saperti yang berlaku di-Amerika dengan Canada dan juga berlaku bagi penduduk² di-utara dengan Siam, ia-itu di-adakan "border pass" untuk orang yang pergi-balek. Mithalnya, orang Kedah hendak ka-Siam atau ka-Kelantan melalui Siam, atau sa-balek-nya boleh-lah mendapat "border pass". Yang demikian itu tiap² orang yang keluar masuk yang hanya telah mendapat "visa" masuk ka-Singapura, ia tidak boleh masuk ka-Persekutuan dengan berdasarkan perjanjian bersama yang di-adakan itu, tetapi biar-lah ia mendapat kebenaran masuk dari Persekutuan walau pun kebenaran itu tidak bernama "visa" chuma sa-bagai kebenaran masuk yang ringan. Kita tentu ketahu² orang yang datang ka-Singapura akan datang ka-Persekutuan. Chara sekarang ini kita tidak mengeluarkan "visa", Duta² Persekutuan di-luar negeri tidak mengeluarkan "visa" tidak memberi kebenaran kepada sa-orang yang bernama ini dan itu mithalnya datang ka-Persekutuan tetapi kerana dia telah dapat "visa" untuk ka-Singapura, oleh sebab pintu kita tidak pernah di-tutup, bila² pun ia boleh masuk. Ini ada-lah satu perkara yang ganjil bila mana sa-buah negeri yang telah merdeka mengemukakan satu pindaan Undang² Imigreshen dalam Parlimen dengan chara yang saperti ini.

Jadi ini-lah satu perkara yang pehak saya tidak dapat bersetuju. Tetapi pada dasar-nya ada-lah bersetuju, kerana mengetatkan Undang² Imigreshen. Saya harap Kerajaan memikirkan balek perkara ini, dan membuat pindaan² pada masa yang akan datang dan perkara yang saya sebutkan itu dapat di-pertimbangkan dengan sa-baik²-nya.

Enche' Abdul Hamid bin Mahmud: Tuan Yang di-Pertua, saya menyokong di-atas Rang Undang² ini kerana dengan jalan ini sahaja-lah dapat menyekat yang lebeh kuat lagi daripada orang² luar Malaya dapat masuk ka-negeri ini dengan mudah. Dalam perkara hendak

menyekat orang luar masuk ka-negeri ini terpaksa-lah Kerajaan Persekutuan Tanah Melayu bekerjasama dengan rapat-nya dengan Kerajaan Singapura untuk mengetatkan Immigration ini. Kerana Singapura ada-lah satu negeri yang rapat sa-kali dengan negeri kita ini. Jika sa-kira-nya kita hendak mengetatkan Undang² Immigration ini kalau hanya kita sahaja tidak dapat bekerjasama dengan Singapura neschaya tidak begitu kuat atau tidak begitu kemas yang boleh kita dapati bagi menegah kemasokan orang luar masuk ka-dalam negeri ini, kerana Singapura ada-lah tempat bandar pelabohan tumpuan dari segala bangsa² di-seluruh dunia. Jika Kerajaan Singapura tidak bekerjasama dengan kuat tentu-lah dia akan menyenangkan atau memudahkan orang luar masuk ka-Singapura dan dari Singapura boleh masuk ka-Malaya.

Dengan kerana ini perlu sa-kali Malaya dan Singapura bersatu dalam perkara menyekat kemasokan orang luar. Saya berpendapat sangat-lah tidak menasabah kita membuat sukatan yang kuat di-Causeway untuk menyekat orang Singapura datang ka-Tanah Melayu dan menyekat orang Tanah Melayu pergi ka-Singapura. Sa-benar-nya di-antara kedua buah negeri ini dalam hubungan muhibbah-nya, dalam hubungan ekonomi, ada-lah sangat rapat walau pun dalam politik-nya ada berlainan. Singapura dan Malaya memang di-pandang asal-nya satu dan jiran yang rapat sa-kali maka tidak-lah harus kita mengadakan satu tegahan yang kuat dengan mengeluarkan permit keluar masuk di-antara Singapura dengan Tanah Melayu.

Tetapi saya suka memberi pandangan ia-itu saya dapat beberapa khabar yang boleh saya perchayaï, banyak orang² daripada Singapura mereka datang ka-Tanah Melayu ini chuba hendak dudok tetap di-sini dan chuba menchari jalan hendak menukar kad pengenalan Singapura dengan kad pengenalan Persekutuan Tanah Melayu. Hal ini saya harap pehak Kerajaan kita akan berhati² dan berjaga² supaya jangan sa-kali² orang yang menggunakan kad pengenalan daripada Singapura itu di-tukarkan dengan kad pengenalan Persekutuan Tanah Melayu. Kalau mudah peluang

ini di-beri maka berma'ana orang² daripada Singapura akan datang ka-negeri ini sama-lah keadaan-nya dengan apa yang saya katakan sa-bagai orang lain negeri masuk dudok ka-Tanah Melayu ini melalui jalan Immigration yang mudah.

Tuan Yang di-Pertua, saya sudah dapat lagi berita yang mengatakan orang yang datang dudok di-sini chuma sa-tahun atau dua tahun pada masa yang lampau telah pun mendapat peluang menjadi kera'ayatan. Ini pun satu perkara lagi saya menyokong Undang² ini, mudah²an perkara yang sa-macham ini tidak lagi berlaku pada masa yang akan datang.

Enche' Yeoh Kian Teik: Mr. President, Sir, I have only two comments to make—that is under section 4. It says that any vessel below seventy-five tons which is used in respect of illegal immigration may be seized and detained. But what about a vessel of a hundred tons? It is possible for a person who wishes to evade this amendment to use a vessel of a hundred tons or more. The other point is that it tends to give the Controller—and also other heads of departments—more and more discretion in respect of the authority under various Ordinances. In this case the Controller again is given the power to detain or to seize. Mr. President, Sir, I am not very happy that the Controller or other heads of departments should always be vested with such authority when we have a very efficient judicial system in this country, and on questions which affect the citizens the person who makes any decision should be an independent person rather than a head of department who is more or less concerned with the case before him. If the matter could be referred to the court, instead of referring it to the Controller or any head of department, I think it would be a happier situation.

Tun Leong Yew Koh: Mr. President, Sir, in reply to the points raised by the Honourable Enche' Amaluddin, I must say that it is necessary to have the closest and most friendly relations with Singapore. The two Governments are working in the closest co-operation up to the present moment, and as long as

we have similar immigration regulations in both places, any immigrant who is not allowed to enter the Federation will not be allowed to enter Singapore. We have an open door between Singapore and the Federation and any inhabitant from Singapore can come to the Federation. Similarly any inhabitant from the Federation can enter Singapore freely. This is to assure that all those inhabitants are legal immigrants. When one is illegal, he cannot enter Singapore.

Regarding the point about the vessel over seventy-five tons, well, that is the size of the vessel recommended by experts—they advised us that it should be only seventy-five tons and under.

Enche' A. M. Abu Bakar: Mr. President, Sir, it seems to me that the seventy-five tonners are meant to be only coastal steamers. The ocean-going big liners repatriate their own passengers.

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. President *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.

NOTARIES PUBLIC (AMENDMENT) BILL

Second Reading

Tun Leong Yew Koh: Mr. President, Sir, I beg to move that a Bill intituled "An Act to amend the Notaries Public Ordinance, 1959" be read a second time.

I do not think I need detain the House long over this little amendment Bill, which rectifies a minor legal nonsense of the sort we lawyers enjoy indulging in.

Briefly, it sometimes happens that there is a dispute as to the nature, quantum or condition of goods which are delivered by sea. These are what is called "ship's protests". It is a well recognised principle of international usage that when something has gone wrong with a cargo, or its supporting documents, a Notary Public may take and attest an affidavit or statutory declaration for use outside the courts in the Federation.

In short, this Bill arms the Notaries Public in Malaya with power to attest these affidavits which are cognisable by foreign courts. Honourable Members will appreciate the importance of this, particularly in Penang and Port Swettenham, where there is an extensive entrepot trade.

When the amendment becomes law, I propose to bring into force the Statutory Declarations Act of 1960 which, Honourable Members will recollect, enables declarations to be made in the National Language; and also consolidates the law throughout Malaya.

Sir, I beg to move.

Engku Muhsein: Tuan Yang di-Pertua, saya menyokong.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr. President *in the Chair*)

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

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

THE BETTING (AMENDMENT) BILL

Second Reading

Tun Leong Yew Koh: Mr. President, Sir, I beg to move that a Bill intituled "An Act to amend the Betting Ordinance, 1953" be read a second time.

Enche' Lim Hee Hong: Sir, I beg to second the motion.

Enche' Tan Siew Sin: Mr. President, Sir, Honourable Members will note from the Order Paper that I will be later moving two further Bills—the Racing (Totalisator Board) Bill and the Betting and Sweepstake Duties (Amendment) Bill. All these three Bills, Sir, are related and, before I deal more specifically with the Betting (Amendment) Bill, I would like in the first part of my speech to deal generally with the subject of betting on horse races.

The problem with regard to betting on horse races is much the same the whole world over. A large section of the public wants to bet and prefers to do it in the easiest way and in the method which appears to offer the best returns whether legal or not. Governments and racing authorities in many countries have been trying to establish systems for such betting which will not only provide the Governments concerned with revenue, the racing authorities with income and the public with a high degree of security plus a fair return on their winnings, but which will also reduce the social evils of betting to the minimum.

At this point, Sir, I would like to make it absolutely clear that the Alliance Government is not in favour of betting or of encouraging betting. The Government, in introducing this legislation, is merely recognising the fact that there is no enforceable law which can prevent persons from betting and it is, therefore, the intention of the Government to endeavour to eradicate illegal bookmaking in the country and, at the same time, to provide lawful means of betting on horse racing which will be subject to a large measure of control in order to prevent abuses, malpractices and the social evils which arise from betting.

While it can be expected that these Bills will benefit both the Government by an increase in revenue and the racing authorities by an increase in income, their main purpose is to ensure that betting is restricted to lawful channels and that those channels are subject to adequate controls and safeguards.

