

Volume III
No. 6



Friday
2nd February, 1962

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DEWAN NEGARA (SENATE)

OFFICIAL REPORT

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FEDERATION OF MALAYA
DEWAN NEGARA (SENATE)

VOTES AND PROCEEDINGS

Third Session

Vol. III

Friday, 2nd February, 1962

No. 6

The Senate met at 9.30 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. (Johor).
" 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' ABDULLAH BIN ISHAK (Perlis).
" 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' CHEAH SENG KHIM, J.P. (Penang).
" DATO' DR. CHEAH TOON LOK, J.M.N., J.P., Dato' Maha Kurnia (Appointed).
" ENCHE' CHOO KOK LEONG (Appointed).
" ENCHE' DA ABDUL JALIL BIN HAJI AWANG (Trengganu).
" ENCHE' HASHIM BIN AWANG, J.P. (Penang).
" ENCHE' KOH KIM LENG (Melaka).
" 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 (Melaka).
" ENCHE' MOHD. ZAHIR BIN HAJI ISMAIL (Kedah).
" ENGU MUHSEIN BIN ABDUL KADIR, J.M.N., P.J.K. (Appointed).
" ENCHE' ATHI NAHAPPAN (Appointed).
" ENCHE' S. P. S. NATHAN (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).

The Honourable RAJA RASTAM SHAHROME BIN RAJA SAID TAUPHY (Selangor).
 .. DATO' SHEIKH ABU BAKAR BIN YAHYA, D.P.M.J., P.I.S., J.P.
 (Johor).
 .. 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).
 .. DATO' E. E. C. THURAISINGHAM, D.P.M.J., J.P. (Appointed).
 .. ENCHE' S. O. K. UBAIDULLA, J.M.N. (Appointed).
 .. ENCHE' WAN AHMAD BIN WAN DAUD, J.M.N., 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' YAP KHEN VAN, A.M.N., J.P. (Pahang).
 .. ENCHE' YEOH KIAN TEIK (Perak).

ABSENT:

The Honourable DATO' J. E. S. CRAWFORD, J.M.N., J.P., Dato' Kurnia Indera
 (Appointed).

IN ATTENDANCE:

The Honourable the Minister of Internal Security and Minister of the Interior,
 DATO' DR. ISMAIL BIN DATO' HAJI ABDUL RAHMAN, P.M.N.
 (Johor Timor).
 .. the Minister of Finance, ENCHE' TAN SIEW SIN, J.P. (Melaka
 Tengah).
 .. the Minister without portfolio, DATO' SULEIMAN BIN DATO'
 HAJI ABDUL RAHMAN, P.M.N. (Muar Selatan).
 .. the Minister of Transport, DATO' SARDON BIN HAJI JUBIR,
 P.M.N. (Pontian Utara).
 .. the Minister of Labour, ENCHE' BAHAMAN BIN SAMSUDIN
 (Kuala Pilah).
 .. the Minister of Education, ENCHE' ABDUL RAHMAN BIN HAJI
 TALIB (Kuantan).
 .. the Assistant Minister of Rural Development, TUAN HAJI
 ABDUL KHALID BIN AWANG OSMAN (Kota Star Utara).
 .. the Assistant Minister of Commerce and Industry, ENCHE'
 CHEAH THEAM SWEE (Bukit Bintang).

PRAYERS

(Mr. President *in the Chair*)

TRIBUTE TO THE LATE DATO'
 ONN BIN JA'AFAR, D.K., D.P.M.J.

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

I would not be out of order if I refer to the death recently of one of Malaya's greatest sons—I refer, of course, to the late Dato' Onn bin Ja'afar. It is true that he was never a member of this House, but graced another place with distinction. But even so, I think we have a right and a duty to revere his memory in this,

the Upper House of Parliament, for Dato' Onn was long a member of the Federal Legislative Council. As such, we are in a sense his successors and the successors to that Council.

Dato' Onn will be remembered as one of the precursors of independent Malaya. It was largely through his firmness that the Federation of Malaya Agreement was formulated to replace the unhappy Malayan Union. He was truly the founder of UMNO, that great party which is the basis of the multi-racial Alliance Party. We all know that after a time, he found himself unable to go along with the party he had founded, and sallied forth in other directions. It was characteristic of the man that he had the courage of his convictions. No matter how much one may have disagreed with his political views, one was forced to respect and admire his integrity. His passing leaves Malaya a poorer place today. It also leaves Malaya a less exciting place. We have lost the stimulus of Dato' Onn's penetrating comments, often sharp but never unkind. I think we can say that we have all lost a personal friend.

May I propose, Sir, that this House stands in silence for one minute out of respect for his memory. And may I also suggest that you communicate to his widow and family our deepest sympathy in the bereavement which we share with them.

(Honourable Senators stood in silence for one minute)

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

Mr. President: Ahli² Yang Berhormat, saya suka ma'almukan pada Majlis ini ia-itu saya telah terima satu perutusan daripada Dewan Ra'ayat. Sekarang saya jemput Setia-Usaha Majlis membachakan perutusan itu.

(Whereupon, the Clerk read the following message dated 31st January, 1962):

"Mr. President,

The House of Representatives has passed the following Bills—

- (1) Bill to apply a sum out of the Consolidated Fund to the service of the year 1962 and to appropriate such sum for certain purposes;
- (2) Bill to apply a sum out of the Consolidated Fund for additional expenditure for the service of the year 1961, to appropriate such sum for certain purposes and to provide for the replacement of amounts advanced from the Contingencies Fund;
- (3) Bill to provide for the reconstitution of the Rubber Research Institute of Malaya and for matters incidental thereto;
- (4) Bill to amend the Railway Ordinance, 1948;
- (5) Bill to amend the Arms Act, 1960;
- (6) Bill to amend the Rubber Industry (Replanting) Fund Ordinance, 1952;
- (7) Bill to amend the Internal Security Act, 1960;
- (8) Bill to amend the Land Development Ordinance, 1956;
- (9) Bill to provide for the establishment of a Corporation to be known as the Federation of Malaya Rubber Exchange for the setting-up of a rubber market in the Federation of Malaya and the promotion and regulation of the rubber trade and industry and for matters incidental thereto;
- (10) Bill to amend the Parliament (Members' Remuneration) Act, 1960;
- (11) Bill to provide for the compulsory winding-up of certain companies carrying on life assurance business;
- (12) Bill to amend the Constitution of the Federation.

and transmit them to the Senate for its concurrence.

(Signed) DATO' HAJI MOHAMED NOAH BIN OMAR,

Speaker."

BUSINESS OF THE SENATE

Mr. President: Ahli² Yang Berhormat, di-dalam perutusan dari Dewan Ra'ayat kapada Dewan Negara ini semua-nya ada 12 Rang Undang², 2 daripada Rang Undang² Kewangan dan 10 Rang Undang² yang tidak kena mengena dengan kewangan. Peratoran Meshuarat 66 (2) mensharatkan ia-itu Rang Undang² yang tidak ada kena mengena dengan kewangan boleh-lah di-bachakan kali yang kedua sa-telah 5 hari atau lebuh daripada tarikh di-keluarkan pemberitahu akan tarikh bagi di-bachakan kali yang kedua. Bagaimana pun sharat Peratoran Meshuarat 66 (2) itu menyatakan, "Yang di-Pertua, jika puas hati atas permohonan sa-saorang Menteri menyatakan oleh sebab kepentingan awam berkehendakkan sa-suatu Rang Undang² ini di-bachakan kali yang kedua dengan serta merta, maka boleh juga Yang di-Pertua membenarkan sa-barang jenis Rang Undang² di-bacha kali yang kedua dengan tidak berkehendakkan tempoh lima hari seperti yang di-kehendaki itu." Yang Berhormat Menteri Keadilan telah meminta kebenaran saya, menurut sharat ini, membenarkan 10 Rang Undang² yang terkandong dalam perutusan ini, di-bachakan kali yang kedua dengan tidak di-kenakan tempoh lima hari itu. Saya telah membenarkan permintaan-nya itu.

Tun Leong Yew Koh: Mr. President, Sir, I beg to give notice that I shall move the second and third readings of the following Bills today:

- (1) The Supply Bill, 1962
- (2) The Supplementary Supply (1961) Bill, 1962
- (3) The Life Assurance Companies (Compulsory Liquidation) Bill
- (4) The Constitution (Amendment) Bill
- (5) The Rubber Research Institute of Malaya Bill
- (6) The Rubber Industry (Replanting) Fund (Amendment) Bill
- (7) The Federation of Malaya Rubber Exchange (Incorporation) Bill
- (8) The Arms (Amendment) Bill

- (9) The Internal Security (Amendment) Bill
- (10) The Land Development (Amendment) Bill
- (11) The Railway (Amendment) Bill
- (12) The Parliament (Members' Remuneration) (Amendment) Bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

Mr. President: Ahli² Yang Berhormat, saya suka mema'alumkan pada Majlis ini bahawa saya telah terima satu perutusan lagi daripada Dewan Ra'ayat. Sekarang saya jemput Setia-Usaha Majlis membachakan perutusan itu.

(Whereupon, the Clerk read the following message dated 31st January, 1962):

"Mr. President,

The House of Representatives has agreed to the following Bills:

- (1) Bill to incorporate the Federation of Malaya Red Cross Society and for purposes connected therewith;
- (2) Bill to enable effect to be given to certain international conventions done at Geneva on the twelfth day of August, nineteen hundred and forty-nine, and for purposes connected therewith,

without amendment.

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

BILL

THE SUPPLY BILL, 1962

Second Reading

The Minister of Justice (Tun Leong Yew Koh): Mr. President, Sir, I beg to move that the Supply Bill, 1962, be now read a second time.

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

The Minister of Finance (Enche' Tan Siew Sin): Mr. President, Sir, the speech which I made in the Lower House on the second reading of the Supply Bill, 1962 is in the hands of Honourable Members, and I do not intend now to do more than summarise briefly my assessment of the financial position of the Federation and of the budgetary requirements for 1962.

The out-turn for the year 1960 showed a surplus of \$213 million on current account and an overall surplus, including allowance for development expenditure, of \$97 million. Owing largely to the increased revenue from income tax, tin exports and income on investments the revenue for 1961 is expected to have reached a new record level of \$1,071 million, while expenditure on current account is estimated at \$944 million. As far as can be estimated before the final accounts are received, development expenditure is thought to have reached a figure of \$288 million. There was thus an estimated surplus of \$127 million on current account but an overall deficit of \$116 million after due allowance has been made for the \$45 million contribution to Statutory Funds included in the Ordinary Budget.

For 1962 I have estimated that the total revenue will be about \$989 million, while expenditure on current account is put at about \$1,039 million. A deficit of approximately \$50 million is thus allowed for, which is roughly equivalent to the amount to be contributed from current revenue to the Development Fund. The whole of the Development Estimates, totalling \$450 million, will thus represent an overall deficit in the year's budget, which will be met partly by drawing on past surpluses and partly by borrowing.

The estimate of revenue is based on a rubber price of 75 cents a pound. In my speech in the Lower House on 21st December I mentioned the disturbing effect of the decision of the

American and British Governments to put into effect interim modifications in their respective rubber disposal programmes. On 14th January these two Governments announced that they had agreed to adopt revised procedures for regulating disposals from their rubber stockpiles. These procedures follow proposals put forward by the Federation Government with the support of other producing countries, and their adoption has had the highly desirable effect of increasing market confidence in natural rubber. Since the announcement of the new policies the decline in the price of rubber has been arrested and the Singapore quotation for R.S.S. No. 1 has remained between 78 and 83 cents a pound. Despite this most welcome development the long-term trend remains unaltered, and the Federation must be prepared to face declining prices for natural rubber, though the effects may to some extent be mitigated by increased yields. The Government is sparing no effort to encourage the diversification of the economy to reduce its dependence upon rubber, but nevertheless I am confident that this commodity will continue to serve us well for many more years to come.

Our other major export, tin, is at present in a very strong position, and although the market in this commodity also has been affected by American stockpile decisions I do not myself feel that the Malayan tin industry need have much to fear from that quarter. Nevertheless, in view of the fact that tin is subject to constant price fluctuations and is a wasting asset I have thought fit to estimate the revenue from it at a long-term average figure of \$400 per picul, although I think it most unlikely that the 1962 average price will be anything like so low as this.

As regards the expenditure estimates for 1962, the total of \$1,039 million represents an increase of \$83 million over the original estimate for 1961 and of \$95 million over the revised estimates of actual expenditure in 1961. The highest increase is traceable to the

Education estimates for which \$223½ million have been allotted in 1962 against an estimate of \$189 million for 1961. This increase is largely accounted for by the decision to introduce free primary education as from 1st January 1962, by the introduction of post primary schools, by increased grants for religious instruction in assisted schools and a bigger provision in allowances to students at Specialist Training Centres. In view of the encouraging rate at which the remaining partially-assisted Chinese secondary schools are applying and being accepted for conversion to full assistance further provision may still be required under this Head although it might be that the extra sum could be met by viirement within the provision allotted. As I stated in the Lower House I have been assured by the Minister of Education that the very great increase in the expenditure estimates of his Ministry for 1962 represents a temporary "bulge", and that once the main recommendations of the Rahman Talib Committee have been put into effect the annual expenditure increase will drop to a more acceptable figure. However essential it is to expand our educational facilities and consequently to raise the productive capacity of our youthful population we must, nevertheless, bear in mind the need to keep our rate of progress in line with the resources available.

The appropriation for the Ministry of Health and Social Welfare has been increased by \$6 million over the provision for 1961 and a sum of \$98 million is now requested. Of this, \$94 million represents the requirements of the Medical and Health Services. Expenditure on Education and on Medical and Health Services together had thus raised from \$142 million in 1955 to an estimated \$318 million in 1962, an increase of 124%. While on the subject of social services I might also mention that the provision for adult education which falls within the portfolio of the Ministry of Rural Development amounts to no less than \$6 million for 1962.

During the period of the Second Five-Year Plan, we can, I regret to say, expect no significant increase in the total revenues of the Federation to match the inevitable increases in Government expenditure which will result from the implementation of the Plan. The vast sums invested both in the economic and cultural spheres, particularly in the education of our youth, will eventually bear fruit in the increase of the Gross National Product, but in the time taken from planting to maturity this fruit will be comparable rather with the rambutan, the coconut and the durian than with the papaya and the banana. It is, therefore, most important that in preparing estimates of recurrent expenditure we should exercise the greatest possible care to ensure that the rate of increase does not result in the eating up of our reserves and of the funds available for capital development.

For this reason the policy adopted in preparing the 1962 Estimates included the establishment of a fixed ceiling for each Ministry and Department within which each Head of Estimates had to be framed. Although this meant that some Ministries had to abandon or cut back on cherished schemes I am glad to say that all co-operated well in observing the ceilings and with very few exceptions it was possible for the estimates to be framed within the limits laid down. There was in fact only one substantial exception, namely the estimates providing for the Ministry of Education, about which I have already spoken.

At this point I would like to quote one of the main recommendations of the Report of the Plowden Committee, set up by the British Government to investigate public expenditure in that country. The recommendation reads as follows:

"Decisions involving substantial future expenditure should always be taken in the light of surveys of public expenditure as a whole over a period of years and in relation to prospective resources".