In support of what I have said, I would like to refer Honourable Members to two reports—one published by the Government of Singapore in 1950 on the control of bookmaking in Singapore and the other which was laid on the table of the former Federal Legislative Council as Paper No. 41 of 1954 by a Committee appointed to enquire into and report on the desirability of introducing legislation to provide for registration and licensing of bookmakers.

I would like, Sir, with your permission, to read a number of extracts from those reports which are as relevant today as they were when they were written. In the Singapore report certain conclusions were drawn from the experience of other countries. These were:

- “(1) The public demand for facilities for betting is so great in societies analogous to our own that suppression is impossible;
- (2) limitation and control of bookmaking and betting have almost always been considered desirable;
- (3) the bookmaking profession has always exhibited an astonishing ingenuity in avoiding and flouting legislation designed to restrict, control or to tax it”.

The Committee which prepared this report finally recommended that bookmaking should not be legalised and that the present law should be made more stringent in order to suppress illegal betting. The Committee also held the view that however well the law might be amended it would nevertheless be flouted, unless the further step was taken of providing legal facilities for those members of the public who desired to bet off the course. The New Zealand off the course betting system was at that time about to be introduced and the Committee suggested that, after a reasonable period, the Singapore Government should enquire into its success or failure and, if successful, consider whether or not a similar scheme would serve the interests of Singapore.

The Federation report was produced in 1954 and the main reasons given by the Committee for requiring a change

in the existing laws were as follows—I quote from paragraphs 8 to 11:

“It is a well known fact that a very considerable amount of betting takes place through illegal bookmakers. Estimates given to us suggest that the amount so staked is about ten times as much as passes through the totalisator without taking account of off the course betting. We are all agreed that it is an unhealthy state of affairs in any society if the law can be openly flouted in this way with almost complete impunity. It has been suggested that all that is necessary is to tighten up the laws against illegal bookmaking. That this is desirable is the opinion of all of us, but it is recognised that illegal betting is in its nature difficult to detect and cannot be completely or even substantially suppressed by penal proceedings alone, however stringent the laws may be. A tightening of the laws, desirable as it is, is not considered by most of us to be a sufficient remedy by itself.

A further point which appears to most of us to be of primary importance is that at present the only lawful method of betting is through the totalisator and the totalisator is only available to a limited portion of the community, viz. the members of the Turf Clubs. It is outside our terms of reference to consider the moral or social arguments for and against the habit of betting, but we recognise as a fact that betting is a custom endemic to the population of Malaya and will tend to be carried on whether or not it is permitted by the law. It has accordingly appeared to most of us to be socially undesirable that, while facilities for betting are given to the limited portion of the community who are members of the Turf Clubs, stringent action should be taken against other members of the community who have no lawful outlet for their betting instincts and are compelled if they wish to bet at all to resort to illegal bookmakers. Merely to tighten up the laws against illegal bookmakers without providing a legitimate channel for betting by non-members of the Turf Clubs appears to us to be socially undesirable, and we consider that any campaign to suppress illegal bookmaking should have as its corollary the provision of some legitimate means of betting, and indeed is unlikely to succeed unless some such legitimate means are provided.

While we recognise that at the present time the Government cannot afford to leave any source of revenue untapped, we do not, rightly or wrongly, regard an increase of revenue as the dominant consideration which we should have in mind. While we recognise the need to safeguard the revenue, we nevertheless consider that it would be a mistake to assess the merits of any proposed scheme merely by reference to the amount of revenue it would produce. We agree that it is desirable that betting whether through bookmakers or through the totalisator should be subject to taxation, but we regard it rather as a social than an economic evil that bookmakers should be able to make profits which must be very considerable without making any contribution to the revenue by way of tax.

For all these reasons most of us consider that a change in the law is desirable, and that

any change should tend to promote a more healthy social condition in relation to racing by providing a legitimate outlet for the betting instincts of the general public, by reducing the temptation to and facilitating the suppression of illegal practices, and by preventing the evasion of taxation.”

In conclusion the Committee was of the opinion that to introduce a system of licensed bookmaking would, in the circumstances of this country, be a leap in the dark with a very uncertain prospect of success and the Committee reached the further conclusion that the New Zealand scheme for off the course totalisator betting represented the most promising line of approach to the problem of illegal bookmaking and considered that the introduction of a similar scheme in Malaya would have a very reasonable prospect of success. With your permission, Sir, I will deal with this matter when the Bill for the establishment of a Totalisator Board in Malaya is considered.

As I have already stated, Sir, the conclusions of these two Committees are as relevant today as they were when they were made, and this view is fully supported by members of the Turf Club Committees and those with a knowledge of racing in Malaya. The Government accordingly accepts these conclusions and the need for this legislation in order first to eliminate illegal bookmaking and thereby reduce the total volume of betting in the country, and secondly to provide a legal means of betting for those members of the public who wish to bet on horse races, which will be subject to adequate controls and safeguards.

The Betting (Amendment) Bill is the first prong of that attack. The Bill is designed to amend the present Betting Ordinance, 1953, and the amendments follow very closely the amendments recently made to parallel legislation in force in the State of Singapore. In the light of recent cases under the present law, the Government fully appreciates that, if the amendments are to have any effect, they must be very stringent indeed.

I would refer Honourable Members to the Explanatory Statement at the end of the Bill and would like to draw

their attention, Sir, to the three major amendments which are:

First, Clause 4 which doubles existing penalties and provides, in addition, for minimum fines and for mandatory imprisonment upon a second or subsequent offence.

Secondly, Clause 7 which introduces a presumption against a person acting as a bookmaker; and

Thirdly, Clause 12 which provides that evidence by a police officer not below the rank of sergeant should be presumptive evidence.

I do not think Honourable Members of this House will question the need for such sweeping and stringent amendments to the present law. They are designed to deal with a class of persons who are complete parasites on society—openly flouting the law with impunity and contributing nothing either to the country or even to the sport on which they batten.

Enche' Da Abdul Jalil: Tuan Yang di-Pertua, saya tertarek hati kapada perkataan Yang Berhormat Menteri Kewangan tadi bahawa Kerajaan Perikatan tidak menggalakkan perjudian. Saya rasa ini tentu-lah kena pada tempat-nya, kerana Islam ia-lah agama rasmi negeri ini. Walau pun begitu, ada satu perkara yang saya ingin sebutkan ia-itu pada satu gulongan judi itu haram, tetapi pada satu gulongan yang lain halal, Kerajaan membuat undang² membolehkan judi itu. Jadi judi ini ada dua bahagian, satu haram dan satu lagi halal di-sebabkan di-buat undang². Jadi pada Kerajaan judi itu sa-paroh haram dan sa-paroh halal. Kerajaan patut mengambil tindakan yang tegas supaya judi itu di-haramkan terus dalam negeri kita ini.

Dato' G. Shelley: Mr. President, Sir, like the Government, I find myself reluctantly supporting this Bill. It appears to be a necessary evil and there seems to be no solution to the problem. I live and work among daily-rated people and I see the misery that gambling causes the families of these people. There are one or two things which I would like clarified. One of them is the business of what we call in the

North "*tikam ekor*" and which the Turf Club of Ipoh refers to as "1,000 characters". Does this Ordinance legalise this form of gambling? Another thing which I am very disappointed in, and which is not provided in the Ordinance, is the prevention of, to use a vulgar expression, "gambling on tick". It is the prevailing custom now that you can pick up the telephone and place your bets; a plus and minus account is kept, and at the end of the month settlement is made. This form of gambling is indulged in by wage earners. Invariably, as we all know, the Turf Club is always the winner, or, they say, the Government is. The pay packet which is brought home is tremendously reduced by this business of gambling on credit. If there is any provision in the Ordinance to regulate this, I do hope the Government will take advantage of it to prevent gambling on credit.

Enche' Tan Siew Sin: Mr. President, Sir, would you like me to reply to some of the points which have been raised in this debate?

Mr. President: Yes, please.

Enche' Tan Siew Sin: I am very gratified, Sir, that this Bill has received what I think we might regard as fairly general approbation from this House, judging from the number of speakers who have spoken, and I think that we can safely say that one of them does at least approve of this Bill although he says he approved it with great reluctance. (*Laughter*).

The Honourable Enche' Da Abdul Jalil has seen fit to castigate the Government for what he calls its approval of gambling in this country. I tried to make it clear in my opening speech that, in fact, this Bill is designed to impose more stringent penalties on betting. So, I do not think you could say that this Bill is an indication of Government's approval of gambling in any form. But, of course, we have to be realistic and the recognition of an existing fact does not mean that we approve of any evil.

My Honourable friend Dato' Shelley has asked whether this Bill would make

legal what is already illegal. That is certainly not so. What is illegal now will continue to be illegal in spite of this Bill; in fact, as my Honourable friend the Assistant Minister of Commerce and Industry has just whispered, it will make it even more illegal if that is at all legally possible. (*Laughter*).

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(*Mr. President in the Chair*)

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

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

THE AGE OF MAJORITY BILL

Second Reading

Tun Leong Yew Koh: Mr. President, Sir, I beg to move that a Bill intituled "an Act to declare the age of majority" be read a second time.

This is the first of three bills before the House today to clarify the status of children.

As Honourable Members are aware, there is no uniformity in the Federation as to the age when a child becomes a man or woman. It is clearly desirable that there should be some general rule to supplement the various ages of majority specified in various laws. Generally speaking, I think I am right in saying that most religions other than Islam accept the age of 21 years as the age when a minor attains full capacity and full responsibility for most of his actions. This bill accordingly provides that 21 years should be the age of majority for non-Muslims.

Laws affecting the Islamic religion do not fall within the jurisdiction of this House; they are the responsibility of the State Governments. From a reading of Article 12 (4) of the Federal Constitution, it is clear that the religion of a person under eighteen years cannot

be determined by him, but by his parents. The bill we are considering now will merely give the State Governments the right to fix this as the age of majority for Muslims within the State. It is to that extent merely an enabling bill so far as it relates to Muslims, and the initiative in this matter rests on the State Governments. We can neither interfere nor dictate.