This is precisely the policy which our Treasury has followed in preparing the Estimates now before you and which it intends to continue following in the future. There is nothing more destructive of financial control than the policy of meeting every demand for expenditure as it arises without foresight or forward planning. To this end the Government places great stress on the importance of building up the Treasury, the Economic Planning Unit and the Department of Statistics, to mention three of the organisations which are most particularly concerned.

I have mentioned that we cannot expect any substantial increase in Government revenue over the period of the Second Five-Year Plan. Nevertheless, with the exception of an increase of 5% in the rate of export duty on iron ore, of which Honourable Members will already be aware, I have not in this Budget introduced any substantial changes in the tax structure. Higher rates of taxation which might be desirable for the national economy under certain circumstances might in other cases either diminish the inclination to save or lead to an increase in prices and wages and thus upset the equilibrium of the economy. We have been most fortunate in the last few years not to have been beset by the insidious inflation which has been so common a feature of many other countries since the end of the Second World War. Taxation policy must depend on other considerations besides that of raising revenue. I feel that in the particular economic circumstances of the Federation the present structure is not one to which any drastic changes should be made. This does not mean, however, that I will have any hesitation in proposing taxation increases in the future should they then appear to be justified.

In this speech I have naturally concentrated largely on the finances of the Government sector of the economy. I would like to close, however, with a few remarks on the private sector. While the Government is giving all the leadership it can in many different

fields in order to encourage both agricultural and industrial development, there are, I think certain fields in which more initiative could be shown by the private sector. The diversification of agriculture, in particular, is a sphere with which all the large estate interests in this country should be closely associated. Another such sphere is the re-development of under-utilised urban property, of which there is a great deal in most of the towns throughout the country. A third is the development of new industries to make use of the manual skills of our people. Much progress has, of course, already taken place in the last few years in all these fields, any many private enterprises can be highly commended for the part they have played, but I feel that more could be done in all of them to harness the ample supplies both of capital and of know-how which are available in the private sector. The Government will do all in its power to encourage any development of this kind which is likely to lead to an increase in the productive resources of our country.

Dato' G. Shelly: Mr. President, Sir, may I address the House on the policy of the Government as pictured in the Budget, touching mainly on the Ministry of External Affairs? However, before coming to that heading, there are a few bees in my bonnet which I would like to get rid of. The first one is the Government's decision on the cancellation of Good Friday from the list of Federal Holidays. The official cancellation is indeed a sad decision. For Christians throughout the world Good Friday is a day of great significance. It is a day of prayer and meditation, coming at the end of the Lenten Season which is the period of fast, abstinence and mortification.

The symbol of Good Friday is the sign of the Cross. The widespread use of this symbol both privately and publicly indicates the deep and sacred sentiment that Good Friday has for those of the Christian faith. Sir,

Christians hope that this Holy Day will be brought back to its rightful place in the list of Federal Holidays. In so doing, the Government will earn the praise and the gratitude of the Christian community in the Federation of Malaya.

Sir, I must congratulate the Government on the introduction of free schooling as from the beginning of this year. It has been my pet subject in and out of the different Legislatures for the past ten years, and I am happy to see today that an anomalous situation has been removed and that reason and counsel have prevailed. While we are happy to receive this proverbial inch, I will commit the crime of asking for the yard. I do hope that Government will not lose sight of the position when the country will be able to enjoy not only free education but free compulsory education. I admit that first things come first, but I hope that this subject will be brought into better focus as time moves on.

Sir, there is another aspect of schooling which is at our door-steps, not on the horizon, and that is the amount that a child has to pay for school books when he goes to school. A little tot of six-plus years has to pay about \$40 for books, games and one thing or another—he has to pay \$30 or \$40 for the first years of schooling. I do not know where the fault lies—whether it is in the commercialism of the selling of these books or otherwise—but I should like to see an official probe into this aspect of expenses incurred by parents, so that the facts will be made clear and parents will be satisfied that they are not being victimised by commercialism.

Now, Sir, turning to the Head, External Affairs, comment on the Ministry of External Affairs finds the spotlight focussed on the Congo. This subject takes precedence and naturally so, because our men are carrying out a mission under the United Nations command over there. It has been my privilege to listen to praises paid to these men in unofficial sources.

Whether in combat or in comparatively peaceful surroundings their modesty and reserve have been the subject of favourable comments. These are the remarks of foreigners who have been among the men and I pass them on to Honourable Members of the Senate. I trust that in some way or other these fine references will in turn be conveyed to the men over there. Being far away from home, these kind remarks may relieve, if it does not altogether banish, that feeling of homesickness which so often overcomes even the bravest of hearts. It is in this frame of mind that I ask the Government to seriously consider the sending on a tour to Congo of a party of fathers or relatives to visit the Malayan troops there. In this group could perhaps be included *Penghulus* or *Ketua² Kampong*, who could take with them personal messages of affection from the loved ones at home. Besides the sentimental aspect of such a visit, I feel it would bridge the great distance between the two countries and bring a sense of nearness between the people of Malaya and the men at Congo. The expenses incurred in such a visit would be well justified from the happiness it will bring to all concerned. I am aware that there are frequent contacts made between the officials in the Ministry and the men on the field, but with due respect I suggest that the visit proposed should not be made from such lofty levels but should be organised from the modest kampong level. Apart from the reasons given, I believe that the people of the kampongs will bring home first-hand information of the many aspects of army life in Congo—whether they be good, bad or indifferent. In view of the many assertions and denouncements by Members of Parliament, the idea of a visit to Malayan troops assumes some importance if not urgency.

Further, on the subject of Congo it is my frank opinion that the Federation should be more closely identified with the controlling and policy making authority which deals with this matter at the United Nations. Those countries

whose nations are members of the United Nations army should have a large say in matters, which, after all, are affecting the lives of their nationals. As matters stand now, the Security Council wields important influence in the United Nations. But there are members in the Security Council who bluntly oppose the existence of the United Nations army in the Congo. It is obvious that for reasons of ulterior motives and selfish pursuits that they take this stand, but the rest of the world knows that the reasons are that these countries are unable to lure the United Nations army into thinking their way of things and to adopt the Communist ideologies and thus to further the cause of Communism. The nations of the Communist Bloc not only reject decisions made by the Assembly of the United Nations but demonstrate their antipathy towards the United Nations army in the Congo by refusing to make any financial contribution towards the cost of maintaining the troops there. Yet, these nations are deliberating at the round table on matters pertaining to our troops there while we are sitting in the gallery watching the proceedings from afar. It is my conviction that with the developments in recent years anomalies in the set up of the United Nations have come to light.

We have a great responsibility towards our troops in the Congo. I take this opportunity to commend the Government for the able manner in which they have looked after the welfare of these men despite the many obstacles. None-the-less, we could well do with a re-check and re-study of the present day situation. In case I am misunderstood, I would like here to emphasise that it is far from my intention to suggest the withdrawal of any troops from the Congo; nor am I casting any aspersions whatever on the Government or officers for carrying out their tasks in this connection with fairness and the efficiency that the job deserves. It is not within ourselves that we should seek a solution to the problem which confront us. On the

other hand, it is in the context of the present day set up of the United Nations that the situation of Congo has to be reviewed. I feel it necessary that an Advisory Committee should be appointed by the United Nations to work in conjunction with the controlling authority on matters pertaining to the Congo. Membership of the Committee should include, among others, those countries whose nationals are in the United Nations army. Obviously the Malayan representative should be there and the representative on such a Committee could liaise between the Malayan Government and the United Nations on day to day matters in this connection. In view of the recent appeal for more troops I suggest that the establishment of the Committee I visualise is of sufficient importance to require the serious consideration of the Government.

Following on that, it is natural that a Budget debate concerning the Ministry of External Affairs would be incomplete if the subject of the United Nations was side-stepped. The member nations of this world Organisation find on their laps today a baby, howling and screaming for the nourishment that it deserves, that is greatly needed, if this Organisation is to be sustained and returned to the health it once enjoyed. The United Nations Organisation is struggling for existence under a constitution which can hardly bear the strain of present day circumstances. It is not only bankrupt today in finance, but it is becoming more apparently bankrupt in ideas under the new constitution. The unashamed violation of the Charter of Human Rights as set out by some members, and the flagrant defiance of many decisions and resolutions of this Assembly of 104 nations, have brought about delusions and shaken the confidence, which the nations of the world once associated with this great structure. A glaring exposure of the deteriorating position is, perhaps, revealed in the office of the Secretary-General. As Honourable Members are aware, the present holder of this office was re-designated Acting Secretary-

General—such a position is not provided in the constitution of the United Nations. The change of this designation reflects the uncertain nature of the appointment in the context of the constitution as it stands. This compromise situation was created against a background of intrigues and counter-intrigues by the great powers, and undoubtedly it will be repeated at the next annual session of the United Nations when the office will again be deliberated.

The situation at the United Nations today bears a striking resemblance to that which confronted its predecessor, the League of Nations, in 1936. At that time Mussolini was then about to invade Abyssinia. Members of the League of Nations were horrified and aghast at this use of force. They denounced Mussolini and the Italian nation. But Mussolini spoke and his famous words were: "I will march with, or without, or against the League of Nations". These words were the writing on the wall which presaged the downfall of the League of Nations. Today, the many Mussolinis confront the United Nations, defying the collective opinion of members of this Organisation, who condemn the use of force as a means of settling disputes amongst nations. Statements by member nations from the rostrum of the United Nations are difficult to comprehend. There has been a feeling of insincerity ringing through some of these statements. The expression "double standards" was freely used in the United Nations debates to stress the wide divergence between the utterances and the practices of some member nations. As it is today, the United Nations is framed in a dismal picture. I believe that the Federation of Malaya Government has a tremendous part to play in the rebuilding of the United Nations and giving it the stature this Organisation enjoyed 16 years ago. The United Nations must be made to perform its functions of bringing peace to the world. The Federation of Malaya, thanks to an enlightened Government, is able to

enter into the field of discussions free from the taint of "double standards".

In the United Nations and outside this Organisation, the Government has always been against the use of force as a means of settling disputes. Not only by her modesty and lack of bombasticity but also by her sincerity and honesty, the Federation commands respect among the member nations. I hope that these qualities will be preserved not only by the Government but by those who are privileged to represent the Federation abroad. The responsibility of the Government in making a contribution towards the resurrection of the United Nations is indeed a very real one. In this respect, many a member nation will be looking to the Federation of Malaya for leadership in this part of the world. The great nations have not lived up to the expectations we looked for, and they have failed to produce a formula to remove the crisis facing the United Nations. It is for the small nations now to play a major part in the streamlining of the constitution of the United Nations. In making her contribution the Federation may well approach the issue with the traditional neighbourliness and simplicity of the East.

While still on the subject of the Ministry of External Affairs I would like to take this opportunity of addressing the Senate on a pleasant note. This is with reference to the officers of the Ministry who serve abroad. Recently, it was my privilege and honour to have been included in the Malayan delegation to the 16th annual session of the United Nations. It was in the course of my assignment that I was able to observe the diligence with which the staff of the permanent mission in New York and the Malayan Chancery in Washington carried out the duties entrusted to them. During the United Nations sessions, the hours of duty were long and on many days meetings lasted from 9 o'clock in the morning till 9 o'clock in the evening, and even later. Saturdays and Sundays were normal working days in the New

York office of the Malayan Mission. Officers who attended the meetings at the United Nations were often on duty till about 2 a.m., and then starting afresh early in the morning to deal with the issues brought up at the United Nations. All the while the staff of the office were at work keeping the Ministry in Kuala Lumpur informed of all news and developments and receiving instructions for action. This silent service deserves mention and the unstinted praise of the Senate for the efficient handling of matters so vital to our relations with other nations abroad.

Now, Sir, I have left for special mention that stalwart leader, Dato' Nik Ahmed Kamil, who is not only our Ambassador in Washington but also the Malayan Representative in the permanent Mission in the United Nations. The able manner in which he handles these two appointments, each of which is a full time job in itself, reflects the stature of the man. It is because of his impending retirement that I refer to him. His leaving this post will undoubtedly present a difficult problem to the Government, for there must be very few of his calibre from which to choose. The opportunity to place the useful services of Dato' Nik Ahmed Kamil and the services of the Missions abroad in the records of this Senate gives me much pleasure.

It was not my privilege to take part in the debate on Malaysia, but I would like to make this contribution today. The concept of Malaysia is a bold venture into an awaiting future. As with nature's law of conception, it would be hazardous to ignore the difficulties that may lie ahead or of the fate which awaits the birth of this infant State. All that can be said at this stage with any degree of certainty is that the conception is far from a dream. On the other hand the idea has popular reception and the pulse of life is very evident—and where there is life we build our hopes and expectations. Today we plan to

bring forth this child of our conception and to succour it according to certain fundamental principles which we have gained through years of rich experience. Like the Federation, Malaysia will be primed to meet the threat of communism. I and my fellow Eurasians envisage the new State of Malaysia as a bulwark against communism. It is for this reason principally that the Eurasian community supports the Government to the hilt in the creation of Malaysia (*Applause*). In saying so, I have no doubt that I am voicing the support of the Christian community of Malaya. To Christians the blood-stains on the hands of the communists are still fresh. There are none so blind as those who will not see the aggression of communism around the Federation and in nearby territories. Malaysia is the answer to the subterfuge and cunning of communist infiltration into this part of the world. It is not too soon to build the ramparts to meet the challenge of our time.

The decision of the Government not to associate itself with the warlike preparations in nearby waters by Indonesia is one which I think all the people of the Federation should support wholeheartedly. Malaya must stand on the side of peace and denounce any idea of using force to settle disputes. No matter how good the reasons are, force is force, and the destroying of any life on one side or the other means a crime in the eyes of the world (*Applause*).

Enche' Cheah Seng Khim: Mr. President, Sir, it is very regrettable that not one of the Honourable Members of the Lower House had thought fit to utter a word of thanks to the Minister of the Interior for making Wesak Day a national holiday. This holiday is as it should be, because of the two million Buddhists in this country. On their behalf, I wish to thank the Honourable Minister of the Interior for giving us this holiday. I sympathise with my Honourable friend Dato' Shelley, and I hope (*laughter*) that the

State Government will make Good Friday a State holiday. Thank you.

Enche' Chan Kwong Hon: Mr. President, Sir, first of all, I would like to pay tribute to the Honourable the Minister of Finance for a well-presented Budget. In his Budget Speech he pointed out that we would be spending \$50 million more than the estimated revenue for this year. I am confident that this deficit on paper will be wiped off before the year ends. The Minister has also warned us not to expect too high a level in the prices of our natural rubber and tin in the years ahead. It is true that in order to be able to fight successfully against the threat of synthetic rubber, we must be prepared to sell our rubber at competitive prices. I am sure our rubber industry can do this by cutting down operating costs and production costs, and still make money. At this juncture, I would like to refer to the farsightedness of our Government and the leaders of the rubber industry. I refer to the intensive rubber replanting programme which has been going on in our country. Production costs will be definitely lowered with the high yielding crop. But, while we are preparing ourselves at home to meet the challenge from the synthetic, let us not overlook any action on the consumers' side. However hard we may try to place our rubber industry on a firm and sound footing, we must not forget that the consuming countries are in a position to play havoc with the market. It is needless for me to emphasise the importance of stability in the prices of our major export commodities. I am sure the Government appreciates this as much as I do, and is keenly aware of the need to bring about a stabilised price for rubber. As an example, Honourable Members will recall that quite recently, the rubber industry faced a very serious threat when some major consuming countries announced without any prior warning that they were going to release the stockpiles. Immediately, the market went haywire and the economy of many producing countries was badly shaken. The very prompt

action of the Government to make its voice heard by the consuming countries, and the initiative taken by Malaya to secure the agreement of stockpile releasing countries to adopt a formula which would not unnecessarily disturb the market, immediately restored confidence in the rubber market. Today we can see that as a result of the prompt action taken by the Government, natural rubber prices have been restored to more equitable levels.

Mr. President, Sir, the same situation may well arise in respect of our second main industry, namely, the tin industry. The International Tin Council at its recent meeting fixed the ceiling price under the Tin Agreement at £965 and the floor price at £790 per ton. As an adviser to the delegation to the International Tin Council, and from what I have observed and from the experience gained, I am sure we will not get the consumers' support for the United States Government to release tin from their stockpile at not below the ceiling price fixed by the Tin Council. We cannot expect the United States Government, which is under the pressure of its own consumers, willingly to be bound by the prices fixed by the International Tin Council as they themselves are not members of the International Tin Council. I will, therefore, strongly urge the Government that it should exercise all its diplomatic goodwill to request the United States Government not to dispose any tin from its strategic stockpile at prices below the equivalent of £965 a ton according to the London Metal Exchange.

Mr. President, Sir, in the light of developments during the last few months, I feel compelled to warn our Government and the leaders of the rubber and tin industries to be ever watchful and vigilant over the action of what I would describe as "wolfish" consuming countries. It is a matter of great amazement and mystery to me to observe how these countries, which on the one hand giving their assurances that they would seriously help and

protect the economies of developing countries, can at the same time adopt measures which exert economic pressure on them through releases from their non-commercial stockpiles. I hope, therefore, that the big consuming countries will prove their sincerity on this issue not merely by words but by deeds (*Applause*).

Dato' Sheikh Abu Bakar bin Yahya: Yang Berhormat Dato' Yang di-Pertua, saya telah mendengar segala uchapan² yang telah di-lapdzkan oleh Yang Berhormat Menteri Kewangan tadi dan saya berasa puas hati di atas segala perkataan² yang di-butirkan ia itu bersangkutan dengan Kementerian-nya. Di-sini, Yang Berhormat Dato' Yang di-Pertua, saya mengambil kesempatan sadikit beruchap ia-lah berkenaan dengan perniagaan atau commerce dan industry orang² Melayu, yang nampak-nya sa-makin sa-hari sa-makin bertambah kapada kechenderongan dalam lapangan iktisad atau pun ekonomi. Sa-bagaimana yang saya ketahui ia itu telah beberapa lama masa-nya pada zaman tanah kita ini di-perentahi oleh penjahah, chuma sadikit² daripada bangsa Melayu kita yang berjaya dalam lapangan ekonomi itu. Tetapi, Allham dulillah shukor kita kepada Tuhan, sa-telah tercapai kemerdekaan yang berdaulat ini maka telah membawa kesedaran kapada kita Melayu dan mengubah chara hidup mereka itu kapada ekonomi. Tetapi sa-balek-nya pula, Dato' Yang di-Pertua, saya suka menarek perhatian tentang langkah² yang telah di-perbuat oleh pehak yang berkuasa yang memerlukan bantuan, pimpinan dan nasihat yang membentakan kemajuan, terutama sa-kali kapada orang² Melayu yang baru sahaja melangkah kegelanggang dan belum bagitu masak dengan selok-belok dunia ekonomi. Yang demikian itu, Dato' Yang di-Pertua, saya menaroh keyakinan bahawasa-nya pehak yang berkuasa akan menyempurnakan segala tugas²-nya dengan tidak ada perbezaan di-antara satu dengan lain, dan saya merayu dan meminta bahawa bantuan² yang di-beri itu jangan-lah di-bezakan,

sama ada kapada bangsa Melayu atau pun kapada bangsa yang lain. Saya berkata demikian, Dato' Yang di-Pertua, bukan-lah bertujuan mengada²-kan barang yang tidak ada, atau pun bermaksud menapikan segala bantuan dan peluang² yang di-beri oleh pehak yang berkuasa kapada segala ra'ayat jelata. Tetapi sa-balek-nya pula saperti kata orang Melayu, "Kalau tiada angin masakan pokok itu bergoyang". Kerana saya telah mendengar sadikit² sungutan yang datang daripada ra'ayat² mengatakan layanan yang di-beri kapada sa-bahagian daripada orang² Melayu dalam bidang ekonomi khasnya, ada-lah terkurang sadikit daripada yang sa-patut-nya mereka itu memperolehi-nya. Yang Berhormat Dato' Yang di-Pertua, pada fikiran saya, ra'ayat itu ada-lah boleh bersuara kerana kita mengamalkan dasar demokrasi dan juga mengandungi hasrat² yang menasabah dan sa-suai di-timbangkan, mesti-lah pehak yang berkuasa itu menjalankan bagi memenohi kehendak² ra'ayat yang memerlukan sokongan dan ke'adilan. Dato' Yang di-Pertua, itu-lah saya berseru kapada Dewan ini supaya pehak itu menjalankan tugas²-nya memenohi sa-barang ranchangan yang bertujuan membantu ra'ayat jelata biar-lah teapt dan tegas dengan tidak beza membeza di-antara satu dengan yang lain. Dato' Yang di-Pertua, sa-bagaimana dalam sa-buah akhbar Inggeris sadikit masa dahulu Yang Berhormat Menteri Perdagangan dan Perusahaan di-dalam Dewan Ra'ayat telah menyatakan, dengan kebenaran, Dato' Yang di-Pertua, saya bachakan dalam bahasa Inggeris: "The Government is awaiting for the full report of the Tenders Commission which will make recommendations on how to help Malays in commerce." Langkah ini, Dato' Yang di-Pertua, saya berdo'a kapada Tuhan mudah²an di-hasilkan segala niat kita yang ikhlas dan baik itu.

Dato' Yang di-Pertua, sa-lain dari pada yang saya sebutkan itu, saya mengambil kesempatan juga di-sini memberi sadikit pandangan dan pendapat saya berkenaan dengan

education atau pun pelajaran, ia-lah berkenaan dengan anak² kita yang menuntut di-luar² negeri, terutama sa-kali di-Benua Australia. Bahawasanya dalam pengetahuan saya, Dato' Yang di-Pertua, jumlah kanak² yang ada di-Australia pada masa ini meningkat hingga 3000 atau 4000 orang. Penuntut yang bagitu ramai jumlah-nya ada-lah terdiri daripada sakalian bangsa anak negeri kita, yang di-hantar oleh Kerajaan dan juga oleh ibu bapa mereka sendiri. Memandangkan kapada perusahaan Kerajaan yang bersunggoh² membanyakkan bilangan anak² negeri ini yang berpelajaran tinggi serta juga 'azam ibu bapa yang mampu mengantarkan anak² mereka itu belajar ka-luar negeri, memang-lah patut kita memperhargakan. Tetapi sayang-nya pula untok mencapai chita² mereka yang baik itu penuntut² itu ada juga sadikit² yang menderita dalam kesusahan-nya, jika di-tinjau dari segi perumahan. Maka menurut satu siaran dalam sa-buah akhbar pada bulan December 1961 sa-orang Pegawai Perhubungan Jabatan Pelajaran ia-itu Liaison Officer telah menyatakan bahawasanya pada tahun 1962 ini harus akan menjadi satu kesusahan berkenaan dengan perumahan bagi penuntut² kita yang ada di-luar negeri khas-nya di-Australia itu. Dengan kebenaran, Dato' Yang di-Pertua, saya bachakan dalam Inggeris demikian bunyi-nya: "Many Malayan students here, in Western Australia, would be in difficulty in 1962 unless accommodation could be found for them. Some of them have been guaranteed accommodation, but the Liaison Officer has not found enough boards for them and many students will be applying for board. More than one thousand students are already living in Western Australia." Yang demikian, Yang Berhormat Dato' Yang di-Pertua, pada pendapat saya soal perumahan itu tentu-lah tidak dapat di-uruskan oleh penuntut² itu sendiri, kerana jika sa-kira-nya fikiran mereka itu sentiasa runsing oleh kerana tidak dapat perumahan itu, saya bimbang mereka itu akan mendapat kemalangan saperti kata orang Melayu: Yang di-kejar ta' dapat, yang

di-kandong berkechichiran. Sebab-nya ia-lah apabila memikirkan kesusahan mereka itu menanggong-nya harus boleh melemahkan chita² mereka itu untok belajar. Di-ketika itu bukan-nya sahaja penat lelah mereka itu menjadi sia² bahkan mengechewakan harapan Kerajaan dan ibu bapa mereka itu sendiri.

Yang Berhormat Dato' Yang di-Pertua, dari itu dengan tujuan saya yang ikhlas saya merayu serta memohon kapada Kerajaan sa-kiranya dapat mengadakan rumah tumpangan penuntut² yang menasabah dalam negeri² sama ada di-Australia atau pun di-lain² juga ia-itu daripada mana tempat² yang ada terbesar penuntut² dari Malaya ini. Yang Berhormat Dato', ada-lah rumah tumpangan yang saya harapkan supaya dapat di-sediakan itu bukan-lah berorti di-beri perchuma sahaja, tetapi hendak-lah dengan chara di-sewakan dengan menurut segala peratoran² yang menasabah dan adil kapada kedua² pehak yang bersangkutan.

Yang Berhormat Dato' Yang di-Pertua, dengan ada-nya pertolongan Kerajaan saperti yang telah saya huraikan tadi bermula-lah akan dapat di-atasi segala kesulitan dan kesusahan yang menjadi beban yang sangat berat kepada penuntut² kita di-negeri² lain itu; dan chadangan yang saya rayu ini akan tidak-lah merugikan Kerajaan, sa-balek-nya akan menambahkan lagi chemerlang nama negara kita di-samping itu ta'at setia ra'ayat juga akan bertambah kokoh terhadap kapada negara-nya Persekutuan Tanah Melayu ini. Terima kaseh.

Enche' Yeoh Kian Teik: Mr. President, Sir, I think a lot has been said about the Estimates and I would merely add my compliments to the work of the Ministry of Finance in presenting the very acceptable Estimates; in fact, the tax structure has not been altered in any way. I fully appreciate the difficulties faced by the Honourable Ministers in having to work within the ceiling allotted to

them, but I would like to request the Minister of Finance to give, particularly to the Ministry of Education, Ministry of the Interior and Ministry of Agriculture, a bit more money. It is not usual for Members of Parliament to ask for more money for Ministers, but in this case, Mr. President, Sir, I feel the request is justified.

Dealing with the Ministry of the Interior, especially on the subject of registration of births, deaths, marriages and citizenship, one thing is seen from the Estimates—that the staff provided for this department is inadequate. Take the case of the Registry of Births. In view of the change of national registration cards, there are thousands upon thousands of applications for birth certificates under late registrations and it is very frequent that an applicant would have to wait at least three to four months before he can get a late registration certificate. Now, it is not because the Registration Officer is lazy, but I feel because he has got too much to do and he has not sufficient staff to handle the work.

In respect of the Ministry of Education, I fully support Dato' Shelley regarding the provision of books. That is a very big item which every parent has to meet at the beginning of each year. For a start, the Minister of Education could do something to control the price of these books, or to supply them to students free of charge would be the ideal solution. Members of the Opposition criticised the Minister's Report when it was first introduced and said of free education that it was merely something which the Minister was dangling before the eyes of the public to induce them to accept this Report. Now that it has come true we don't hear any praise or any compliment from the Opposition, in spite of this free education.

Now for the Ministry of Agriculture, there is an appeal on behalf of the fishermen living in the fishing districts—for their licence fees to be reduced or to be waived. The amount of licence fees which the Government

receives is very negligible, but it means a lot to the fishermen. I also wonder whether sufficient money could be provided to look into the question of whether certain areas could be allotted to fishing stakes which at the moment the Government is discouraging. Many of the fishermen earn their living from fishing stakes and it is becoming more and more difficult to renew their licences, because the Ministry wishes to encourage the use of fishing boats rather than fishing stakes. I would request the Minister to look into this to see whether certain areas could be allotted for the fishing stake owners.

On the subject of rural development, I wonder whether any money could be provided to study the question of game conservation. Mr. President, Sir, I am not a hunter myself and I have no objection, as some people have, to shooting game. But I feel that the department should look into this question. There are several reasons why I make this appeal. One is this: the deer season opens at a time when it is just past the mating season and the deer shot is usually with young. The Game Department should look into this and alter the season if possible.

Nik Hassan bin Haji Nik Yahya:
 Dato' Yang di-Pertua, dalam menyokong Rang Undang² bagi perbelanjaan tahun 1962 ini lebuh dahulu saya menguchapkan tahniah kepada Yang Berhormat Menteri Kewangan yang mana telah berjaya mengator satu anggaran yang tidak termesti-nya menaikkan chukai² baharu atau pun menaikkan chukai² bagi Kerajaan kita ini. Jadi, kalau sa-kira-nya kita sibok dengan Melayu Raya, kita sibok dengan hal² lain maka meshuarat kita kali ini tidak bagitu sibok dengan perkara kenaikan chukai² ini.

Dalam perbahasan ini, saya suka hendak menarek perhatian beberapa Kementerian yang mana saya rasa lebih baik saya butirkan satu persatu apa yang telah terjadi dan apa yang harus di-ambil ingatan oleh Kementerian yang berkenaan. Saya meng-

uchapkan tahniah kepada Yang Berhormat Enche' Khir bin Johari yang menjadi Menteri Perniagaan dan Perusahaan yang mana telah meletakkan azam yang kuat bagi membaiki kedudukan perniagaan² orang Melayu di-dalam negeri ini. Tugas yang di-beri kapada-nya itu ada-lah satu tugas yang besar, satu tugas yang chukup susah hendak di-laksanakan. Kita pernah dengar Kerajaan British pada masa belum hari Kemerdekaan telah memberi tugas yang sa-umpama itu kepada beberapa orang Pesuroh Jaya Tinggi-nya. Pada akhir-nya tugas itu di-serahkan kepada General Templer sendiri dan tugas itu juga tidak dapat di-laksanakan oleh General itu. Jadi, tugas² yang di-serahkan kepada orang² yang bertanggong-jawab ini untuk menjalankan pekerjaan bagi meletakkan orang² Melayu dalam lapangan perniagaan dan perusahaan ini ada-lah menjadi satu tugas yang sangat penting dan satu perkara yang sangat rumit yang hendak di-laksanakan. Apabila tugas ini ada, di-letakkan Enche' Khir Johari menjadi Menteri Perniagaan dan Perusahaan maka saya perchaya-lah Kementerian ini akan dapat menjalankan dengan lebuh baik lagi, kerana negeri kita yang telah merdeka dan kita telah mempunyai pegawai² daripada bangsa kita sendiri, pegawai² Malaya yang ta'at setia yang ada mempunyai perasaan persahabatan dalam negeri kita ini. Tetapi apabila saya kaji satu persatu akan gerak langkah yang di-susun dan di-pimpin oleh Menteri Perniagaan ini maka jelas-lah pada saya ia-itu Menteri kita ini tidak dapat kerjasama daripada berbagai² pehak yang lain dalam negeri kita ini.