I commend this measure to the House. It was referred in draft to the State Governments, which have raised no objection to its enactment in the present form.

Nik Hassan: Tuan Yang di-Pertua, saya sokong.

Mr. President: Ada-lah masalah di-hadapan Majlis ini ia-itu Rang Undang² Chukup Umor di-bacha kali yang kedua dan di-buka bagi di-bahath.

Enche' Mohd. Zahir bin Haji Ismail: Dato' Yang di-Pertua, saya suka hendak bertanya berkenaan dengan Schedule di-muka 2 itu yang nampak-nya tidak ada terkandung di-satengah² Negeri lain yang mempunyai undang² masing². Sa-tahu saya negeri Kedah ada satu undang² yang di-namakan Age of Majority Enactment. Nampak-nya undang² negeri Kedah itu tidak dimasukkan di-bawah Schedule ini. Apakah sebab-nya, Dato' Yang di-Pertua, saya suka hendak mendapat tahu.

Enche' Da Abdul Jalil: Tuan Yang di-Pertua, saya juga ingin mendapat sedikit penjelasan dalam perkara chukup umor ini, umpama-nya kalau sa-orang yang bukan beragama Islam bila 21 tahun ia itu di-kira chukup umor, tetapi kalau sa-orang Islam bila ia berumur 18 tahun di-kira chukup umor. Kata-lah sa-orang yang bukan beragama Islam semasa umor 18 tahun ia masuk menjadi orang Islam, maka ada-kah dia itu di-kira orang yang chukup umor atau bagaimana? Kerana dahulu-nya ia bukan Islam, ia maseh belum chukup umor, tetapi ia telah menjadi Islam maka dengan itu ada-kah dia itu sudah di-kira chukup umor?

Enche' Yeoh Kian Teik: Mr. President, Sir, I do not see any provision in this Bill to affect, for instance, the Land Code where it says the age of majority

is 18. Now, the Land Code says that a minor is a person under the age of 18. In this case here it says that in respect of persons other than Muslims the age of majority is 21. In this case we will have an anomaly: under the Land Code it is 18 and persons over the age of 18 can own land, whereas under this Bill a person must be over 21 before he becomes of age. If I remember rightly, Mr. President, Sir, the purpose to have all this is to give a certain amount of protection to minors where a person under the age of 21 could not enter into a contract because, perhaps of his youth, he is not properly advanced. And this Bill seems to substantiate that provision to give a certain amount of protection to minors. But why then should there be a distinction—in the case of Muslims the age of majority is 18, and non-Muslims 21? And what about the Election Ordinance where it says that a person can be registered as a voter when he attains the age of 21? Does that affect the Muslim as well? Although he is a major by virtue of this Bill, he is not entitled to register as a voter until he attains the age of 21. It creates certain obligations, but it does not compensate him by placing him on the electoral roll. Perhaps the Honourable Minister will clarify this point.

Tun Leong Yew Koh: Mr. President, Sir, this Bill does not affect the provisions of the Land Code or the electoral laws. We are considering the preparation of a National Land Code, and this subject will then be reviewed. Land is a matter for the State.

With regard to the question of a minor, well, the Constitution provides that anyone who reaches the age of 18 is free to exercise his own religion. That is specially provided by the Constitution.

I am not aware of the Kedah law. If the law is in force, it will be repealed by the Federal law—that is regarding non-Muslims. The State law regarding Muslims will be repealed by State law.

Enche' Mohd. Zahir bin Haji Ismail: Tuan Yang di-Pertua, jawapan tadi kalau sa-kira-nya.....

Mr. President: Tadi sudah di-jawab.

Enche' Mohd. Zahir bin Haji Ismail: Bukan, saya hendak minta keterangan daripada jawapan Menteri Kehakiman. Tadi dia telah menjawab kalau sa-kira-nya undang² ini di-pakai berma'ana-lah undang² negeri Kedah, ia-itu Age of Majority Enactment, itu di-mansokhkan. Saya ta' setuju, kerana undang² negeri Kedah itu tidak di-sebutkan dalam Schedule ini. Kalau sa-kira-nya di-sebutkan di-bawah Schedule ini baharu-lah serta merta undang² negeri Kedah itu di-mansokhkan kepada orang² yang bukan beragama Islam.

Tun Leong Yew Koh: Well, the Government is looking into the matter. As far as non-Muslims are concerned, the age of majority is 21 and any law against that will be repealed by this present law. Regarding Muslims, well, it will be repealed by State law.

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. President *in the Chair*)

Clauses 1 to 6 inclusive ordered to stand part of the Bill.

Schedule ordered to stand part of the Bill.

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

THE RACING (TOTALISATOR BOARD) BILL

Second Reading

Tun Leong Yew Koh: Mr. President, Sir, I beg to move that a Bill intituled "An Act to provide for the establishment of a Totalisator Board, the powers of such Board, the conduct of betting by agencies of such Board, and for matters incidental thereto" be read a second time.

Enche' Lim Hee Hong: Sir, I beg to second the motion.

Enche' Tan Siew Sin: Mr. President, Sir, as I have already stated in connection with the Betting (Amendment) Bill, this Bill represents the second prong of the attack on illegal bookmaking. I have made it clear from the reports which I have already quoted in my previous speech that illegal bookmaking and the social evils of betting will not be eliminated unless there is provided a legal means of betting for those members of the community, other than members of the Turf Clubs, who wish to bet on horse races.

As a result of a study of the New Zealand system and subsequent discussions with the Committees of the Federation Turf Clubs and consultation with the Singapore Government, it has been agreed that the best way of providing a legal means of betting is to establish a Totalisator Board which will have overall responsibility for the control and co-ordination of all betting on horse races both on and off the course in the Federation and which will work closely in conjunction with the Singapore Turf Club to prepare what will in effect be a pan-Malayan scheme for this purpose.

A full explanatory statement of the provisions of the Bill is given at the end of the Bill, but there are a number of points which I am sure Honourable Members will wish me to amplify. First of all, the Board itself will be a completely independent body and the Government will be in no way responsible for its operations. The two Government nominees on the Board may or may not be public officers and, in the event of their being public officers, they would be appointed solely in their private capacity. Provision has, however, been made in the Bill to ensure that there are adequate controls and safeguards so that the Government may be satisfied that the Board is being properly and satisfactorily run and that its activities not only conform to the law but are also socially and economically inoffensive.

One member of the Federation Committee, to whose 1954 Report I have already referred in my previous speech, was unable to agree with the other six members of the Committee that the New

Zealand off the course betting scheme could be usefully followed in Malaya. His main ground of objection was that he did not consider it would be a good thing for Malaya to have a large number of betting shops operating all over the country, and he feared that to have a number of betting shops in Federation towns comparable to those operating in New Zealand would, in his view, amount to a public scandal and cause an uproar throughout the country.

The answer to this objection is that the operation of such betting shops in New Zealand has been efficient and discreet and has, in no sense, given rise to a public scandal. There is no reason to believe that in Malaya, where such operations would be on a greatly reduced scale compared to those in New Zealand, the results would be different. On the contrary it is hoped to eliminate the public scandal which already exists in that illegal bookmakers are now openly operating in coffee shops and other similar places on race days with impunity.

Naturally a great deal of attention has already been given to the proposed initial operations of the Board, and I can assure Honourable Members that it is not the intention to flood the country with betting shops. Initially, under the scheme to be prepared under Clause 16 of the Bill, it is proposed to open only the race courses and the town offices of the Turf Clubs on race days for the receipt of investments and to provide means whereby those who wish to make an investment can also do so by telephone to their nearest race course. Very serious consideration will be given to any subsequent expansion of the scheme, and I can assure Honourable Members that, if further agencies are opened in the towns of the Federation, they will be both limited and adequately supervised and controlled.

Although provision is made under Clause 16 (2) (b) of the Bill for credit facilities in respect of investments, I understand that members of the Turf Club Committees are not in favour initially of according such facilities and that all betting will be either by means of cash or a cash deposit. Even if credit facilities are accorded it is intended that

they should be very strictly limited and supervised. My Honourable friend Dato' Shelley, in his speech on the Betting (Amendment) Bill did raise this point also, and I can, perhaps, assure him by saying that I understand from preliminary discussions, that have been held with the Turf Club Committees, that the main operations of the Board will be conducted solely on cash basis and that credit will only be granted in a very few cases and even then, these will be granted only if security is established to the satisfaction of the Board.

In the context of supervision and control, I have particularly mentioned these two points of betting shops and credit facilities as I appreciate that they are likely to give rise to the greatest objection, and I come back now to my initial point regarding the necessary Government supervision and control over the activities of the Board.

Apart from the appointment of members by the Minister, it will be seen that under Clause 16 the Board cannot operate at all until a scheme for the establishment and operation of totalisators and totalisator agencies in respect of race meetings has been approved by the Minister. Furthermore, the Yang di-Pertuan Agong may by order suspend or revoke any approved scheme or variation of an approved scheme or any part thereof at any time and this provides the ultimate sanction whereby the Government can ensure that the Board's activities are properly run and controlled.

There are also additional safeguards in that a public officer can be appointed to take part in the proceedings of the Board and any committee thereof although he will not have a vote in any such proceedings. The borrowing power of the Board is also subject to control, its books and accounts may be inspected at any time by a public officer appointed by the Minister of Finance, its accounts are subject to audit and the Board is required to produce an annual report to the Minister on its activities, finances and policy. I think that all these points collectively provide very adequate safeguards.

I have already mentioned that there has been consultation with the Singapore Government and that the Board, when established, will work closely in conjunction with the Singapore Turf Club in the preparation of the scheme referred to in Clause 16 of the Bill. The scheme will, therefore, be pan-Malayan in its scope and provide for betting at race meetings held both by the three Federation Turf Clubs and by the Singapore Turf Club. It has been agreed with the Singapore Government and the Singapore Turf Club that, no matter where the race meeting is held, all bets originating in Singapore and passing through the Singapore Turf Club will pay duty and commission solely in Singapore and that all bets originating in the Federation and passing through the Board will pay duty and commission solely in the Federation. This is provided for under Clauses 17 (2) and 18 of the Bill.