Saya tunjukkan satu chontoh, umpama-nya Enche' Khir mempunyai azam yang chukup kuat bagi mengadakan satu Dewan ia-itu Dewan Perniagaan bagi Tanah Melayu ini yang mempunyai anggota² daripada Dewan Perniagaan Melayu, China dan India. Tugas-nya hendak menjalankan perkara ini telah beberapa kali di-suarkan, tetapi sa-hingga hari ini apa yang di-suarkan itu maseh dalam keadaan kegagalan. Pada mula² di-

suarkan-nya chita² ini Dewan Perniagaan China sa-Malaya-lah tidak dapat memberikan kerjasama dalam bahagian ini dan dalam Persidangan Agong Dewan Perniagaan China sa-Malaya mereka juga maseh menolak akan chita² dan azam Menteri Yang Berhormat itu untuk menyatukan segala bangsa dalam satu sahaja Dewan Perniagaan yang akan membina segala kaum dalam negeri ini di-dalam hal perniagaan. Jadi, kegagalan ini ada-lah menunjukkan Enche' Khir yang menjadi Menteri Perniagaan itu belum lagi mendapat sokongan yang sa-penoh-nya daripada semua pehak yang ada dalam negeri ini. Saya, sa-bagai sa-orang Ahli Dewan Perniagaan Melayu dan juga Yang di-Pertua bagi Ahli Perniagaan Melayu sa-belah negeri Kelantan merasa chukup dukachita di-atas keputusan itu oleh kerana Menteri kita tidak dapat sokongan yang sa-penoh-nya daripada pehak perniagaan yang lain. Walau pun dengan beberapa alasan yang di-beri saya katakan-lah segala alasan itu ada-lah di-beri untuk melambatkan lagi perjalanan chita² perniagaan ini. Saya rasa kira-nya kita boleh menyatukan ra'ayat dalam keadaan pemerentah, dalam susunan pemerentah negeri, dalam segala perkara politik dan siasah, kenapa-kah tugas yang sa-umpama ini tidak boleh dapat di-sempurnakan pada segi perniagaan? Ada-lah apabila perkara mengenai perniagaan ini telah menjadikan hal pergaulan hal berpuak² menjaga kepentingan masing², kalau dalam segi politik boleh kita satukan dan mengapa-kah dalam segi perniagaan ini tidak dapat di-laksanakan. Saya rasa Dewan Perniagaan China sa-Malaya harus sedar dengan sa-berapa segara supaya mengembalikan chita² yang ini ia-itu untuk menyatukan segala ra'ayat dalam negeri menjadi satu bangsa yang kokoh yang di-jalankan segala pekerjaan dengan perasaan berbaik². Dan mari-lah memberikan sokongan kapada Menteri Perniagaan supaya dalam segala segi pekerjaan-nya itu dapat di-jayakan.

Sa-lain daripada itu saya dapat katakan di-sini banyak uchapan yang

telah di-berikan oleh Menteri Perniagaan ini yang saya telah tunjokkan chontoh satu usaha-nya ia-lah menubohkan satu Jabatan yang di-namakan Jabatan Setia Usaha dalam Kementerian-nya untuk mengawasi menjalankan kerja bagi menjaga memberi galakan kepada orang² Melayu dalam perniagaan.

Perkara yang kedua ia-lah menubohkan satu badan tender ia-itu untuk mengkaji hal-ahwal tender bagaimana chara-nya untuk memberi pertolongan yang lebuh kepada orang Melayu dalam segi perniagaan contract dalam negeri ini. Dan lagi satu badan yang terkenal dengan nama RIDA banyak memberikan jasa dan memberikan pekerjaan bagi menaikkan balek perusahaan Melayu dalam perniagaan. Juga, kita dapat dengar tender² kenderaan telah lulus beberapa lama yang juga ada termasuk di-dalamnya peluang kepada orang² Melayu dalam perniagaan kenderaan. Oleh itu kita dapat dengar satu badan sharikat yang di-tubohkan dengan galakan Kementerian juga ia-itu sa-buah sharikat di-namakan Sharikat Permodalan Kebangsaan bermilion² ringgit bagi melatah orang Melayu dalam perniagaan dan perusahaan.

Dan baru² ini kita telah dengar keterangan yang telah di-berikan oleh Yang Berhormat Timbalan Perdana Menteri Tun Abdul Razak di-dalam Dewan Ra'ayat, ia menyatakan bahawa Kerajaan sendiri akan menjalankan kerja² prospect bijeh² galian di-dalam kawasan reserve orang² Melayu dan kerajaan sendiri akan memberi galakan supaya perusahaan galian ini dapat di-tubohkan dengan di-modali oleh orang² Melayu dan tuan punya tanah bagi kawasan² itu. Jadi segala usaha yang di-ator dan di-susun oleh kerajaan ini ada-lah chukup sakira-nya dapat kerjasama daripada semua peringkat, daripada semua jabatan² yang ada dalam negeri ini.

Saya tunjokkan lagi satu chontoh bagaimana Kementerian ini ya'ani tidak dapat kerjasama yang sa-penoh-nya

daripada beberapa jabatan. Chontoh ini saya suka berikan ia-lah sa-umpama-nya Kementerian ini, dia menubohkan satu badan yang di-namakan Badan Bagi Menyiasat Hal-Ehwal Tender supaya dapat memberi peluang yang sama kepada orang² Melayu masuk tender dan bekerja dalam hal contract. Badan ini belum lagi mengeluarkan penyata-nya tetapi baru² ini saya telah dengar satu perjumpaan telah di-adakan di-Kuala Lumpur ini di-mana tuan yang bekerja sa-bagai Architect bagi Kementerian Pelajaran telah mengishtarkan bermillion² ringgit akan di-belanjakan bagi membangunkan rumah² sekolah dan juga rumah² guru. Tetapi Architect ini telah mengishtarkan ia-itu tender² yang akan di-keluarkan ini akan bermodal lebuh daripada satu million ringgit bagi satu² tender. Dan satu² tender yang akan di-ishtarkan itu hendak-lah pekerjaan-nya di-gunakan prefabricated ia-itu ma'ana-nya kayu² atau alat² yang sudah sedia yang biasa-nya di-buat di-Australia. Dan kayu² ini sa-umpama kalau di-Malaya ia-lah kayu yang di-masukkan ubat ia-itu yang di-namakan tenalised preserved wood. Jadi, kilang tanalise ini tidak ada satu pun kapada orang Melayu, sudah-lah bagitu kilang ini tidak satu pun ada kapada orang yang hendak di-keluarkan atau mengambil tender kerana tender yang hendak di-keluarkan itu satu million ringgit ka-atas. Pada hal contract orang Melayu chuma yang ada ia-lah kelas 'B' ka-bawah ia-itu habis tinggi \$200,000 dan \$250,000 ka-bawah. Jadi kalau satu tender dua million ringgit tidak siapa pun orang Melayu akan mengambil bahagian dalam contract ini. Jadi, apabila orang Melayu tidak dapat mengambil bahagian dalam contract ini berma'ana-lah berpuloh million ringgit yang akan di-jalankan oleh Kementerian Pelajaran bagi membangunkan rumah, bagi membangunkan sekolah ini akan tidak memberi peluang langsung kepada orang² Melayu mengambil bahagian membangunkan kerja² ini. Dan ini menunjukkan berpuloh² million ringgit yang akan di-belanjakan itu, ha-nya kapada orang² Melayu chuma dapat

melihat bangunan itu sahaja. Manakala faedah-nya akan terserah kepada kilang² yang terbesar dan kepada sharikat² yang besar yang modal-nya bermillion ringgit. Jadi, ini satu tentang atau satu chabaran yang paling hebat sa-kali kapada Kementerian Perdagangan dan Perusahaan..

Manakala Kementerian ini berchadang hendak mengambil satu langkah meletakkan orang² Melayu supaya dapat kerjasama dari tender² ini tetapi sa-balek-nya Architect dibawah satu Kementerian lain telah mengambil satu jalan yang lain yang mana menjadi satu chabaran kapada Kementerian Perdagangan dan Perusahaan. Sa-harus-nya perkara yang sa-umpama ini sa-belum di-istiarkan, sa-belum di-jalankan harus-lah di-buat satu perundingan, berunding dengan Kementerian Perdagangan dan Perusahaan chara mana patut di-laksanakan supaya kerja² itu dapat di-jalankan dan orang² Melayu dapat bersama mengambil bahagian, ini-lah satu chontoh yang besar. Chentoh yang harus tidak lain lagi bagi Kerajaan membaiki-nya.

Satu daripada chontoh lain ia-lah kerja² yang hendak di-jalankan oleh Kementerian ini—Kementerian Perdagangan dan Perusahaan ini ia-lah dengan chara chuma memujok Kementerian² lain, memujok jabatan² lain untuk bekerjasama dengan-nya bagi meletakkan orang² Melayu itu dalam perniagaan dan perusahaan. Kalau Jabatan lain, kalau Kementerian lain tidak mengendahkan pujukan itu maka gagal-lah usaha Kementerian ini. Jadi, itu-lah sebab-nya saya nampak pada hari ini harus-lah perkara meletakkan orang² Melayu dalam segi perniagaan dan perusahaan ini sa-harus meletakkan satu tingkat yang bukan sahaja satu Kementerian di-jagai tetapi patut-lah di-letakkan dibawah kekuasaan Kementerian Perdana Menteri sendiri, supaya dengan perentah Perdana Menteri menurunkan kapada segala Kementerian² dan segala jabatan² di-dalam polisi² untuk melaksanakan kerja² tersebut. Kalau sakira-nya perkara meletakkan Ke-

menterian Perdagangan dan Perusahaan maka Kementerian lain tidak ada kehormatan tidak memberi hormat dan kerjasama maka tidak dapat-lah di-jalankan oleh Kementerian yang berkenaan ini. Tetapi sakira-nya perkara ini di-letakkan di-bawah Perdana Menteri maka satu Kementerian yang tinggi akan menerentahkan pada semua Kementerian² untuk melaksanakan kerja² yang sa-umpama ini. Ini-lah satu fikiran dan pendapat yang saya nampak boleh di-jalankan untuk melaksanakan chita² yang maha tinggi dan yang maha susah ini.

Sa-lain daripada itu dalam perkara mengeluarkan tender sa-bagaimana saya chontohkan tadi satu daripada chara-nya yang membolehkan kita meletakkan orang² Melayu di-dalam perniagaan dan perusahaan dalam bahagian tender dan contract ini ia-lah memechahkan tender jadikan tender itu di-keluarkan dengan berpechah² ia-itu sa-umpama \$200,000 atau \$150,000 ka-bawah satu² tender itu baharu-lah orang² Melayu boleh mengambil bahagian di-dalam pekerjaan di-perniagaan contract. Tetapi jikalau tender itu di-letakkan satu million yang mana tiada sa-orang pun contractor Melayu yang berdaftar sa-bagaimana harga yang bagitu besar maka dengan sendiri-nya gagal-lah usaha² itu. Ini-lah pendapat saya di-dalam bahagian perniagaan dan perusahaan.

Yang Berhormat Menteri Perdagangan dan Perusahaan ada berkata dalam Dewan Ra'ayat sa-kira-nya kita hendak tolong orang² Melayu kita hendak-lah jaga² takut menjadi perkara Ali Baba. Perniagaan Ali Baba ini ada-lah satu perniagaan yang termashhor; orang lain bermiaga orang lain yang dapat nama. Jadi, ini benar, saya memberi tahniah kapada Enche' Mohamed Khir bin Johari, Menteri Perdagangan dan Perusahaan kerana berterus terang di-hadapan orang ramai kalau hendak tulong orang Melayu jangan-lah jadi perkara Ali Baba. Saya memberi tahniah kapadanya kerana dia berani mengeluarkan perkataan itu. Tetapi juga saya suka

memberi fikiran supaya perniagaan Ali Baba itu tidak akan berlaku. Chara-nya kita hendak menolong orang² Melayu supaya tidak berlakunya perkara Ali Baba hendak-lah kita gunakan RIDA itu dengan sa-kuat² tenaga kita. Sa-bagaimana RIDA bagi kita untuk menjalankan sharikat NETS di-Kelantan, satu sharikat bas yang terbesar sa-kali ia-itu satu sharikat bas yang dapat monopoli bagi seluruh negeri Kelantan. Sharikat NETS ini pada mula-nya telah menerima kerugian, telah menerima kesusahan di-dalam pekerjaan perniagaan-nya tetapi chara kita menolong-nya ia-lah RIDA ia-lah badan sa-paroh Kerajaan masok modal dalam sharikat itu—membeli share di-dalam sharikat itu. Apabila RIDA membeli share, RIDA menghantar Accountant-nya, RIDA menghantar Manager-nya untuk mendatbir sharikat itu. Hari ini, Ahli² Yang Berhormat, NETS ini telah mendapat keuntungan berlebihan. NETS yang di-pimpin oleh RIDA ini, hari ini, mendapat untong dan barangkali tidak berapa lama lagi RIDA akan menjual share-nya kapada orang² Melayu. Jadi, RIDA membeli share itu bagi sementara, sementara perniagaan berjalan dengan baik maka RIDA menjual-lah share itu kapada orang Melayu. Jual dengan harga yang sama sa-bagaimana harga yang di-beli dengan tidak mengambil untong. Itulah RIDA yang sedang dibuat di-Kelantan bagi menaikkan balek sa-buah sharikat NETS yang monopoli bagi seluruh negeri Kelantan. Dan ini menunjukkan jasa besar-nya. Polisi yang di-jalankan oleh RIDA ini ada-lah menunjukkan dengan besar kejayaan-nya dan hari ini NETS telah berjaya menjalankan sharikat itu dengan baik serta mendapat keuntungan dan tidak lama lagi akan di-bagi²-kan keuntungan itu kapada ahli² share.

Jadi chara ini yang pertama kita dapat mengelakkan daripada berlakunya perniagaan "Ali Baba", yang kedua kita dapat menjalankan sharikat ini dan pimpin sharikat itu dengan chara yang baik dengan chara yang maju dengan dapat membahagikan untong

kapada ahli² share. Ini-lah kaedah pertolongan yang harus di-jalankan oleh Kerajaan. Ini-lah kaedah dan chara memberi pertolongan kapada orang² Melayu bagi memaju dan meletakkan orang² Melayu dalam perniagaan dan perusahaan. Sa-kiranya kita tidak boleh memberi pertolongan dengan chara itu, saya perchaya dengan chara lain tidak ada. Kalau kita hendak juga memberi pertolongan dengan chara yang lain, maka timbul-lah perusahaan "Ali Baba" tadi.

Sa-bagaimana yang di-katakan oleh Tun Abdul Razak ia-itu Kerajaan akan menjalankan prospect galian dari tanah reserve Melayu dan Kerajaan akan memulakan sharikat² lombong yang akan dapat meletakkan orang² Melayu dalam sharikat itu. Ini ada-lah satu kaedah dan satu chara yang lebuh baik. Jangan-lah berlaku perkara sa-bagaimana yang berlaku di-Kelantan. Di-Kelantan, umpama-nya, Kerajaan berchadang hendak beri lesen prospect kapada orang² Melayu, kemudian orang² Melayu ini menchari taukeh yang boleh jadi cherita "Ali Baba" tadi. Jadi kalau sa-kira-nya kita buka satu kilang perusahaan bijeh umpama-nya, di-dalam satu negeri dengan tidak di-modali oleh RIDA, tidak di-modali oleh pehak Kerajaan bagi memimpin dalam sementara waktu, maka jadi-lah perusahaan itu perusahaan "Ali Baba". Jadi itu-lah sa-patu²-nya langkah yang di-ambil sa-bagaimana sudah pun ada chontoh kejayaan dalam usaha Kerajaan itu, dan chontoh kejayaan itu-lah kita jadikan chontoh untuk menjalankan dari segi perniagaan yang lain dan dari segi perusahaan yang lain.

Sa-lain daripada itu saya suka sebutkan di-sini ia-itu banyak usaha² yang telah di-jalankan oleh RIDA sendiri dengan arahan daripada Kementerian-nya ya'ani Kementerian Pembangunan Luar Bandar pada masa ini. Saya lihat ada kejayaan-nya, umpama-nya, RIDA membuka kilang bagi membeli getah atau pun susu getah. Jadi ini ada-lah satu usaha yang

baik. Tetapi usaha² RIDA yang di-jalankan itu mustahak sangat-lah mendapat sokongan, mendapat bantuan dan mendapat kerjasama daripada jabatan² lain seperti Jabatan Kerja Raya, Jabatan Kenderaan dan lain² jabatan lagi. Sebab kalau sa-kira-nya RIDA sahaja bergerak chergas untuk meletakkan orang² Melayu dari segi perusahaan dan perniagaan, tetapi jabatan, umpama-nya, Jabatan Kerja Raya yang mengawal dan yang menjaga hal ehwal pekerjaan tidak memberikan kerjasama dengan sa-penoh-nya, maka tentu-lah usaha RIDA itu sendiri akan gagal. Sa-lain daripada itu, saya suka mengatakan di-sini RIDA telah mengeluarkan wang sa-banyak \$5,000 untuk memajukan sa-mula perusahaan batek di-Kelantan. Sekarang RIDA sendiri telah membawa masok kain puteh untuk di-beri kapada perusahaan² orang Melayu membuat batek, dan perusahaan² batek hari ini mutu-nya telah naik sa-hingga dapat bertanding dengan perusahaan batek dari luar negeri. Jadi perusahaan yang telah di-majukan dan telah dapat menandingi perusahaan lain harus di-kawal dengan chermat dan harus di-kawal dengan segi undang².

Hari ini, barangkali banyak Ahli² Yang Berhormat tidak dapat mengetahui dengan jelas bagaimana chara perusahaan ini di-rosakkan oleh perusahaan asing. Kerana di-sabelah negeri Siam pada hari ini telah pun ada usaha membuat kilang perusahaan batek sendiri, dan kilang² perusahaan batek di-sabelah Siam ini membawa masok batek-nya ikut jalan Rantau Panjang, ia tidak ikut jalan biasa dengan kapal atau pun dengan keretapi. Kain yang di-bawa masok itu sa-tengah-nya ada di-bayar chukai dan sa-tengah-nya tidak bayar chukai. Chara tidak bayar chukai itu ia-lah dengan chara memuatkan di-atas sampan atau perahu di-kayoh dengan menyeberangi sungai, itu boleh dapat jual dengan harga yang murah. Jadi kain² batek buatan Siam ini bila di-bawa masok ka-Kelantan, sunggoh pun kain itu berchorak dengan perbuatan yang baik boleh di-jual dengan

harga yang murah. Sebab apa boleh jual dengan harga yang murah, kerana pertukaran wang pun memberi pertolongan kapada mereka untuk menjual murah. Umpama-nya, wang di-Malaya ini bila bertukar dengan chara "Black Market" di-sabelah Sungai Golok dengan Kota Bharu telah memberi pertolongan perusahaan batek Siam itu membawa masok kain² batek dengan harga murah di-jual di-seluruh Tanah Melayu ini. Jadi perusahaan anak negeri hanchor dan mendapat kesusahan dalam pertandingan. Mereka yang membawa kain batek ka-Kelantan boleh jual dengan harga \$3.00 sa-helai, manakala kain Kelantan kita terpaksa jual dengan harga \$4.00 atau \$3.50. Jadi kalau sudah berbeza 50 sen atau \$1.00 maka perusahaan di-Kelantan itu tentu-lah menjadi kesusahan. Jadi ini ada-lah perkara yang berlaku yang mengacham perusahaan batek di-negeri kita ini. Dan usaha RIDA mengeluarkan wang ratusan ringgit itu kalau sa-kira-nya tidak di-kawal dengan chermat, maka usaha itu akan gagal dan wang RIDA itu akan hilang.

Itu-lah sebab-nya saya minta Kementerian lain, umpama-nya, Kementerian Kewangan yang menjaga hal ehwal Kastam supaya mengadakan satu undang² menyekat kemasukan kain² ini. Kain Siam ini jangan dibenarkan masok. Kerana kita telah dapat mengeluarkan kain yang chukup bagi pakaian anak negeri ini, kita tidak perlu kain Siam datang untuk di-jual ka-Tanah Melayu ini, kerana kita ada kain yang bermutu baik yang boleh di-pakai oleh anak negeri ini dengan harga yang baik. Jadi tidak ada satu sebab maka kain Siam ini boleh menyeludup masok ka-negeri ini dan merosakkan perusahaan² negeri ini. Sa-kira-nya kita hendak naikkan chukai, kata-lah, 100 peratus kapada kain Siam ini, tidak jadi hal kapada-nya, kerana kain ini di-bawa masok dengan tidak kena chukai, bukan kerana tidak di-ambil chukai, tetapi di-muatkan di-atas sampan di-bawa masok sa-chara menchuri, kerana Sungai Golok ini sungai-nya

dekat, kalau lontar sahaja pun kain itu sampai. Jadi itu-lah sebab-nya maka usaha menyekat kemasokkan kain ini ada-lah satu sahaja jalan bagi mengawal perusahaan dalam negeri ini.

Sa-lain daripada itu saya suka juga menarek perhatian Kementerian Pelajaran dalam perkara hal persekolahan. Dalam hal persekolahan ini saya suka hendak sentoh dalam perkara Sekolah Lanjutan. Hari ini kita telah ada satu dasar mengadakan Sekolah Lanjutan. Saya perchaya Kementerian chukup susah dalam mengadakan Sekolah Lanjutan ini, tetapi persediaan-nya chukup lewat untuk mengadakan Sekolah Lanjutan ini sa-hingga bulan April baharu-lah darjah² dapat di-jalankan. Jadi pada akhir pepereksona baharu² ini beribu² murid² dalam keadaan tidak tentu arah dengan kerana ibu bapa-nya sudah tidak boleh tahan lagi, persediaan Sekolah Lanjutan belum siap, murid² terpaksa keluar sekolah terlebeh dahulu. Ini satu perkara yang mendukachita ibu bapa di-seluroh negeri. Saya perchaya kalau sa-kira-nya sekolah lanjutan itu dapat di-sediakan sa-belum penggal persekolahan itu, maka sudah tentulah perkara ini ta' berbangkit tetapi dengan kerana dalam dasar pelajaran kita kita katakan apabila budak itu sudah masok pepereksona Federal umpama-nya lulus darjah enam sa-telah itu maka budak yang lemah boleh-lah pergi kapada sekolah lanjutan, dan dengan kerana sekolah lanjutan itu tidak di-sediakan awal² maka banyak-lah murid yang umor-nya maseh muda terpaksa keluar masok sekolah private dengan bayaran yang mahal. Saya suka juga sebutkan bagi memberi sokongan kapada uchapan Ahli Yang Berhormat yang telah lalu mengenai buku² pelajaran. Saya suka terangkan di-sini oleh kerana buku pelajaran ini Kerajaan tidak dapat menyediakan dan chuma di-beri kuasa kapada guru besar sahaja memileh mana buku yang mustahak; maka telah timbul berbagai² hal. Di-Negeri Kelantan umpama-nya ada pehak guru itu bermiaga buku. Di-panggil-nya taukeh China, untuk menjual buku

dalam sekolah. Jadi murid² di-beritahu supaya beli buku² di-sekolah, yang ahli perniagaan Melayu yang jual buku di-luar itu ta' boleh hendak jual kerana list buku, tidak tahu, mana buku yang hendak di-pakai di-sekolah sedangkan guru² besar keluarkan list di-beri kapada ahli² perniagaan yang bukan Melayu tetapi apabila orang² Melayu berjumpa dengan guru besar mengatakan mana list buku saya hendak order—kata-nya ta' ada list buku. Apabila sekolah sudah di-buka di-dapati buku² ini di-jual di-sekolah. Jadi di-panggil-nya ahli² perniagaan yang bukan Melayu sahaja sedangkan ahli² perniagaan Melayu di-tinggalkan langsung. Tidak ada satu ahli perniagaan Melayu pun yang dapat list buku daripada guru besar, jadi kedai² buku Melayu tertinggal, apabila habis buku kedai bangsa lain baharu-lah datang murid² menchari buku di-kedai² buku Melayu dan kedai² buku Melayu kelam-kabut membuat petition, membuat bantah kapada guru besar meminta list. Tetapi list itu ta' dapat kerana list itu di-keluarkan dengan chara rahsia kapada kedai² yang ada perhubungan sahaja dengan guru² besar itu. Ini ada-lah satu hal yang berlaku di-negeri Kelantan. Saya sendiri pergi melihat. Orang ta' perchaya keadaan ini berlaku, ia tarek saya pergi tunjukan sekolah itu. Saya masok saya tengok ada satu bielek di-sekolah di-letakkan-nya buku² yang bertimbun yang di-jual kapada murid-nya. Orang² Melayu di-kedai² itu ta' dapat jual buku, kerana list pun ta' ada dan tidak di-beri tahu buku apa yang hendak di-pakai, yang kuasa memileh buku² ia-lah guru besar. Kuasa memileh buku² ini satu hal buku mana yang patut di-pakai, buku mana yang patut di-bacha. Ada sa-tengah guru pula ia sendiri mengarang buku dan buku yang ia karang itu di-paksa-nya murid² itu membacha. Ini satu hal yang berlaku yang saya dapat tahu dengan mata kepala saya sendiri—bukan saya hendak berchakap perkara yang tidak². Ini fact saya pergi siasat sendiri. Umpama-nya kalau saya karang satu buku saya beritahu pada murid² beli buku itu dengan saya. Ini buku saya karang.

Nama-nya ada di atas buku itu—tidak boleh tidak lagi mesti beli. Jadi perniagaan buku masuk dalam sekolah. Pelajaran murid pun kachau bilau dalam sekolah. Ini satu perkara yang saya harap di-ambil perhatian yang berat. Ini satu perkara yang sangat kelam-kabut, kalau boleh tetapkan buku² itu. Kalau tahun ini satu darjah pakai buku ini maka tahun depan tidak-kah boleh di-pakai buku itu juga dan kalau tukar pun jangan-lah tukar semua sa-kali buku² itu, kerana kemiskinan ra'ayat negeri ini. Ini jangankan Kerajaan hendak beri buku tetapi di-tukarkan buku yang harga-nya berpuloh² ringgit. Kalau di-luar umpama-nya di-kedai orang Melayu kita dapat beli chuma \$20 tetapi beli di-sekolah daripada guru besar harga-nya \$30—sepuloh ringgit untong, jadi kalau macham ini ta' payah bermiaga—untong terang² atas darat. Jadi saya minta-lah di-ambil perhatian kerana bagi orang yang miskin di-kampong² apabila buniyi kata buku itu tiga ringgit sudah besar harga-nya, buku itu harga dua ringgit sudah besar tetapi kalau beli di-sekolah dua ringgit jadi dua ringgit sa-tengah makin besar lagi. Jadi itu-lah sebab-nya yang saya rasa ini satu perkara yang sangat mustahak di-ambil perhatian oleh Kementerian Pelajaran. Saya harap kalau boleh, kalau kita sudah dapat mengadakan wang yang banyak untuk mengechualikan bayaran sekolah, maka kita tetapkan umpama-nya ada sekolah² yang telah di-tetapkan ia-itu Kerajaan mengadakan buku² bagi di-pinjam kapada murid². Kita bukan mengatakan memberi wang kapada murid² tetapi beri pinjam buku kapada murid² habis di-bacha serahkan balek kapada Kerajaan. Murid lain pula dapat mengikuti bachaan buku itu. Ini-lah chara yang baik untuk menye-lamatkan anak² yang miskin.

Saya suka terangkan ia-itu kita telah heboh dalam Tanah Melayu ini yang menyatakan murid² Melayu lemah dalam pepereksaan. Banyak jumlah persen kalau di-bandangkan dengan murid² yang lemah di-sekolah. Macham mana-lah murid² Melayu tidak lemah?

Sa-jumlah besar daripada murid² itu duduk di-luar bandar. Ibu bapa-nya tidak bagitu banyak mempunyaï kechenderongan yang kuat dalam hal pelajaran. Kalau ada kechenderongan pun wang-nya kurang. Kalau sa-kiranya kita tidak mengadakan kaedah memberi pinjam buku kapada murid², itu ada-lah satu halangan juga bagi menaikkan murid² Melayu kapada tingkatan yang tinggi. Saya suka terangkan ia-itu scholarship atau derma pelajaran yang biasa di-beri kapada orang² Melayu ia-lah pada tingkat tinggi, umpama-nya tingkat university, sekolah menengah tetapi bagi sekolah rendah sadikit sangat—tidak banyak dan tidak ada scholarship atau pun derma pelajaran yang di-beri kapada murid² yang di-kampong yang darjah rendah, umpama-nya daripada darjah satu sa-hingga darjah enam atau pun daripada darjah enam hendak naik kapada form satu. Jadi murid² Melayu ini-lah yang banyak sa-kali dapat di-pileh daripada otak² yang baik. Mithal-nya sa-orang murid yang ada dalam darjah rendah enam tahun, murid itu tidak terdaya hendak belajar dengan kerana kemiskinan ibu bapa-nya maka murid itu tidak dapat melanjutkan pelajaran-nya ka-form satu. Apabila ia tidak dapat melanjutkan bersekolah-nya kapada form satu maka kurang-lah murid² Melayu yang ada dalam bahagian menengah dan apabila kurang yang ada dalam menengah maka kurang-lah pula dalam bahagian tinggi. Ini-lah benda yang berlaku. Saya rasa kalau kira-nya kita memberi derma pelajaran yang banyak kapada murid² daripada darjah enam yang hendak naik kapada form satu maka kita dapat pileh murid² yang baik boleh naik bahagian memengah.

Ini-lah satu scholarship yang patut mendapat perhatian daripada semua pehak. Banyak badan² yang menge-luarkan scholarship di-tujukan kapada Sekolah Tinggi, kerana mereka kira scholarship untuk darjah tinggi itu mereka chepat dapat menengok hasil-nya. Jadi, saya suka menarek perhatian kalau hendak menaikkan percent

orang² kita Melayu maka banyakkan-lah scholarship bagi murid² darjah rendah ia-itu dalam darjah 6 yang hendak pergi ka-Form I dan juga hendak-lah di-paksakan sa-dikit kepada Guru² Besar itu supaya murid² darjah 6 itu mengambil pepereksona naik ka-Form I ia-itu Federal Examination. Dalam dasar pelajaran kita tidak ada paksaan, kalau hendak masok² masok-lah dan kalau hendak masok bayar-lah \$3.00 dan boleh di-katakan banyak murid² di-kampong itu tidak mahu masok dalam pepereksona ini oleh kerana tidak berupaya membayar wang \$3.00. Jadi, bila tidak masok dalam pepereksona Federal ini maka tidak-lah boleh naik Form I, maka banyak-lah murid² yang otak-nya baik, budak-nya baik, tetapi oleh kerana tidak masok pepereksona Federal, tidak dapat naik Form I.