Honourable Members will note that there is provision in the legislation for the deduction from all investments originating in the Federation of a tax by the Government and a commission by the Board which, in total, should not exceed 20 per cent of the investments. It is the intention that the Government duty and the commission should initially remain as at present at ten per cent each. Provision has, however, been made whereby both are variable. There are two reasons for this. First, it may turn out to be necessary to reduce both the tax and commission, in order to defeat the operations of illegal book-makers and, secondly, it may be necessary either to give financial support to the Board in its initial stages, in order to introduce a satisfactory scheme or, if subsequently such a scheme is successful and the Board begins to make excessive profits, to increase the tax and reduce the commission. It is for that reason that the Government is prepared to agree that the profits of the Board should not be subject to income tax. The Government is already making its tax on investments and, if excessive profits are made, will increase that tax. By granting the Board relief from income tax, the Government is allowing it to build up the funds which will be necessary for it to fulfil the functions

which have been given to it under the Bill.

The Government recognises that there are many persons in the country from all communities, who are interested in horse racing as a sport, and that there are many who are employed in racing as an industry. It is only fair, therefore, that the authorities concerned with racing should be allowed a sufficient share of the returns to provide the public with a high standard of racing and of amenities at the race courses. It is further hoped that the Board will later also be able to assist in the social welfare field and to promote and further the cause of sport generally in the Federation, particularly those sports which are not so well off in the matter of funds. (*Applause*).

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, Bill di-hadapan Majlis ini ia-lah juga termasuk perkara perjudian. Tuan Yang di-Pertua, saya dengan rasa dukachita-nya menyatakan semua sa-kali tidak bersetuju, sa-kali pun Kerajaan membawa pindaan² mengetat dan mengukuhkan, sa-kali pun bagaimana juga di-ketatkan masalaah ini tetap di-namakan judi, sama sa-kali saya tidak dapat memberi persetujuan dalam Dewan ini atas dasar negeri ini yang mengaku Islam sa-bagai agama resmi ada-lah ganjil untuk meluluskan perjudian berjalan dalam negeri ini. Saya perchaya perkara perjudian bukan sahaja Islam, tetapi Ugama² lain juga sama melarang sa-suatu yang merupakan perjudian. Dengan kerana itu, saya hanya boleh berdiri dan menyokong sa-barang Bill kalau hendak di-bawa ia-lah Bill yang merupakan Rang Undang² untuk mengharamkan perjudian. Jika kita bertanya kepada Kerajaan ada-kah judi itu haram atau halal, Kerajaan akan menjawab judi itu haram akan tetapi judi itu di-benarkan ia-itu judi yang di-kawal supaya menghilangkan penat orang² yang bekerja seperti judi lumba kuda dan sa-bagai-nya. Akan tetapi lumba kuda ini; dari segi orang² yang main lumba kuda dan sa-bagai-nya ada-lah untuk kepentingan orang² kaya yang menghamburkan wang-nya untuk tujuan bersuka ria dan menchari ke-untongan. Sa-balek-nya daripada ini menimbulkan berbagai hal lagi kepada

ra'ayat jelata di-kampong² dengan perjudian tikam ekor yang mashhor di-Kedah dan di-Perlis. Jadi, judi tikam ekor ini hasil daripada judi lumba kuda, sa-bahagian kechil yang mulaï galakan perjudian tetapi sa-bahagian besar ra'ayat jelata terlibat. Jadi, pada am-nya saya tidak dapat sama sa-kali bersetuju sa-barang rupa yang di-namakan judi sama ada di-kawal atau di-kuatkan kawalan Undang²-nya, saya sa-kali² tidak dapat bersetuju. Akhir sa-kali saya harap Kerajaan membuat Rang Undang² mengharamkan segala rupa perjudian, itu sahaja.

Dato' E. E. C. Thuraisingham: Mr. President, Sir, when the Honourable the Minister of Finance introduced this Bill in the Dewan Ra'ayat, he said that he knows nothing about horse racing. I am speaking in support of this Bill, because I know too much about horse racing. (*Laughter*); perhaps, that is the reason why my Honourable friend, the Minister of Finance, is a much wealthier man than myself. (*Laughter*).

I will readily admit that gambling is a mug's game. Gambling is not supported by any religion, not only by Islam. However, horse racing has been in existence in the world for many many years in all countries. Its beautiful animals originated from Arabia and famous for their speed throughout the world. This sport is oftencalled the "Sport of Kings" and the "King of Sports": that there is gambling in horse racing is incidental.

For instance, all religions forbid drinking, and it is an evil to drink excessively or to drink at all. But nevertheless, all countries, recognising that drinking could not be abolished, have licensed premises all over the country for the sale of liquor. The law is very hard on persons who distill illicit liquor, or drink illicit toddy outside the premises, as can be noted through the Customs and Excise Department trying to bring such persons to court for conviction. Similarly, in racing, when once you recognise that betting on horses has become universally prevalent, it has to follow the accepted practice of Governmental control and supervision of human activities, to set

apart premises specially for betting, so that they can be controlled, they can be regulated, and generally to take measures to stop illicit betting by illicit bookmakers. That is the principle underlying this Totalisator Board legislation.

As the Honourable Minister have very carefully explained to you the many safeguards against any intention by the Board or by others to make inducements to persons to bet on horses, the persons who would normally bet could bet legally through the recognised licensed premises. Those that would bet surreptitiously with illegal bookmakers will be punished, and hereafter punished very severely. This type of law has been passed in many progressive countries of the world, including Muslim countries, because as civilisation expands and as we go on, the duty and obligation of the existing Government should be to always regulate as much as possible the channels in which indulgence, whether it be gambling, drinking, card gambling, or even illegal houses, should be controlled and recognised so that there would be in society persons who wish to gamble could gamble legally and do not disturb the social structure of the country.

I support this measure and I would also like to add that the credit facilities are intended to be given only against securities, and also only when it is very necessary. During the transmission of bets from one place to the other, ready cash may not be available, but if securities have been handed over, bets could be transmitted from one centre to centre without waiting for the cash to come in. Therefore, there will be no attempt by this Board to give credit facilities to people like those mentioned by the Honourable Dato' Shelley. The Board will not give credit facilities to persons who could not pay to start with; and secondly, they would only be given credit facilities if they had been established to the satisfaction of the Board. (*Applause*).

Enche' Wan Ahmad bin Wan Daud: Dato' Yang di-Pertua, saya sokong Bill ini dengan sebab itu terbuka pada tiap²

sa-orang terutama sa-kali orang Islam yang hukuman-nya haram, akan tetapi jikalau tidak di-kawal haram itu jadi dua. Yang pertama haram pada hukum Islam. Yang kedua haram kerana dapat di-tipu daya ka-atas orang² yang bertaroh. Bagitu juga dengan segala kejahatan—minuman keras, pelachor. Orang Islam sendiri—saya sendiri pun orang Islam, kita semua tahu. Banyak yang mengaku diri-nya Islam, tetapi banyak juga yang ta' ta'at kapada Islam. Kemudian bila kita ta' kawal—orang Islam sendiri pun ada yang main judi, judi daun dan mabok, dan ada yang bergaul dengan perempuan dengan tidak nikah. Jadi haram ta' boleh di-hapuskan, oleh sebab itu jika di-biarkan orang main judi dan buat jahat ta' takut kapada hukum Islam, itu boleh merebak kapada kejahatan lain dan membangkitkan huru-hara yang lebeh besar. Kerana ada orang takut kapada undang², kapada Pulis, kapada Kerajaan lebeh daripada takut kapada Tuhan. Saya fikir kawalan itu lebeh baik daripada kita bebaskan orang melakukan kejahatan, orang yang ta' ada iman kapada ugama, lebeh selamat lagi daripada kita tidak kawal.

Enche' Tan Siew Sin: Mr. President, Sir, I have taken due note of the point made by my Honourable friend, Mr. T. H. Tan that tickets of the Social and Welfare Services Lotteries Board cannot be sold in Singapore. This, of course, is a matter for the Singapore Government to decide, but if he wishes me to, I am prepared to take up this point with that Government. (*Applause*). I cannot, of course, guarantee that my effort will meet with any success, or any degree of success, but I am prepared to try.

I am also grateful to two Honourable Members—my Honourable friend Dato' Thuraisingham and my Honourable friend Enche' Wan Ahmad—for replying so effectively to the Honourable Enche' Amaluddin bin Darus. I do not think I have to add to what they said except possibly to make one little point. I have never ceased to admire the ease and facility with which Honourable Members of the Pan-Malayan Islamic Party are able to distinguish between white and black, right and wrong, or good and bad. That probably explains why so

often they are on one side of the fence and the Alliance is on the other. (*Laughter*).

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(*Mr. President in the Chair*)

Clauses 1 to 15 inclusive ordered to stand part of the Bill.

Clauses 15 to 20.

Enche' A. M. Abu Bakar: Under clause 17 I would like to ask for a clarification as an interested party—as an owner. From all sweepstakes sold 30 per cent of the money is deducted—10 per cent to the Club, 10 per cent to the Government and 10 per cent is put aside for the owner. Here clause 17 (1) (b) (iii) says that only 20 per cent shall be deducted. Where does the share of the owner come in?

Enche' J. E. S. Crawford: Mr. President, Sir, I think the Honourable Member is slightly astray. This is totalisator and there is no 10 per cent to the owners. In the totalisator only 20 per cent is deducted, but in sweepstakes it is 30 per cent.

Enche' A. M. Abu Bakar: Sir, clause 17 (1) (a) says "Betting and Sweepstake Duties Ordinance". I think sweepstakes come in.

Enche' Tan Siew Sin: No, Sir. I think my Honourable friend Enche' Crawford is quite right. This applies to bets, not to sweepstakes.

Clauses 15 to 20 inclusive ordered to stand part of the Bill.

Clauses 21 to 29 inclusive ordered to stand part of the Bill.

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

THE LEGITIMACY BILL

Second Reading

Tun Leong Yew Koh: Mr. President, Sir, I beg to move that a Bill intituled "An Act to consolidate the law providing for the legitimation of children born out of wedlock" be read a second time.

Sir, I do not wish to detain this House long on this small measure of consolidation. Honourable Members will see that it merely reiterates the existing laws in the former Federated Malay States, the Straits Settlements and Johore. It extends these laws to the remaining four Northern States of Kedah, Kelantan, Perlis and Trengganu.

As Honourable Members are aware, under common law an illegitimate child (or bastard) suffers from a number of legal disabilities, principally in matters of rights over and succession to property. It was, I think, a mediaeval concept that the sins of the father should be visited on the children. Today, nobody believes that this should be the case—a child born out of wedlock can scarcely be expected to give previous assent to his status, or to determine on what side of the blanket he should enter this very unsatisfactory world.

I should perhaps mention that this Bill has been scrutinised by all the States in the Federation, and has been welcomed by the State Governments. It has been clearly understood that its provisions do not and cannot cover the Malays, whose personal status is determined by the laws of Islam—which are in many ways much more tolerant than was the old common law of England.

Engku Muhsein: 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. President in the Chair*)

Clauses 1 to 13 inclusive ordered to stand part of the Bill.

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

THE BETTING AND SWEEPSTAKE DUTIES (AMENDMENT) BILL

Second Reading

Tun Leong Yew Koh: Mr. President, Sir, I beg to move that a Bill intituled "An Act to amend the Betting and Sweepstake Duties Ordinance, 1948" be read a second time.

Enche' Lim Hee Hong: Sir, I beg to second the motion.

Enche' Tan Siew Sin: Mr. President, Sir, this Bill is consequential on the previous Bill to establish a Totalisator Board, but the opportunity has been taken to make amendments to enable the Minister of Finance to vary the duty both on bets and sweepstakes subject to maxima of twenty per cent and thirty per cent respectively.

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. President *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 GUARDIANSHIP OF INFANTS BILL

Second Reading

Tun Leong Yew Koh: Mr. President, Sir, I beg to move that a Bill intituled "An Act to provide for the Guardianship of infants" be read a second time.

I would refer the House to the explanatory statement at the end of this Bill which sets out its purpose with commendable brevity. I have nothing to add except to emphasise that the provisions of the Bill do not apply to

Muslims unless and until they are accepted by the State Governments. Some Honourable Members will recall that an attempt was made to introduce legislation a few years ago in the old Federal Legislative Council, but nothing came of it because it was not clear that Muslims would not be affected. Under our new constitutional arrangements this difficulty no longer arises, and I accordingly commend the proposal to this House. If, on the other hand, the various Councils of Muslim Religion in the States feel it appropriate to extend any or all of its measures to Muslims, it is open to them to do so through legislative action in their Legislative Assemblies of their State Governments.

Engku Muhsein: Tuan Yang di-Pertua, saya menyokong.

Enche' Mohamed Zahir: Tuan Yang di-Pertua, pada kali yang pertama ini-lah Kerajaan telah meluluskan satu Undang² yang sa-umpama ini yang membolehkan orang² Islam masuk mengambil munafa'at di-bawah-nya. Pada masa dahulu sa-tahu saya, Adoption Ordinance atau Undang² Anak Angkat di-mana di-adakan satu syarat di-dalam Undang² itu ia-itu orang² yang beragama Islam tidak dapat munafa'at di-bawah Undang² itu. Pada kali ini Kerajaan kita telah mengeluarkan satu Undang² ia-itu menyatakan benda² atau pun perkara² yang tidak berchangghah dengan Undang² Islam maka Undang² itu tidak di-pakai. Saya perchaya perjalanan ini ada-lah sangat bagus.

Perkara yang kedua, saya merasa churiga ia-itu di-bawah section 1 (2), benda ini terpulang-lah kepada Kerajaan² Negeri sama ada Kerajaan Negeri itu hendak menerima Undang² ini atau tidak. Saya rasa Kerajaan² Negeri barangkali terlambat atau pun terlalai daripada meluluskan Undang² ini di-dalam Majlis Meshuarat mereka masing². Yang demikian saya rasa, sangatlah mustahak jika sa-kira-nya Kerajaan Persekutuan mengesakkan Kerajaan² Negeri supaya meluluskan Undang² ini dengan segera supaya orang² Melayu dapat munafa'at yang banyak di-bawah Undang² ini.

Dan sa-perkara lagi bersangkutan dengan Undang² ini ia-itu sa-bagaimana saya sebutkan tadi, berkenaan dengan Undang² Pesaka Kechil yang di-adakan satu syarat tidak boleh di-kenakan kapada orang² Islam jika sa-kira-nya orang² Islam atau warith² mereka itu tidak bersetuju hendak menjual pesaka atau tanah² yang sangat kechil itu. Dan lagi berkenaan dengan Adoption Ordinance atau Undang² Anak Angkat yang tidak di-kenakan kapada orang² Islam. Saya rasa, Undang² itu di-adakan perkataan² dalam Undang² ini yang di-kehendaki setakat mana yang tidak berchanggah dengan ugama Islam maka Undang² itu patut di-pakai, sa-kira-nya Kerajaan fikir chara bagini orang² Islam boleh mendapat munafa'at-nya di-bawah Undang² itu.

Tun Leong Yew Koh: Sir, unfortunately under the Constitution, we cannot legislate for Muslims.

Enche' Mohamed Zahir: Sir, on a point of clarification, I am not asking the Federal Government to legislate on matters affecting Muslim religion. But I am just asking the Government to urge the State Governments to expedite legislation through their respective legislative bodies. I am not asking this body or the Federal Government to do it.

Tun Leong Yew Koh: Sir, certainly we will do that. It is open to legislative action in the Legislative Assembly of the State concerned.

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. President *in the Chair*)

Clauses 1 to 22 inclusive ordered to stand part of the Bill.

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

THE CONTROL OF SUPPLIES BILL

Second Reading

Tun Leong Yew Koh: Mr. President, Sir, I beg to move that a Bill intituled "An Act to provide for the control and rationing of supplies" be read a second time.

Engku Muhsein bin Abdul Kadir: Sir, I beg to second the motion.

The Assistant Minister of Commerce and Industry (Enche' Cheah Theam Swee): Mr. President, Sir, this proposed piece of legislation is a defence measure for meeting any considerable threats to the country's economy as regards supplies and the prices of commodities.

Sir, I would like to assure this House, as I have assured the Dewan Ra'ayat that the powers contained in this Bill are not meant for normal conditions. However, you will find that a small measure of the powers enacted in the Bill will be exercised in normal times. These powers are in respect of the licensing of rice-mills and padi purchasers, the control of the movements of padi, the licensing of wholesale and retail dealers in rice. The powers of licensing and control are necessary with regard to rice, because they are related to the Government guaranteed price of padi, the padi purchase scheme and the operation of the Government's reserved stock of rice.

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. President *in the Chair*)

Clauses 1 to 30 inclusive ordered to stand part of the Bill.

Schedule ordered to stand part of the Bill.

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

THE MINOR OFFENCES (AMENDMENT) BILL

Second Reading

Tun Leong Yew Koh: Sir, I beg to move that the Minor Offences (Amendment) Bill be read a second time.

Sir, I would draw the attention of Honourable Members to the amendments made in the Dewan Ra'ayat to this Bill, that is, clause 2 has been amended by the deletion of sub-section (5) of section 7 and the insertion of a new sub-section (5); also a new sub-section (6); and also a new clause 3.

Engku Muhsein: Tuan Yang di-Pertua, saya menyokong.

Enche' Athi Nahappan: Mr. President, Sir, this Bill aims to attach absolute liability to the owners of dogs. As far as I can remember, the law makes a distinction between wild animals and domestic animals, and it has been accepted in almost every country that the dog is a domestic animal and good friend of the human being. So far as wild animals are concerned, the absolute liability is there for the owner, because if I am keeping in my house a tiger or a monkey and if a guest comes to my house, it is my duty to see that the guest is protected from the unwarranted springing of this animal that I keep. In the case of a domestic animal, the law is that I must have some knowledge of the vicious propensity of the animal. But unfortunately now, in view of the frequent occurrences that we have read in the newspapers, absolute liability is being attached to dog owners and if there should be an attack by a dog, the owner is made automatically liable to a fine and also to a compensation.

Sir, clause 7 does not make any mention as to the time. It merely says—

"The owners of every dog which shall cause injury to any person shall be liable. . . .".

Mr. President, these days we are faced with too many thefts, too many burglaries and it is usually the desire of the people who keep dogs to let the dogs loose during the night hours. There is no mention at all as to time in this clause. It is not very helpful in view of the situation that we are facing these

days. I think there should be some reference to time made, and also it is necessary that there should be some proof before a man can be convicted and fined, or asked to pay compensation. If he keeps a ferocious dog, then, of course, he must be made to pay compensation, or alternatively fined.

As to sub-clause (4), Sir, it says—

"No compensation shall be payable to any person under this section in respect of injury sustained in any house or premises except upon proof that he entered such house or premises in the ordinary course of his duties or with the express or implied permission of the occupier".

Sir, it says "any person in the course of his duty". Now, if a peddler or hawker comes to my house during the day-time or in the evening hours and he wants to sell something to me or anybody in my house, he may consider it is his duty to come to my house. But so far as I am concerned, I am not obliged to buy from him, and why should I be made liable if he comes into my compound without my permission. Duty in this sense must be correlated. I can understand if a Government servant comes. If the words "any person" is confined to Government servants who come to my house in the course of their duty, then I should be made liable if I know that my dog has a vicious propensity. Otherwise I should not be made liable. That amendment, I think, Sir, is very necessary. Otherwise, any Tom, Dick and Harry may just walk into the house or into the compound of the house at any time of the day or night thinking that he has a duty to perform from his point of view which may not be acceptable from my point of view.