Jadi, saya minta kalau-lah boleh Kementerian ini mengeluarkan satu directive kepada Guru² Besar itu bagaimana sekolah² Inggeris dalam Bandar menyuroh murid²nya itu mesti masok pepereksona Federal ini, minta duit \$3.00 katakan mesti masok pepereksona. Saya fikir dengan kerjasama Guru² Besar ini maka banyak-lah murid² darjah 6 itu nanti masok pepereksona dan banyak-lah murid² itu masok ka-Form I. Jadi, kalau boleh di-tekan sadikit. Kalau murid² itu banyak masok ka-darjah tinggi tidak-lah rugi kita. Saya tidak tahu bagaimana report yang di-keluarkan oleh Jawatan Kuasa Kelemahan Murid² Melayu itu, tetapi saya lihat banyak kelemahan² murid² Melayu, ini ada-lah kerana kurang-nya scholarship di-peringkat rendah dan kurang yang masok pepereksona Federal, mana yang bagus² pula semua-nya orang miskin belaka. Satu perkara lagi yang saya tengok record sekolah, ini pun satu hal juga, kita bacha dalam record murid dalam satu² darjah itu perangai-nya semua-nya good, tidak ada yang tidak good, yang habis nakal pun good. Pada hal murid itu paling nakal sa-kali. Ini satu kaedah menulis record book ada-lah sa-bagai menutup mata ibu bapa murid² itu

daripada mengetahui perangai anak mereka yang sa-benar-nya. Kalau boleh apa kelakuan budak itu tulis-lah betul² supaya ibu bapa-nya tahu.

Lagi satu perkara berkenaan dengan belajar di-luar. Banyak murid² Melayu kita ada-lah mengharapkan pelajaran di-sekolah sahaja, balek dari sekolah tidak lagi belajar kerana banyak murid² yang belajar di-luar itu ada-lah boleh di-katakan kelulusan murid² itu lebuh bagus daripada yang lain². Jadi ajaran luar ini pun satu perkara yang patut di-galakkan, sunggoh pun perkara ini berlawan dengan dasar pelajaran kita, akan tetapi kalau guru² itu ada masa di-luar beri peluang kepada mereka, dengan ini budak² itu akan bertambah² lagi baik pelajarannya. Sakian-lah sahaja.

Enche' T. H. Tan: Mr. President, Sir, I would like to make a few observations on Government's policy to implement which financial provisions are made in the Supply Bill.

I have a few bouquets to hand over and also a few bricks to throw. Among the bouquets I have is a special one for the Minister of Finance and his staff for presenting another sound Budget. I am also to congratulate the Government for the introduction of free primary education for the first time in the history of our country, and so soon after the attainment of Independence. Government has again fulfilled one of its election pledges and no parents need now worry about having no money to send their children to primary schools.

Sir, the Finance Minister's speech this morning shows how precarious the position of our rubber and tin industries can be as a result of the stockpile releases by the United States and Britain. In recent weeks we have seen how the two countries could jeopardise our economy by their stockpile releases. I therefore welcome the steps taken by our Government to reach an agreement with the United Kingdom and the United States of

America on a revised basis for their stockpile releases. However, so that we will not depend almost entirely as at present on the fortunes of the rubber and tin industries, we must diversify industry. I am happy to hear from the Minister that Government will give every assistance to private enterprise to start new industries.

On the subject of education, while I support the Government's policy, I want at the same time to praise those Chinese Secondary Schools which have decided to become National-type schools. I want also to take the opportunity of saying that the number of Chinese Secondary Schools now converted into National-type clearly shows that the Chinese educationists are seeing the light of day. It is only a matter of time before the remaining Chinese Secondary Schools also convert and so will begin a glorious era under which the nation's educational system will move to make the present and future generations true Malayans.

On the subject of textbooks for schools, I wish to urge the Government to release for public information the report and findings of the Schools Textbooks Committee. In releasing the report and findings, Government should also state what action it is taking particularly against foreign publishers who, because they receive aid and guidance from outside sources, must be at the beck and call of certain foreign powers.

Sir, I beg leave to refer to the subject of defence. Certain aspects of the Royal Malayan Air Force worry me. For instance, I learnt that the British N.C.Os, seconded to the Royal Malayan Air Force, do not—and I emphasise the word *not*—salute Royal Malayan Air Force officers. I want this misdemeanour immediately corrected. If necessary, Sir, let us order out of this country those foreign N.C.Os who do not accord proper respect to our King's officers. I would like also a statement in this House of Government's policy, *vis-a-vis* the nature and

structure of our Air Force. To be more specific, I want to know—and I am sure the public also want to know—whether our Air Force is ever going to be a combatant force, equipped with the very latest aircraft and armament, or is it going to remain an Air Force of reconnaissance and ground/air liaison planes. I would also like to know what is in Government's mind on the subject of Malayanisation of the officer segment of our Air Force, to get rid especially of these British and Commonwealth officers who still think that they are the Colonial masters at least within their little kingdom of the Air Force.

On the subject of arms generally, I would like an assurance to this House from the Government that on the excuse given by British and Commonwealth advisers of standardisation, our Armed Forces will not be hamstrung to the British and Commonwealth Forces. I would urge the Government to equip our Armed Forces with weapons and ammunition of the type used by N.A.T.O. I understand that in the Congo our troops could not get ammunition from the United Nations or N.A.T.O. sources, because our troops use different, or perhaps even obsolete, types of arms.

By the way, Sir, I would like the Government to tell us all there is to tell about the aircraft crash in Pahang in which two officers and several other ranks—all Malayans—of our Air Force lost their lives.

On the subject of internal security, the rounding up of subversives and bad hats is good, but obviously we will not be able to find enough accommodation for them (*Laughter*). If the quest for a penal island on the East Coast has not been successful, would the Government think of Pulau Aman which lies between Penang and Province Wellesley? I would like, so far as the Police are concerned, to urge more foot patrols and more radio cars to deal with the menace of kidnapping. We boast of the most stable conditions

among countries in South East Asia but, believe me, everybody knows that people had been kidnapped from under the very noses of the Police in the Federal Capital. I congratulate the Police on their success in effecting a few arrests in the recent kidnapping case in Kuala Lumpur, and I hope that the culprits will be charged under the Kidnapping Act which provides for the death penalty for those found guilty. Let us take this opportunity, but let us use the opportunity justly, to drive home to the lawless elements that Government is determined to put an end to kidnapping.

On the question of industrialisation, may I be enlightened as to whether Government intends to reserve certain industries for the Malays. One gets this unfortunate impression from the statement of one of our Ministers on fertilizers and the paper industry. I think that it is better for us to encourage all Malayans—Malays, Chinese and Indians—to get together to start industries. I would like to make a strong plea that we should not think on communal lines in encouraging industries. In fact, a real partnership—I emphasise the words "real partnership"—will be more useful and practical to enable the Malays in particular to draw from the experience of the Chinese and Indians.

Lastly, Sir, may I urge the Government to press on with the development of hydro-electric power, since cheap power is the key to successful industrialisation. I would also urge the Government to widen its horizon in looking for experts to advise it on this matter (*Applause*).

The Minister of Internal Security and Minister of the Interior (Dato' Dr. Ismail bin Dato' Abdul Rahman): Mr. President, Sir, in regard to the observation made by the Honourable Dato' Shelly about the deletion of Good Friday as a public holiday, I would like to say that the Government knows the importance of Good Friday to Christians and would very much

like to retain Good Friday as a public holiday, but because we have so many public holidays in the Federation, and since it was decided to have Wesak Day as a public holiday, the Government has no alternative but with regret to delete Good Friday as a public holiday. However, I can assure the Honourable Member that Government deeply appreciates what Good Friday means to Christians.

Now, Sir, with regard to the observation made by the Honourable Enche' Yeoh Kian Teik, I will bear that in mind should the occasion arise when the Honourable the Minister of Finance is too stingy to my Ministry. At the moment I and my Honourable colleague the Minister of Finance are in agreement in respect of the priorities given by Government to the various Ministries. Firstly, it is the Government's policy to give priority to the Ministry of Rural Development, Ministry of Education and the Ministry of Health and Social Welfare. However, the amount allotted to my Ministry is quite adequate, bearing in mind the circumstances I have mentioned.

With regard to delay in getting certificates of registration of births, as it is a matter of late registration of births, if the applicants are a bit late in getting those certificates, I do not think it matters very much.

Now, Sir, with regard to the observation made by the Honourable Enche' T. H. Tan about the penal island, I am glad to hear him mention about Pulau Aman, situated between Penang and Province Wellesley. I will give this matter, if Pulau Aman is really in existence, its due consideration.

As regards mobile cars to catch kidnappers, I think, in this respect, the Police is well equipped, because if the Honourable Member will read the Development Estimates passed by the Dewan Ra'ayat in regard to the number of cars that the Police will purchase in future, he will see that we

will have an adequate number of mobile cars for this kind of job. However, I would like to stress, as I did the last time in this House, that this problem of kidnapping is not for the Police alone but also for the public and relatives of those who had been kidnapped. The more co-operation is given by the public, the easier it will be to stop this menace of kidnapping. I, myself, share the view of the Honourable Member that the death penalty should be given to these kidnappers, but I think he understands that in this country the Judiciary is independent, and it is beyond my power to give an assurance that that penalty will be given to kidnappers.

Sir, I think that is all I would like to say in regard to the observations made by Honourable Members on my Ministry and I would like to thank them for them.

Sitting suspended at 12.00 noon.

Sitting resumed at 2.30 p.m.

(Mr. President in the Chair)

EXEMPTED BUSINESS

(MOTION)

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

That notwithstanding the provisions of S.O. 11 (1), this House shall not adjourn until 7.00 o'clock p.m. today unless the business on the Order Paper for today has been completed.

Enche T. H. Tan: Sir, I beg to second the motion.

Question put, and agreed to.

Resolved,

That notwithstanding the provisions of S.O. 11 (1), this House shall not adjourn until 7.00 o'clock p.m. today unless the business on the Order Paper for today has been completed.

THE SUPPLY BILL 1962

Second Reading

Debate resumed.

The Assistant Minister of Commerce and Industry (Enche' Cheah Theam Swee): Mr. President, Sir, the debate on the Budget this morning did bring forth a few speakers, who made remarks on the Ministry of Commerce and Industry on subjects that warrant answers from the Ministry of Commerce and Industry.

Sir, the first point I would like to touch on—and perhaps I may be able to enlighten the House on—is the question of the United States tin stockpile which point has been raised by the Honourable Enche' Chan Kwong Hon. I am afraid, Sir, that Enche' Chan Kwong was to a great extent correct in saying that he did not envisage that consuming countries would support the producing countries in making a request to the United States for selling their tin at not below the ceiling price fixed by the International Tin Council. His observations, I must say, are based, as he said, on his own experience and those observations are to a good extent supported by the very recent action of the International Tin Council.

Mr. President, Sir, another point which the Honourable Enche' Chan Kwong Hon did emphasise was that the United States, not being a member of the International Tin Council, could not be expected to be bound by the price levels fixed by the International Tin Council. Sir, he is again correct in this respect as far as the technicality of the International Tin Agreement is concerned. However, we, in the Government, are doing all we can in exercising our diplomatic relationship to try to get the United States Government to be sympathetic with our views as regards their proposal to release 50,000 tons from the United States stockpile. In fact,

Mr. President Sir, perhaps this House, and also the tin industry, would be enlightened to find that communications are now being carried on, and in the next couple of days or so, we should be getting a clear-cut answer on this matter.

Now, Sir, I would like to reply to the Honourable Dato' Sheikh Abu Bakar bin Yahya, who made reference to the Ministry's work in respect of encouraging Malay participation in commerce and industry. Sir, here, I would like to emphasise that there has now been set up in the Ministry a secretariat for the encouragement of Malay participation in commerce and industry and no efforts will be spared in giving advice to them and in fulfilling the aims and objectives of the declared policy of the Government.

Here, Sir, it takes me to the question raised by the Honourable Nik Hassan bin Haji Nik Yahya which is almost the same question though in different words. He touched on the specific question of contracts. Sir, the Honourable the Minister of Commerce and Industry had earlier made a statement in the House of Representatives to the effect that there is a Tenders Commission Report which we all await. So, in order not to prejudice an open-mind reading of the Report, I think, we should be good enough to have a little patience and wait for the Report to be published. Then, we can make a study of it and decide to accept it, or not accept it, or see how best to go along with the findings of that Report.

Mr. President, Sir, the Honourable Nik Hassan has also commented on the formation of a united Chamber of Commerce—a single Chamber of Commerce comprising all the existing Chambers of Commerce now, perhaps, under different racial names. Sir, I would like to say that this is a matter on which it would not be desirable for the Government to apply what we call in normal term "force". It is a question for the voluntary decision of the various Chambers of Commerce.

Of course, we sincerely hope that the Minister's idea about a united Chamber of Commerce would eventually gain support and come to reality.

Lastly, Mr. President, Sir, the Honourable Enche' T. H. Tan did urge the Government to proceed with the hydro-electric power scheme. Sir, when Enche' Tan spoke, he said that he would throw a few bouquets and some bricks too. I am afraid that this is one of the bricks and, with your permission, Sir, I throw it back at him (*Laughter*). Enche' Tan is also a member of the Central Electricity Board in which, perhaps, he and this Ministry work concurrently and I would urge him to proceed with this hydro-electric power scheme (*Laughter*).

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, saya bangun untuk mengalu²kan Belanjawan bagi tahun 1962. Tetapi sa-belum saya berchakap dari beberapa segi mengenai dengan Belanjawan ini saya suka menarek perhatian Kerajaan ia-itu sa-boleh²nya biar-lah dalam tahun² yang akan datang tidak kejadian lagi di-Perserikatan Tanah Melayu ini di-mana satu Budget atau satu Anggaran Belanjawan untuk tahun 1962 dibahathkan dan in-luluskan dalam tahun 1962 juga. Kejadian ini ada-lah kali yang pertama dalam sejarah Persekutuan Tanah Melayu. Dan di-harap tidak akan berulang lagi.

Tuan Yang di-Pertua, sa-panjang uchapan yang di-sampaikan oleh Yang Berhormat Menteri Kewangan dalam Dewan Ra'ayat dan dalam Dewan Negara ini nyata-lah menunjukkan harapan² yang baik pada masa hadapan dan menerangkan betapa hasil yang di-dapati oleh Kerajaan Persekutuan dalam tahun yang lalu. Tetapi ada satu perkara yang saya perchaya semua orang sedar gejala yang sentiasa terjadi, dan baharu beberapa hari ini pun telah nampak satu keadaan yang menyebabkan Yang Berhormat Menteri Perdagangan dan Perusahaan kita telah mengelepar dan telah

menunjukkan tareng-nya ia-itu bila-mana Amerika telah mengambil sikap menjual getah-nya, maka itu dengan sendiri memberi satu anchaman kepada periok nasi Persekutuan Tanah Melayu, dan kita dengar-lah amaran yang di-kemukakan oleh Yang Ber-hormat Menteri Perdagangan dan Perusahaan dan peringatan serta rayuan terhadap sikap Amerika itu. Dengan sebab itu, Tuan Yang di-Pertua, saya rasa Persekutuan Tanah Melayu maseh terancham dan tidak boleh berbangga yang kita mempunyai harapan yang gemilang, kechualan langkah² dapat di-ambil untuk meng-atasi daripada anchaman² yang mungkin datang bila tiba masa-nya.