Enche' J. E. S. Crawford: Mr. President, Sir, I fully support what my Honourable friend Mr. Athi Nahappan has said. There is one point: there seems to be no mention as to whether the attack by the dog was provoked or unprovoked. If a postman comes into my compound and swings his bag at the dog and the dog attacks him, Sir, am I liable? (*Laughter*).

The Assistant Minister of Commerce and Industry (Enche' Cheah Theam Swee): Mr. President, Sir, if the Honourable Mr. Athi Nahappan had been

pleading before the court—as he thought he was just now—I am sure he would have been rapped by the Bench (*Laughter*). If he looks at the amendment note, which was circulated to the Members of this House, he will find that his point was considered by the Select Committee selected by the House of Representatives to go into this question, and after the Select Committee had met we came to the conclusion that that clause should be amended to say that if the injury sustained by a person was caused by his own wrongful act, then the owner of the dog should not be liable, and I believe this amendment should be quite clear.

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. President *in the Chair*)

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

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

ADJOURNMENT

Tun Leong Yew Koh: Sir, I beg to move that the House do now adjourn to 9.30 a.m. tomorrow morning.

Enche' T. H. Tan: Sir, I beg to second the motion.

Question put, and agreed to.

Adjourned at 12.40 p.m.

JAWAPAN² BERTULIS KAPADA PERTANYAAN²

KEMENTERIAN KESELAMATAN DALAM NEGERI

Komunis Di-sempadan Tanah Melayu-Thailand

1. Enche' Amaluddin bin Darus bertanya kepada Menteri Keselamatan Dalam Negeri sa-jauh mana-kah hingga ini Kerajaan telah berjaya menghapuskan komunis di-Sempadan Tanah Melayu-Thailand, sejak di-ishtiharkan hapus-nya Undang² Dharurat.

Menteri Keselamatan Dalam Negeri (Dato' Dr. Ismail): Dua puluh tujuh pengganas² Komunis telah pun diberhentikan daripada bertindak semenjak Undang² Dharurat di-batalkan. Kejayaan ini ada-lah di-sebabkan oleh kerjasama di-antara pasokan² Malaya/Thai di-Kawasan Sempadan.

KEMENTERIAN KERJA RAYA, POS DAN TALIKOM

Jambatan Temerloh

2. Enche' Amaluddin bin Darus bertanya kepada Menteri Kerja Raya, Pos dan Talikom ada-kah Kerajaan sa-benar-nya tidak sedar bahawa kederaan ayer sungai Pahang itu demikian kuat, hingga jambatan Temerloh yang baharu siap itu telah rosak binasa sa-belum di-gunakan lagi. Jika Kerajaan sedar, bagaimana-kah Kerajaan membuat perhitongan sa-waktu jambatan itu akan di-buat.

Menteri Kerja Raya, Pos dan Talikom (Dato' V. T. Sambanthan): The Government Technical Officers responsible for the design of the new bridge across the Pahang River at Temerloh carried out a close study of the river over a period of 5 years, and had other records available to them covering a longer period. They were fully aware of the force of the river current, and the bridge was designed to withstand forces of much greater magnitude. From a preliminary examination, it appears that the bridge sustained no damage from the force of the current, but was undermined by scour resulting from an exceptional wall of debris which was brought down by a very rapid rise of

the river in the upper reaches. The rate of rise in the upper reaches was greater than any on record including the 1926 floods, and the flood level of the river at Temerloh was the third highest on record. Based on all the records available, the bridge was located at a level where it was considered to be safe from debris which is brought down by the river in the floods, but the experience in this particular flood has shown that this is not so.

All submersible bridges are subject to some damage during their life, and spare spans are usually kept alongside the bridge in order to restore damaged spans quickly when the flood waters have subsided. This is standard practice throughout the world, and the two largest submersible bridges in Malaya—the Noordin Bridge and the Jerreh Bridge—have such spare spans. Spare spans were also on order for the Temerloh Bridge.

3. Enche' Amaluddin bin Darus bertanya kepada Menteri Kerja Raya, Pos dan Talikom ada-kah jambatan Temerloh itu telah di-serahkan kepada Kerajaan oleh kontrekter yang membena-nya, dan siapa-kah bertanggung jawab memperbaiki kerosakan itu.

Dato' V. T. Sambanthan: In accordance with the terms and conditions of contract, as work on the bridge progressed, it was measured and passed by the Resident Engineer, and a progress payment was made monthly. This had been carried out during the course of construction and, with the exception of a variation order for a deck surface, all work on the bridge had been satisfactorily completed. The final completion certificate had not been issued, as the deck surface, which was an extra to the contract, was still being applied.

As to who is responsible is under investigation by the Government in consultation with its Legal Advisers.

4. Enche' Amaluddin bin Darus bertanya kepada Menteri Kerja Raya, Pos dan Talikom ada-kah kerosakan itu sa-kadar 160 kaki sahaja bagaimana yang di-beritakan oleh surat² khabar, atau pun kerana kesan dari kerosakan itu telah menjadikan seluruh bahagian²

yang maseh tinggal lagi itu tidak lagi chukup kuat dan terpaksa di-perbuat lain semua.

Dato' V. T. Sambanthan: The full extent of the damage is still unknown, as it has been impossible to send down divers to examine the bridge structure below water level owing to the continued swift flow of the river. From superficial inspection, it would appear that two adjacent spans have been displaced a few inches, but it is possible that they are undamaged.

5. Enche' Amaluddin bin Darus bertanya kepada Menteri Kerja Raya, Pos dan Talikom ia-itu jika seluroh jambatan itu terpaksa di-perbuat lain, berapa-kah anggaran belanja-nya, dan jika hanya akan di-perbaiki sahaja, berapa-kah belanja-nya yang telah di-anggarkan.

Dato' V. T. Sambanthan: Since the bridge has been damaged in the first submersion which it sustained, even though the flood conditions were without precedent, the Technical Officers of Government are now considering whether the design of the bridge should be modified before it is restored in order to reduce the possibility of similar damage in freak flooding conditions in the years ahead. Until a decision is made on the nature of the modifications, if any, it is impossible to give an estimate of the cost of repairs.

KEMENTERIAN HAL EHWAL LUAR NEGERI

Hadiah² Yang Di-beri Kapada Republik Vietnam

6. Enche' Amaluddin bin Darus bertanya kepada Menteri Luar ada-kah di-antara Persekutuan Tanah Melayu dengan Republik Vietnam telah diadakan sa-barang perjanjian yang telah pernah di-tanda tangani bersama. Jika ada, sila terangkan.

Perdana Menteri: Persekutuan Tanah Melayu tidak mempunyai sa-barang perjanjian dengan Republik Vietnam.

7. Enche' Amaluddin bin Darus bertanya kepada Menteri Luar Negeri apa-kah sebab-nya Kerajaan Persekutuan Tanah Melayu nampak-nya terlalu murah hati dengan menghadihkan

kereta² perisai dan lain² alat² senjata kapada Vietnam Selatan. Ada-kah pada masa² yang akhir ini Persekutuan Tanah Melayu telah atau akan menjadi anggota SEATO.

Perdana Menteri: Semasa Dharurat kelmarin, pasokan polis kita banyak menggunakan alatan² dan kereta² untuk melawan penganas² komunis. Oleh kerana Dharurat sudah tamat maka alatan² dan kereta² ini tidak kita gunakan lagi. Tetapi Kerajaan Republik Vietnam sekarang ini sedang menghadapi keadaan yang lebih kurang seperti keadaan Dharurat di-Persekutuan Tanah Melayu kelmarin. Jadi oleh kerana Kerajaan Vietnam memerlukan alat-perkakas yang ada dalam simpanan kita itu maka Kerajaan Persekutuan telah mengambil keputusan untuk menghadihkan alat-perkakas ini kapada Kerajaan Republik Vietnam.

2. Bagi bahagian yang kedua soalan ini, jawapan-nya, tidak.

8. Enche' Amaluddin bin Darus bertanya kepada Menteri Luar Negeri berapa-kah jumlah semua hadiah² itu, sila sebutkan satu persatu mengikut jenis²-nya. Dan terangkan berapa harga barang² itu semua-nya pada masa di-beli dahulu.

Perdana Menteri: Alatan² Polis yang telah di-hadihkan kapada Kerajaan Vietnam Selatan ada-lah seperti berikut:

(a) Shotguns 12 Bore Single Barrel	45,707
(b) Shotguns 12 Bore Pump Action	9,868
(c) Carbines	836
(d) Pistols Browning Automatic	450
(e) G.M.C. Armour Plated Personnel Carriers ..	364
(f) Lynx Scout Cars ..	241
(g) Lynx Armour Plated Personnel Carriers ..	6
(h) Wickham Trollies ..	30
(i) Signal Pistols	346

Hadiah ini termasuk peluru dan spare parts.

2. Alatan² ini berjumlah 11.8 million ringgit pada waktu di-beli-nya di-antara

tahun 1948 dan 1953 lebih kurang 11 tahun dahulu.

9. Enche' Amaluddin bin Darus bertanya kepada Menteri Luar Negeri ada-kah Kerajaan sedar bahawa perbuatan menghadiahkan barang² seperti itu ada-lah boleh melibatkan Persekutuan sa-chara langsung dalam kanchah pertentangan bangsa², terutama kerana Vietnam Selatan itu bersempadan dengan kawasan yang sedang bergelora pada masa ini.

Perdana Menteri: Kerajaan Persekutuan tidak menganggap bahawa pemberian barang² seperti ini akan melibatkan Persekutuan sa-chara langsung dalam pertentangan antara bangsa, kerana barang² yang di-beri bukan-nya alat² tentera dan bukan-nya untuk peperangan.

Wang Quarantine Orang² Haji

10. Tuan Haji Nik Mohd. Adeeb bin Haji Nik Mohamed bertanya kepada Menteri Luar ia-itu orang² haji Tanah Melayu semua-nya kena bayar wang quarantine, mengapa-kah tidak pernah di-pulangkan balek kepada mereka wang itu bila mereka tidak di-kenakan quarantine.

Perdana Menteri: Kerajaan Persekutuan Tanah Melayu tidak memungut sebarang bayaran quarantine, tetapi mengikut undang² Kerajaan Saudi Arabia tiap² sa-saorang yang sampai ka-Jajahan Saudi Arabia di-dalam musim Haji mesti-lah membayar chukai quarantine sa-banyak \$43. Tanggongan mengutip chukai ini terletak di-atas Sharikat² Kapal atau kapal terbang bagi Kerajaan Saudi.

11. Tuan Haji Nik Mohd. Adeeb bin Haji Nik Mohamed bertanya kepada Menteri Luar ada-kah wang quarantine yang di-kenakan kepada orang² haji itu di-dalam simpanan Kerajaan Persekutuan Tanah Melayu. Jika ia, untuk apa-kah wang itu telah di-gunakan.

Perdana Menteri: Wang quarantine itu tidak di-pungut atau di-simpan oleh Kerajaan Persekutuan.

12. Tuan Haji Nik Mohd. Adeeb bin Haji Nik Mohamed bertanya kepada Menteri Luar ia-itu sa-kira-nya wang itu

telah di-terima oleh Kerajaan Saudi Arabia, apa-kah sebab Kerajaan Persekutuan Tanah Melayu tidak bertindak menuntut kembali wang itu supaya di-bayar balek kepada orang² haji yang tidak kena quarantine.

Perdana Menteri: "Wang Quarantine" itu ada-lah satu chukai khas yang di-kenakan oleh Kerajaan Saudi pada tiap² orang yang bukan berwarga negara Saudi yang masuk ka-negeri-nya pada musim Haji. Wang itu bukan-lah untuk perbelanjaan quarantine. Mengikut undang² Saudi yang di-keluarkan baharu² ini "Chukai Quarantine" itu telah pun di-namai "Chukai Perkhidmatan Awam", dan sa-siapa yang masuk ka-negeri Arab pada musim haji hendak-lah membayar "Chukai Perkhidmatan Awam" sa-banyak M\$43.

13. Tuan Haji Nik Mohd. Adeeb bin Haji Nik Mohamed bertanya kepada Menteri Luar boleh-kah Kerajaan memberi jaminan ia-itu wang² yang telah di-bayar oleh orang² haji itu kerana maksud quarantine, tetapi mereka tidak kena quarantine, maka wang mereka itu akan di-pulangkan atau akan di-usahakan supaya dapat di-pulangkan kepada mereka.

Perdana Menteri: Wang yang di-bayar oleh orang haji itu ada-lah menjadi hasil negeri Saudi. Oleh itu tidak dapat-lah Kerajaan Persekutuan mengambil tindakan di-atas perkara ini.

KEMENTERIAN PENGANGKUTAN

Nama Port Swettenham Patut Di-Ubah

14. Enche' Amaluddin bin Darus bertanya kepada Menteri Pengangkutan ada-kah Kerajaan berchadang akan mengubah nama Port Swettenham, dimana terletak bandar pelabuhan yang hampir sa-kali dengan Ibu Kota Persekutuan dan sedang di-perbesarkan itu, daripada nama sekarang yang hanya untuk mengenang dan mengekalkan sejarah penjajahan kepada satu nama yang lebih besar dan menasabah sa-kali dengan sejarah negara ini. Jika tidak, harap terangkan sebab²-nya.

Menteri Pengangkutan (Enche' Sardon bin Haji Jubir): Pada masa ini Kerajaan belum ada chadangan mengubah nama

Port Swettenham. Memandang kepada banyak-nya perkara² yang lebeh penting lagi di-Port Swettenham pada masa ini, Kerajaan berasa bahawa soal mengubah nama ini tidak-lah boleh di-anggap sa-bagai satu soal yang patut di-utamakan.

15. Enche' Amaluddin bin Darus bertanya kepada Menteri Pengangkutan akan bersetuju-kah Kerajaan menggantikan nama Port Swettenham itu menjadi Tun Perak (Pelabuhan Tun Perak), sa-bagai kenangan terhadap sa-orang yang telah pernah diam di-sana, berkedudukan sa-laku Gabnor atau wakil Kerajaan Melaka bagi Daerah Klang di-zaman Sultan Melaka menjadi Bendahara, bergelar Bendahara Paduka Raja yang mashhor itu.

Enche' Sardon bin Haji Jubir: Jika dan apabila pada masa akan datang di-tetapkan bahawa soal nama baharu itu patut di-timbangkan, semua shor², daripada mana sekali pun datang-nya, akan di-timbangkan dengan saksama.

**Meminta Kemudahan Bagi Penumpang²
Keretapi Dari Pantai Timor Yang Hendak
Pergi Ka-Prai, Kedah Dan Utara
Tanah Melayu**

16. Tuan Haji Nik Mohd. Adeeb bin Haji Nik Mohamed bertanya kepada Menteri Pengangkutan ada-kah dapat keretapi Tanah Melayu berjalan terus dari Kelantan ka-Prai saperti dahulu melalui Siam supaya menyenangkan ra'ayat berulang alek, tidak lagi mesti mengambil Border Pass; jika boleh bila, dan jika tidak apa sebab-nya.

Enche' Sardon bin Haji Jubir: Ada-lah benar bahawa dahulu Keretapi Tanah Melayu ada menjalankan perkhidmatan-nya melalui Siam ia-itu manakala perhubungan terus ka-Kelantan mengikut jalan Keretapi Tanah Melayu belum ada, tetapi semenjak jalan Keretapi di-Pantai Timor siap di-bena, perkhidmatan itu telah di-batalkan. Walau bagaimana pun segala penumpang² pada masa itu ada-lah di-kehendaki mengambil Border Pass.

Keretapi Tanah Melayu tidak bermaksud hendak memulakan perkhidmatan itu oleh sebab pehak Keretapi Siam sekarang ini ada menjalankan

perkhidmatan-nya yang tertentu sambong menyambung dengan perkhidmatan Keretapi Tanah Melayu dan penumpang² boleh berjalan dengan senang dan mudah antara Kelantan dan Prai.

17. Tuan Haji Nik Mohd. Adeeb bin Haji Nik Mohamed bertanya kepada Menteri Pengangkutan ia-itu jika tidak sementara ada jalan raya yang menghubungkan Kelantan-Perak, boleh-kah Kerajaan mengurangkan separoh tambang keretapi untuk orang² dari Pantai Timor, Kelantan dan Trengganu yang hendak pergi ka-Utara Tanah Melayu melalui Gemas-Kuala Lumpur saperti Kerajaan telah membuat terhadap orang² yang akan pergi ka-Mekah pada tahun ini.

Enche' Sardon bin Haji Jubir: Keretapi Tanah Melayu di-tadbirkan sechara perdagangan; oleh yang demikian tidak-lah boleh ia memberi tambang murah kepada orang² persaorangan kerana ini akan mendatangkan akibat yang tidak baik kepada seluruh susunan keretapi. Walau pun begitu, Keretapi Tanah Melayu sememang ada memberi tambang murah untuk pergi balek yang boleh di-gunakan di-dalam sa-bulan kepada rombongan² saperti berikut:

- (a) rombongan terdiri daripada 10 atau lebeh orang di-kenakan $1\frac{1}{2}$ bayaran sahaja;
- (b) rombongan terdiri daripada 50 atau lebeh orang di-kenakan $1\frac{1}{3}$ bayaran sahaja;
- (c) rombongan terdiri daripada 100 atau lebeh orang di-kenakan satu bayaran sahaja.

Bakal² haji di-beri tambang murah kerana ia berupa rombongan yang besar dan kerana perkara naik haji ini ia-lah satu perkara yang istimewa.

18. Tuan Haji Nik Mohd. Adeeb bin Haji Nik Mohamed bertanya kepada Menteri Pengangkutan ia-itu dalam beberapa tahun ini keretapi telah mengalami kerugian kerana kurang penumpang, maka dengan mengurangkan separoh tambang untuk bakal² haji dari Kelantan-Trengganu itu erti-nya satu galakan untuk ra'ayat memileh

keretapi dalam perjalanan-nya, yang demikian apa-kah sebab-nya tidak dapat di-buat seperti itu juga terhadap orang² lain dari Kelantan-Trengganu, terutama mereka yang akan menchari kerja di-musim potong padi di-Kedah dan menangkap ikan, untuk mengelakkan penderitaan mereka seperti yang telah di-terangkan dalam soalan saya kepada Menteri Pertanian dan Sharikat Kerjasama.

Enche' Sardon bin Haji Jubir: Ada-lah tidak betul jika di-katakan bahawa Keretapi Tanah Melayu mengalami kerugian dalam beberapa tahun ini kerana kekurangan penumpang kerana pendapatan-nya bukan bergantung kepada penumpang² sahaja tetapi juga kepada barang². Kurang-nya pendapatan Keretapi dalam tahun 1958 ada-lah di-sebabkan oleh keadaan meleset di-dalam negeri ini. Semenjak tahun itu bilangan penumpang² telah bertambah. Walau bagaimana pun Keretapi Tanah Melayu sentiasa sedia menimbang soal mengurangkan tambang mengikut chara yang telah di-terangkan dalam jawapan kepada pertanyaan nombor 17.

KEMENTERIAN PERTANIAN DAN SHARIKAT KERJASAMA

Petani² dan Nelayan Kelantan yang pergi ka-Kedah kerana menchari kerja dalam musim tengkujuh

19. Tuan Haji Nik Mohd. Adeeb bin Haji Nik Mohamed bertanya kepada Menteri Pertanian dan Sharikat Kerjasama berapa-kah jumlah orang² dari Kelantan (petani dan nelayan) yang telah pergi ka-Kedah pada tiap² tahun kerana menchari pekerjaan memukol padi dan menangkap ikan.