Semua orang mengetahui bahawa kegunaan getah tiruan lebih banyak di-gunakan oleh negeri² yang membeli getah asli dari negeri kita, pada hal kita semua faham bahawa getah asli ada-lah hasil yang pertama bagi Persekutuan Tanah Melayu semenjak berpuluh tahun dahulu.

Tuan Yang di-Pertua, seperti yang telah saya berchakap dalam sidang² belanjawan dua tahun yang lalu, pernah saya mengatakan semoga Kerajaan mempertimbangkan bahawa Malaya tidak-lah selama²nya mesti menjadi pembekal getah asli kepada negeri² yang di-harap akan membeli sa-bagai satu pertolongan dengan ihsan kepada Persekutuan Tanah Melayu, tetapi ada-lah di-harap supaya kita memikirkan satu masa'lah ia-itu menjadikan Persekutuan Tanah Melayu sa-bagai negeri yang menge-luarkan getah tetapi biar-lah negeri Persekutuan Tanah Melayu menjadi sa-buah negeri industry—negeri per-usahaan daripada getah yang dapat kita bertanding pasaran bebas dalam dunia ini. Saya rasa sa-kira-nya Malaya maju kahadapan sa-bagai sa-buah negara industry sadikit demi sadikit, terutama dalam bahagian getah dan barang² yang di-perbuat daripada timah dan besi, ada-lah lebih baik daripada kita mengharap-kan belas kasehan orang lain tentang membeli getah asli kita ini. Walau bagaimana pun sa-bagai sa-orang

putra Malaya, kita mesti-lah merasa besar hati bahawa kedudukan ekonomi kita tegap dengan itu tidak ada sa-barang ranchangan hasil di-naikkan dalam negeri ini di-kechualikan ada tambahan chukai untuk bijih² yang di-keluarkan.

Tuan Yang di-Pertua, saya sangat benerima kaseh sa-kira-nya benar Kerajaan akan melancharkan sechara besar²an saperti yang di-sebutkan kalau ta' salah ingatan saya Yang Berhormat Tun Abdul Razak dalam Dewan Ra'ayat ia-itu akan meng-galakan tanam²an dalam Persekutuan Tanah Melayu sa-lain daripada getah, jikalau ini di-laksanakan sa-benar-nya maka ini akan menggalakan benar dalam menghadapi anchaman yang berat kapada negeri ini.

Tuan Yang di-Pertua, saya chuba akan berchakap sadikit dalam perkara Kementerian² di-mana ada satu perkara dalam Kementerian Sharikat Kerjasama. Barangkali tidak ada orang yang akan mengatakan tidak ber-sunggoh² Menteri Kerjasama kita, Enche' Abdul Aziz bin Ishak, yang telah menjalankan tugas-nya bagi memajukan sharikat kerjasama dan lain² lagi dalam tanggong-jawab-nya di-Persekutuan Tanah Melayu ini, akan tetapi saya nampak mungkin sa-suatu perkara yang tidak ada persesuaian yang sa-hingga dengan sebab itu boleh menimbulkan sa-suatu yang tidak akan menguntungkan kesudahan dan ini tidak sahaja melibatkan kapada kesusahan ra'ayat tetapi boleh menjadikan satu per-telingkahan yang tidak sudah² di-antara Menteri sama Menteri saperti yang kita sama² ketahui. Saya nampak nyata daripada sikap yang di-tunjok-kan oleh Menteri Sharikat Kerjasama itu ia-lah untuk memajukan sharikat kerjasama lebih tinggi taraf-nya daripada yang pernah di-buat dalam masa penjajahan dahulu, akan tetapi oleh dasar liberal—dasar bebas Malaya ini sudah tentu-lah apabila di-buat, dari segi ekonomi bebas yang akan menyebabkan kerugian kapada pihak yang tertentu. Mithal-nya, sa-buah undang² yang di-buat

dalam negeri Kedah untuk memperkuatkan ekonomi dalam sharikat kerjasama dengan mengadakan undang² mithal-nya tidak ada sesiapa yang boleh menjual padi melainkan kapada sharikat kerjasama. Itu akan merugikan tiga puluh buah kilang padi yang telah sedia ada dan ini telah menjadi satu pertentangan antara dasar capitalism dengan dasar memajukan sharikat kerjasama. Jadi, saya rasa sudah selalu menjadi pertentangan dalam memajukan sharikat kerjasama, kerana ada system yang lain menyebabkan dasar kerjasama tidak dapat maju dengan sa-benar-nya.

Satu perkara lagi berlaku di-Kelantan. Ini saya tahu dan baharu² ini heboh dalam akhbar². Sharikat kilang padi mengikut undang² berhak mendapat lesen melalui Setia-Usaha Kerajaan Negeri untuk menjalankan kilang padi mereka dan ini terjadi di-seluruh Persekutuan Tanah Melayu akan tetapi dalam masa itu juga dengan tidak di-sedari dalam negeri ini yang berdasar bebas telah masok-lah bermacham² jenis kilang padi—pengisar padi yang kecil yang di-jual dengan bebas-nya di-kedai² dan menyebabkan sa-bahagian daripada ra'ayat telah membeli pengisar padi sama ada bersendirian atau beramai² membawa ka-kawasan masing². Dan barangkali tidak kurang dari 500 buah pengisar padi yang telah di-beli oleh ra'ayat negeri Kelantan dan masing² mengisar padi sa-hingga berlaku tentangan yang hibat di-antara pengisar² dengan sharikat² kerjasama kilang padi negeri Kelantan. Ini menimbulkan satu re-action daripada sharikat kerjasama yang maju sa-bagaimana yang telah di-ketahui. Sa-benar-nya saya tahu kuasa yang di-beri berdasarkan undang² sharikat kerjasama ia-itu Setia-Usaha Kerajaan tiap² negeri boleh mengeluarkan lesen mengisar padi kapada sharikat kerjasama, akan tetapi tidak-lah boleh di-keluarkan lesen kapada orang² bebas, oleh kerana sa-bahagian dari-pada ra'ayat sudah pun membeli dengan bebas-nya pengisar padi di-kedai², maka timbul-lah satu masa'alah siapa dapat mengeluarkan

lesen kapada mereka dan sa-barang tindakan yang di-ambil untuk menahan kerja² mereka itu maka akan timbul satu tragedy yang mungkin akan menjadi satu perkara tunjok perasaan oleh ra'ayat yang membeli pengisar padi itu.

Ini, semua-nya, Tuan Yang di-Pertua, ia-lah oleh kerana ada pertentangan sama ada di-sadari atau tidak di-dalam kerja² Kementerian² dan ini boleh juga saya katakan seperti apa yang di-katakan oleh Yang Berhormat Nik Hassan tadi.....

Nik Hassan bin Nik Yahya: Dato' Yang di-Pertua, keterangan saya, pengisar padi itu kuasa Kerajaan negeri bukan Kerajaan Persekutuan yang berkuasa. Jadi, ini patut di-bawa kapada pengetahuan Kerajaan Kelantan.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, saya faham apa yang saya chakap, saya chuba membawa bandingan itu saperti juga yang Nik Hassan mengatakan contract dari segi memajukan ekonomi tetapi Kementerian ini mengeluarkan sharat pada segi tender. Jadi, ini juga berkait yang erti-nya Kementerian Pertanian dengan kuat kuasa yang ada pada-nya telah menurunkan kuasa-nya kapada Setia Usaha Kerajaan Negeri supaya mengeluarkan lesen (on behalf) bagi pehak Kementerian Pertanian di-bawah undang²-nya sendiri. Jadi, ini-lah satu masa'alah yang saya khuatir kalau perdagangan yang bebas ini dengan tidak di-kawal dari segi undang² maka akan timbul kachau bilau dalam negeri ini dan ra'ayat juga akan menderita. Tuan Yang di-Pertua, satu perkara dalam sudut perniagaan ini di-bawah tanggong-jawab Kementerian, dan telah di-sebutkan oleh Nik Hassan tadi bahawa ada lebih baik sa-kiranya Secretariat Economy itu langsung di-bawah Jabatan Perdana Menteri. Saya menyokong sa-kuat-nya fiikran saperti itu kerana saya rasa itu akan lebih menguntungkan, kalau dengan tujuan hendak memajukan ekonomi orang Melayu. Sa-kira-nya kita maseh ingat bahawa ranchangan atau

tujuan untuk memajukan ekonomi Melayu ini bukanlah baharu, ini semanjak ura² menjadikan Malayan Union datang-lah RIDA dengan 10 million modal-nya sa-bagai satu umpan untuk memajukan ekonomi orang Melayu. Dengan jalan itu di-minta orang Melayu untuk menyerahkan kuasa² mereka, kepada orang² yang dahulu-nya belum menjadi warga negara Persekutuan ini, sampai sekarang ekonomi orang Melayu dengan RIDA dan berbagai² ran-changan belum juga mencapai taraf kemajuan, jangankan dapat bertanding dengan orang² lain, se-balek-nya kuasa politik orang² Melayu yang mutlak di-bagi²kan sa-belum ekonomi orang Melayu dapat sa-tanding dengan orang lain dalam negeri ini. Jadi, ini-lah satu perkara yang berat yang patut di-fikir kerana kita tidak mahu berangan² atau mendirikan Istana di-kayangan. Kita mahu melihat dalam negeri ini ujud benar² dalam mana kita dapat menganjorkan atau dapat di-anjorkan oleh Menteri Perdagangan ini supaya mengujudkan sa-buah Dewan Perniagaan National. Ini-lah chara yang sa-baik²-nya yang patut kita jalankan.

Tuan Yang di-Pertua, saya suka menyatakan jika sa-kira-nya Kerajaan mengadakan RIDA dan lain² dan menunjukkan satu chontoh yang baik dengan memberikan bantuan modal menolong orang² Melayu di-dalam perniagaan, umpama-nya di-negeri Kelantan Sharikat Kenderaan, patut juga RIDA itu mengambil peluang untuk mempolopori satu chontoh menjalankan usaha dalam bahagian bank bagi orang² Melayu. Kerana semua kaum atau bangsa dalam negeri ini ada mempunyai bank dan saya perchaya ada orang² yang sanggup meleborkan diri-nya untuk membentuk satu bank baharu untuk orang² Melayu. Pada masa ini beberapa halangan telah di-rasai dalam perniagaan di-kalangan orang² kita Melayu oleh kerana tidak ada bank bagi mereka sendiri. Orang² yang bermiaga di-kalangan orang² Melayu terasa benar betapa mudah-nya nanti mengendalikan perniagaan-nya sa-

kira-nya ada bank yang boleh mendapatkan jaminan keperchayaan daripada perniagaan² di-luar negeri. Oleh kerana itu saya sangat-lah mengharapkan supaya RIDA dapat mengujudkan sa-buah bank bagi menolong orang² Melayu dan dengan ini dapat-lah mengharapkan ekonomi orang Melayu sadikit demi sadikit boleh di-perbaiki di-masa hadapan ini.

Tuan Yang di-Pertua, satu perkara yang saya berasa tertarek, usul ini belum pernah saya berchakap dalam Dewan ini ia-lah mengenai orang² Asli. Di-dalam Dewan Ra'ayat baharu² ini sa-orang anggota dari-pada barisan pembangkang telah menyatakan tidak senang-nya kapada orang² Asli ini di-tarek atau pun di-beri peluang mendekati ajaran ugama Islam. Jadi, ini tentu-lah datang-nya daripada orang yang tidak ingini berkembang-nya ugama Islam di-negeri ini. Saya memandang orang Asli ini bukan-lam sembarang, saya tidak senang dengan ada perkataan menyebutkan perkataan Aborigines atau orang Asli, ini ber-erti orang Melayu bukan orang asli di-negeri ini, tetapi orang dagang, ini-lah perkataan yang di-amalkan oleh penjajah pada masa dahulu untuk menjadikan orang Melayu sa-bagai orang dagang di-tanah ayer-nya sendiri. Dan saya faham tidak ada beza-nya orang Asli itu dengan orang Melayu sa-bagai penduduk negeri ini. Maka kalau yang di-katakan orang² Asli ini dapat berpeluang berchampor gaul dengan rapat-nya dengan orang² Melayu maka akan dapat-lah di-nimpin oleh orang² Melayu sendiri. Dalam perjalanan ka-Kelantan ka-mari kira² 10 batu dari Kuala Lumpur ini ada satu perkemahan orang² Asli. Di-tepi pintu itu bertulis-lah satu papan kenyataan tidak membenarkan masok melainkan mestilah dapat kebenaran. Sa-olah² orang Asli itu di-bawa ka-satu penjara dalam satu kawasan tidak di-benarkan sa-siapa masok melainkan mendapat kebenaran, jadi sama-lah juga macham orang² dalam jail pula. Kita sangat berkehendakkan supaya orang² Asli itu bertamaddun, tetapi kita pula meng-

halang mereka itu sa-hingga tidak ada kesempatan untuk bergaul dengan orang² yang telah bertamaddun dalam negeri ini. Oleh itu saya harap-lah supaya kita berikhtiar bagaimana chara-nya orang² Asli ini dapat di-bawa sa-makin hampir dan sa-makin dekat ka-dalam masharakat Melayu dari masa ka-samasa di-beri pendidekan dengan tidak berbeza antara satu dengan lain.

Ini, Tuan Yang di-Pertua, sebab kita tidak mahu jadi satu alat pemikiran orang² ini hendak di-jadikan sa-bagai pertujukan semata², dengan sumpit-nya dan dengan amalan-nya.

Tuan Yang di-Pertua, saya tidak hendak menyentoh terlalu banyak di-dalam perkara pelajaran. Saya rasa satu perkara yang tidak dapat di-tinggal daripada di-sebutkan sadikit sa-banyak. Di-dalam perkara Pelajaran Perchuma tahun 1962 ini ada menyatakan dengan tepat-nya kepada semua ibu bapa di-Persekutuan Tanah Melayu tetapi banyak kelumpahan yang timbul mengenai buku yang tadi telah di-uchapkan oleh beberapa orang, ia-itu kesulitan ibu bapa menghadapi masa'alah pelajaran tentang kekurangan buku. Soal buku hanya terserah kepada guru² untuk memilih jenis buku² asal sahaja memberi pelajaran kapada murid²-nya. Di-dalam hal ekonomi ra'ayat kalau tadi, Yang Berhormat Enche' Nik Hassan menyatakan di-Kelantan ada beberapa buah kedai buku Melayu yang menjual buku² sekolah tetapi satu perkara lagi saya dapat tahu kedai buku Melayu yang telah di-katakan itu apabila di-minta lis buku tidak dapat, tetapi dia di-beritahu buku² itu boleh di-pakai di-sekolah². Apabila buku itu telah di-beli di-kedai itu kemudian-nya anak² itu membawa buku² itu di-sekolah, guru besar di-sekolah itu pula mengatakan yang buku itu tidak boleh di-pakai. Kedadian ini berlaku di-Kelantan dan saya rasa kalau Kerajaan payah hendak memikirkan hal ini, kita serahkan sahaja kepada Dewan Bahasa dan Pustaka kerana tujuan-nya

ia-lah untuk memajukan perkembangan pelajaran tetapi Dewan Bahasa nampak-nya lebih banyak mengeluarkan buku² novel sahaja. Tetapi kekurangan buku² untuk di-gunakan di-sekolah menengah khusus-nya yang menggunakan bahasa pengantar sa-bagai bahasa kebangsaan. Buku² Melayu di-gunakan di-sekolah² Inggeris juga kurang sangat dan ini-lah yang menjadi satu sebab bahasa Melayu tidak dapat di-gunakan serta di-amalkan betul². Jadi, saya rasa harus-lah perkara ini dapat di-selesaikan oleh Dewan Bahasa dan Pustaka dengan apa jalan pun. Kementerian Pelajaran harus-lah juga mengulang kaji tentang timbul-nya kerumitan dan kesusahan kepada ibu bapa mengenai buku² bachaan di-sekolah² ini.