Menteri Pertanian dan Sharikat Kerjasama (Enche' Abdul Aziz bin Ishak): Mengikut chatetan Pejabat Immigration daftar² kemasokan orang dari Siam ada di-simpan oleh Pejabat tersebut tetapi tidak-lah pula bagi kemasokan orang² dari Kelantan, yang bebas masuk ka-Kedah. Dalam pada itu pun, mengikut keterangan yang di-anggarkan oleh Pejabat Immigration, kemasokan

orang² dari Kelantan ka-Kedah ada-lah seperti berikut:

1958/59	..	5,819 orang
1959/60	..	7,436 ..
1960/61	..	10,181 ..

Tidak-lah di-ketahui sama ada orang² ini, petani² atau nelayan, dan ada-lah juga di-fikirkan orang² ini pergi ka-Kedah bekerja memukol padi.

Dan lagi ada-lah di-ketahui dalam musim tengkujuh yang sekarang ini lebeh kurang seramai 100 orang nelayan yang telah meninggalkan Pantai Timor untuk bekerja menangkap ikan di-Kedah dan Pulau Pinang. Kebanyakan daripada mereka itu (75 orang) ada-lah di-ketahui datang dari Tumpat. Sabanyak 14 orang nelayan dari Kelantan bekerja memasangkan bubu di-Kedah.

20. Tuan Haji Nik Mohd. Adeeb bin Haji Nik Mohamed bertanya kepada Menteri Pertanian dan Sharikat Kerjasama ada-kah Kerajaan sedar bahawa petani² dari Kelantan banyak yang pergi ka-Kedah untuk memukol padi dan kembali sa-mula ka-Kelantan untuk mengerjakan sawah mereka, mengikut musim.

Enche' Abdul Aziz: Perkara ini memang sudah terma'alum bagi Kementerian Pertanian dan Sharikat Kerjasama kerana kalau tidak dengan pertolongan ini harus pekerjaan mengambil padi di-Kedah akan tergendala. Dan sebalik-nya ini-lah satu peluang bagi petani Kelantan menggunakan masa kelpangan mereka untuk menchari pencharian lain.

21. Tuan Haji Nik Mohd. Adeeb bin Haji Nik Mohamed bertanya kepada Menteri Pertanian dan Sharikat Kerjasama ada-kah Kerajaan sedar bahawa nelayan² dari Kelantan dalam musim tengkujuh di-Pantai Timor, banyak yang pergi ka-Kedah khas-nya kerana mengambil upah menangkap ikan sehingga keadaan laut Pantai Timor tenang sa-mula.

Enche' Abdul Aziz: Kebanyakan nelayan² dari Kelantan dan tempat² lain juga di-Pantai Timor ada-lah di-ambil bekerja oleh 2 buah Sharikat

perikanan yang besar di-Pulau Pinang untok memasangkan bubu. Nelayan² itu pergi ka-Pulau Pinang tidak-lah khas-nya mengikut musim dan lazim-nya ramai nelayan² itu ada yang tinggal lama dan ada yang tinggal sakejap mengikut untong tidak-nya daripada kerja menangkap ikan itu.

22. Tuan Haji Nik Mohd. Adeeb bin Haji Nik Mohamed bertanya kepada Menteri Pertanian dan Sharikat Kerjasama jika Kerajaan sedar, maka ada-kah Kerajaan boleh membuat survey di-Kedah untok menentukan berapa banyak tenaga yang di-kehendaki menolong petani² di-Kedah dan lain² di-Utara Tanah Melayu menetam dan memukol padi mereka pada tiap² tahun dan menentukan kawasan² supaya jangan orang² dari Kelantan bila pergi di-sana bertumpu di-beberapa kawasan sahaja, sementara itu banyak kawasan lain yang tidak ada tenaga hingga merugikan petani² itu sendiri, demikian juga mengenai nelayan².

Enche' Abdul Aziz: Kawasan padi yang memerlukan pekerja² dalam musim menuai boleh di-katakan terkhas kepada negeri Kedah. Di-sini sa-luas 270,000 ekar padi di-tanam tiap² tahun. Masa menuai terhad kepada 60 hari sahaja kerana boleh di-katakan padi itu sama masak-nya dan dengan sebab itu memerlukan kaki-tangan yang lebeh banyak. Kalau di-kira 10 orang laki²/perempuan boleh menyiapkan satu ekar sa-hari maka ini memerlukan tenaga sa-banyak 45,000 orang. Dari sini dapat-lah di-ketahui bahawa kawasan padi di-Kedah terutama sa-kali, memerlukan tenaga luar hingga sampai 20,000 orang dalam musim menuai padi. Begitu juga jelas-lah bahawa tidak-lah lagi penting di-adakan survey kerana kedudukan soal ini telah pun di-ketahui.

Bagitu juga telah di-ketahui kawasan² yang berkehendakkan tenaga luar ini ia-itu:

di-daerah K. Star ..	120,378	ekar sawah
„ K. Pasu ..	68,116	„
„ Yen ..	34,023	„

Ada-lah sukar sedikit hendak di-tentukan berapa orang yang di-kehendaki dan di-mana yang hendak di-hantarkan kerana kawasan padi itu

sungguh pun luas tetapi di-mileki oleh beribu² petani yang berkehendak pekerja. Bagitu juga orang² Kelantan yang datang ka-Kedah bukan-lah datang-nya dengan berkumpul yang besar yang mudah di-serahkan ka-satu² kawasan. Sa-takat yang boleh di-jalakan, di-Kedah telah di-atorkan supaya kehendak² dari petani untok pekerja dari Kelantan itu di-beri tahu kepada Pejabat Daerah dan manakala pekerja² dari Kelantan tiba di-Kedah mereka ini di-arahkan oleh Pejabat Daerah ka-kawasan² yang berkehendakkan pekerja².

Berkenaan dengan nelayan² pula biasa-nya nelayan² yang datang dari Pantai Timor ada-lah di-kehendaki kerana kemahiran-nya membuat perangkap bubu dan memasangkan-nya. Selalu-nya mereka itu bebas boleh bekerja daripada satu Sharikat kepada satu Sharikat yang lain. Sa-benar-nya 14 orang nelayan dahulu-nya bekerja dengan Sharikat Ikan Hock Huat di-Pulau Pinang. Tetapi walau bagaimana pun keadaan yang sa-benar-nya ia-lah datang tidak-nya nelayan² ini ada-lah mengikut kehendak² khidmatannya. Oleh sebab Pulau Pinang itu sa-buah pangkalan yang mustahak bagi menjalankan bubu maka sa-jumlah yang besar daripada nelayan² yang datang ka-sana itu tertarek kepada kerja menangkap ikan.

23. Tuan Haji Nik Mohd. Adeeb bin Haji Nik Mohamed bertanya kepada Menteri Pertanian dan Sharikat Kerjasama ada-kah Kerajaan sedar penderitaan ra'ayat yang berulang alek melalui Siam terutama masa mereka di-dalam kawasan Siam, jika Kerajaan sedar dan telah membuat penyiasatan, maka ada-kah Kerajaan berchadang membuat sa-suatu untok menolong mereka.

Enche' Abdul Aziz: Kerajaan tidak yakin bahawa ada-nya penderitaan² yang di-alami oleh pekerja² dari Kelantan dalam perjalanan mereka melalui Siam, tetapi harus mereka ini merasa kesukaran² berkenaan tempat perhentian dalam perjalanan kerana menunggu keretapi.

KEMENTERIAN KESIHATAN DAN KEBAJIKAN MASHARAKAT

Rumah Sakit Dungun

24. Enche' Da Abdul Jalil bin Haji Awang bertanya kepada Menteri Kesihatan dan Kebajikan Masharakat adakah beliau sedar bagaimana keadaan rumah sakit di-jajahan Dungun Trengganu yang sedang berada dalam keadaan bahaya dari pukulan ombak yang kuat dalam musim tengkujuh ini.

Menteri Kesihatan dan Kebajikan Masharakat (Dato' Ong Yoke Lin): Saya sedar atas akibat-nya di-Rumah Sakit Dungun dalam musim tengkujuh ini.

25. Enche' Da Abdul Jalil bin Haji Awang bertanya kepada Menteri Kesihatan dan Kebajikan Masharakat apakah langkah yang akan di-ambil bagi mengelak kehilangan jiwa dan harta benda yang mungkin akan menimpa di-atas rumah sakit itu.

Dato' Ong Yoke Lin: Tindakan telah pun di-jalankan oleh Pejabat Kerja Raya membena sa-buah benting daripada batu² chegar di-dalam kawasan rumah sakit itu dalam tahun 1960. Chara yang sudah di-lakukan itu di-akuī oleh Pejabat Kerja Raya berjaya mengelakkan daripada runtuhan tebing dalam tahun 1960. Satu benting lagi akan di-bena bagi menguatkan benting

yang ada itu. Dengan ada-nya langkah² yang di-perbuat ini, maka kehilangan jiwa dan harta benda tidak mungkin berlaku.

26. Enche' Da Abdul Jalil bin Haji Awang bertanya kepada Menteri Kesihatan dan Kebajikan Masharakat ia-itu memandang keadaan rumah sakit itu yang berupa lebeh menasabah lagi sa-bagai sa-buah bangsal dari sa-buah rumah sakit, tidak-kah Kerajaan berfikir sa-buah rumah sakit baharu yang sesuai dengan atoran rumah sakit patut di-adakan di-Dungun itu dalam tahun 1961 ini di-satu tempat yang menasabah.

Dato' Ong Yoke Lin: Di-pukul rata keadaan rumah sakit yang ada sekarang ini boleh-lah di-katakan memuaskan hati. Kementerian saya sedang berunding dengan Kerajaan Trengganu bagi menyediakan tapak lain untuk satu rumah sakit yang baharu bagi kemajuan yang akan datang.

27. Enche' Da Abdul Jalil bin Haji Awang bertanya kepada Menteri Kesihatan dan Kebajikan Masharakat tidak-kah Kerajaan fikir perlu mengadakan satu benting (sea-wall) bagi menyelamatkan tapak rumah sakit itu daripada di-makan oleh ayer laut.

Dato' Ong Yoke Lin: Jawapan soalan ini ia-lah mengikut jawapan saya bagi soalan nombor 25 di-atas.