Mithal-nya sa-orang bapa yang mempunyai dua orang anak, abang-nya bersekolah telah meningkat ka-darjah IV, adek-nya meningkat ka-darjah III, buku bachaan si-abang di-darjah III tahun yang lalu itu tidak dapat di-gunakan lagi oleh adek yang meningkat darjah III oleh kerana buku bachaan darjah III itu sudah berubah pula. Perkara yang sa-macham ini-lah ra'ayat di-kampung² tidak sanggup untuk mengeluarkan wang terlalu banyak untuk membeli buku². Saya ingat pada masa saya bersekolah dahulu tidak-lah banyak sangat perbelanjaan membeli buku² ini tetapi sekarang membeli buku \$60, \$70, \$100, dan \$200. Jadi, ibu bapa yang mempunyai tiga orang anak akan menderita saperti yang berlaku di-negeri Sembilan baharu² ini sa-orang bapa meninggalkan anak-nya dengan teresak² menangis di-tengah² padang dan bapa-nya pulang ka-kampung, ini alang-kah sedeh-nya, sama²-lah kita rasai. Dalam Tanah Melayu ini sa-bahagian besar ra'ayat ingin kapada pengetahuan tetapi tidak dapat peluang menchapai tingkat pengetahuan yang tinggi ia-itu sa-mata² oleh kerana kelemahan dalam ekonomi.

Tuan Yang di-Pertua, sa-perkara lagi saya akan berchakap ia-lah mengenai Duta kita di-luar negeri. Berkali² kita mengatakan bahawasa-nya

nya kita mempunyaï polisi yang bebas. Kadang² kita ini dalam pelaksanaan-nya sampai susah tujuannya kita mengertikan. Sa-bagai sa-buah negeri yang baharu merdeka kalau benar² bebas pada fikiran saya, kita harus-lah menunjukkan sikap kita yang bebas betul² dalam menentukan perjuangan politik dunia. Sebab dalam dunia ini jika tidak dapat di-selesaikan kedudukan politik international mungkin suatu akibat akan datang kehanchoran-nya. Peranan yang di-ambil oleh Persekutuan Tanah Melayu kadang² nampak-nya ada kelambatan sadikit dan kita sedar beberapa sebab yang menimbulkan teragak² saperti soal Irian Barat.

Dalam uchapan saya dua hari yang lalu kalau tidak salah ingatan saya, pernah saya mengatakan sa-bagai sa-buah negeri yang kecil yang baharu merdeka kita menjadi anggota Bangsa² Bersatu mari-lah kita berikhtiar bersama² negera² yang kecil yang menjadi anggota Bangsa² Bersatu bertindak dengan chara yang berkesan. Kuasa² besar dalam dunia international dapat menimbulkan League of Nations tetapi anjoran itu kemudian-nya hilang, timbul pula United Nations yang mungkin akan hanchor pula kalau sa-kira-nya tidak ada satu kuasa atau tenaga kecil yang di-satukan mengambil tindakan dan menunjukkan sikap yang benar² berkesan dalam politik dunia ini.

Tadi Yang Berhormat Enche' Nik Hassan telah berchakap sadikit sa-banyak mengenai yang saya rasa Kerajaan Persekutuan boleh menimbulkan pengeshoran² yang telah di-berikan oleh Dato' Nik Ahmad Kamil itu. Masa'alah-nya yang saya rasa, di-dalam perbahathan² yang berlaku di-Bangsa² Bersatu sa-sunggoh-nya ada-lah menarek perhatian kita dengan sikap yang telah di-tunjukkan oleh wakil kita Dato' Nik Ahmad Kamil itu. Akan tetapi kalau kita fikirkan panjang² mungkin ada perkara² yang belum lagi dapat berkesan kerana kedudukan beliau sa-bagai sa-orang yang mempunyaï tanggongan-jawab dua, di-Washington

dan di-New York. Jadi, Washington dan New York membawa satu keadaan yang tidak sama satu peribadi dua tempat. Di-New York beliau mewakili Kerajaan Persekutuan Tanah Melayu di-dalam Majlis Bangsa² Bersatu. Dia berchakap ada-lah sa-bebas² menyatakan pendapat dia untuk memelihara hak sadikit sa-banyak telah di-tunjukkan-nya. Tetapi di-Washington beliau sa-bagai sa-orang Duta Persekutuan Tanah Melayu pula. Beliau terpaksa berhati² apabila berchakap di-Washington. Dengan sebab itu saya rasa, sa-bagai langkah awal untuk menunjukkan politik bebas bagi Duta Persekutuan Tanah Melayu di-Amerika Sharikat, hendak-nya-lah di-asingkan tugas-nya daripada menjadi wakil Bangsa² Bersatu.

Ada lebuh baik Kerajaan meninjau ia-itu sa-orang Duta yang berasingan di-letakkan di-Washington, dan sa-orang yang di-namakan Ketua Perwakilan Malaya di-Bangsa² Bersatu di-lantek yang lain. Saya perchaya dengan jalan itu boleh menolong menjalankan politik bebas Kerajaan Persekutuan Tanah Melayu dan berchakap dengan bebas dalam Pertubuhan Bangsa² Bersatu. Tuan Yang di-Pertua, Pertubuhan Bangsa² Bersatu ia-lah satu alat yang misti di-pertahankan, satu badan yang misti di-kawal, jika ia runtuh maka dunia mungkin akan hanchor lebuh chepat daripada yang kita jangkakan. Tuan Yang di-Pertua, kejadian di-Congo mithal-nya, sampai hari ini belum dapat di-selesaikan. Kita ada share yang besar di-sana, sebab beribu tentera kita telah di-kirimkan ka-Congo, dan kita akan kirimkan lagi untuk mengganti yang ada itu. Jadi kita harus mengambil peranan yang besar dalam masa'alah "international" kerana kita kebetulan telah menchampori perkara itu dengan menghantar pemuda kita ka-sana. Peranan yang di-tunjukkan di-Congo nyata di-belakang-nya ada beberapa perkara untuk kepentingan modal daripada kuasa² besar dalam dunia ini dan kuasa besar ini-lah yang memainkan peranan-nya dalam United Nations. Jadi kalau kita tidak dapat menye-

suaikan keadaan dan tidak menchari kekuatan bertindak dengan chara yang berkesan, maka pengorbanan Malaya yang telah mengirimkan putera²nya ka-Congo itu sia². Tetapi keadaan yang sa-benar-nya tidak dapat terjamin saperti yang telah di-lakukan oleh Bangsa² Bersatu yang telah mengambil tindakan mengirimkan tentera² untuk menjaga pererangan di-Plastine dalam tahun 1948, akan tetapi sa-hingga sekarang belum dapat di-selesaikan. Jadi ia-lah benda yang Bangsa² Bersatu nampak-nya belum dapat menyelesaikan dengan baik kerja² yang di-harap hanya dengan Bangsa² Bersatu dapat di-selesaikan. Kerana itu, Tuan Yang di-Pertua, saya ulangi lagi, hendak-lah menchari jalan untuk mengambil tindakan yang berkesan melalui negara Afro-Asia ia-itu negara² yang baharu menchapai kemerdekaan supaya kuasa² besar dapat menyedari hakikat dalam masa'alah ini, dan dengan jalan itu baharu kita dapat lahirkan faham rasa sayang sa-sama manusia akan wujud dalam dunia ini. Jika sakira-nya Bangsa² Bersatu memejamkan mata oleh kerana ada kepentingan kuasa² besar saperti di-Algeria pembunuhan berlaku di-hadapan mata Bangsa² Bersatu, beribu² orang mati terbunoh, tiap² hari ada orang mati terbunoh, tetapi kejadian itu di-biarkan terus menerus, kerana kepentingan France dan NATO. Jadi ini boleh meruncingkan dan ini boleh menyebabkan keamanan dunia ini tidak boleh dapat, dan kebenchian dan perasaan dendam akan timbul dalam zaman ini.

Tuan Yang di-Pertua, itu-lah saya rasa perkara² yang penting yang saya berchakap pada hari ini, dan saya harap dalam soal menchari persefahaman di-antara kita dengan negeri² lain, yang membolehkan kita bertindak dengan chara yang lebih berkesan dalam politik "international". Itu-lah chara yang baik. Dengan jalan itu Malaya akan di-pandang lebih baik sa-bagai jagoh saperti yang sekarang ini di-sebut² Malaya sa-bagai pahlawan dengan tegas mengirimkan

tentera ka-Congo, dalam hal Tibet kita membela dan sa-bagai-nya.

The Minister of Education (Enche' Abdul Rahman bin Haji Talib): Tuan Yang di-Pertua, di-dalam perbinangan berkenaan dengan Rang Undang² Belanjawan 1962 dalam Dewan ini banyak perkara² bersangkutan dengan Kementerian saya ia-itu Kementerian Pelajaran telah di-sentoh. Pandangan yang di-beri oleh Ahli² Yang Berhormat boleh-lah di-bahagikan kepada tiga bahagian. Yang pertama ia-lah uchapian tahniah atau pujian yang telah di-beri kepada Kementerian Pelajaran bagi melaksanakan satu dasar memberi pelajaran perchuma di-sekolah² rendah. Yang kedua ia-lah pandangan² yang saya sifatkan bagi pandangan yang boleh di-jadikan panduan pada masa saya mentadbirkan Kementerian ini dalam tahun 1962 ini. Bahagian yang ketiga ia-lah kechaman yang telah di-buat oleh sa-tengah Ahli² Yang Berhormat atas sa-tengah daripada perkara yang dijalankan oleh Kementerian Pelajaran.

Dalam hal yang pertama ia-itu uchapian tahniah yang telah di-beri oleh Ahli² Yang Berhormat berkenaan dengan pelaksanaan dasar pelajaran perchuma, saya uchapkan terima kaseh. Dan di-dalam memberi uchapian tahniah itu ada beberapa Ahli Yang Berhormat berkata ia-itu Kerajaan telah menunaikan satu lagi daripada janji-nya.

Tuan Yang di-Pertua, saya ingin menarek perhatian Dewan ini dan juga orang ramai bahawa sejarah Kerajaan Perikatan semenjak mula berkuasa dalam negeri ini dalam tahun 1955 menunjukkan dan menjadi bukti yang nyata bahawa apa yang di-janji-nya akan di-tunaikan (Tepok). Dan ini ada-lah satu daripada perkara yang boleh di-banggakan, bukan sahaja oleh Kerajaan yang ada ini tetapi juga boleh di-banggakan oleh semua penduduk dalam negeri ini. Berkenaan dengan pelajaran perchuma di-sekolah² rendah yang kita mulakan dalam tahun 1962 ini mengikut penyata yang di-buat oleh U.N.E.S.C.O.

C.O. ia-itu Pertubuhan Pelajaran Sains dan Kebudayaan Bangsa² Ber-satu mereka telah menetapkan bahawa target atau pun matlamat bagi mengadakan pelajaran perchuma di-negeri Asia ia-lah pada tahun 1980. Jadi berma'ana Malaya telah menda-hului target itu sa-banyak 18 tahun. Dan ini ada-lah satu perkara yang boleh kita megahkan.

Berkenaan dengan pandangan yang saya sifatkan boleh memberi panduan kapada saya, saya suka juga hendak menerangkan atas beberapa perkara. Dan izinkan saya, Tuan Yang di-Pertua, memberi keterangan ini mengikut perkara² yang di-bentangkan dalam Dewan ini tidak mengikut Ahli Yang Berhormat yang mengeluarkannya. Perkara yang pertama sa-kali yang telah mendapat perhatian yang banyak daripada Ahli Yang Berhormat Dewan ini ia-lah berkenaan dengan buku di-sekolah². Jika ingatan saya tidak salah sa-kurang²-nya empat Ahli Yang Berhormat daripada Dewan ini telah menyentoh atas perkara ini. Yang sa-benar-nya, Tuan Yang di-Pertua, masa'alah buku di-sekolah² ini ada-lah satu masa'alah yang telah mendapat perhatian saya lebh dahulu daripada Ahli Yang Berhormat Dewan ini yang berchakap tadi, kerana sa-tahun yang lalu saya telah menubohkan sa-buah jawatan-kuasa yang di-benjerusi oleh rakan saya Yang Berhormat Menteri Muda Pelajaran supaya memereksa dan menyiasat segala hal bersangkutan dengan hal buku pelajaran sekolah. Dan barang-kali oleh kerana Yang Berhormat Enche' T. H. Tan ada-lah menjadi salah sa-orang ahli jawatan-kuasa itu, maka itu-lah sebab-nya ia meminta saya menyiaran penyata itu dengan sa-berapa segera-nya. Saya suka hendak menjelaskan bahawa penyata itu baharu sahaja saya terima sa-belum saya meninggalkan negeri ini pergi ka-India, dan pada masa ini saya sedang mengkaji penyata itu dengan teliti-nya, dan sa-telah saya puas hati akan menyampaikan kapada sidang Jema'ah Menteri, dan sa-telah itu baharu-lah langkah² yang sa-sua'i akan di-jalankan.

Yang kedua berkenaan dengan buku². Ini banyak di-nyatakan bahawa Kerajaan patut-lah juga memberi buku² perchuma kapada kanak² sekolah. Chadangan ini datang-nya dari Ahli Yang Berhormat Enche' Yeoh Kian Teik. Saya suka-lah memberi penjelasan bahawa Kerajaan tidak-lah sanggup mengadakan buku² perchuma kapada semua murid² sekolah, tetapi oleh kerana menim-bangkan bahawa sa-bagaimana yang di-nyatakan oleh Yang Berhormat Nik Hassan bahawa murid² di-sekolah kebangsaan ini datang-nya daripada gulongan orang² yang kurang mampu membeli buku², maka dengan sebab itu-lah Kerajaan ada menguntukan dalam belanjawan tahun 1962 ini wang sa-banyak \$800,000 bagi meng-adakan buku² bacaan di-sekolah² kebangsaan. Wang ini ada-lah di-serahkan kapada Dewan Bahasa dan Pustaka yang mengeluarkan buku² itu dan menghadiahkan buku² itu kapada sekolah² kebangsaan.

Satu lagi perkara berkenaan dengan buku ini ia-lah perkara yang di-bangkitkan oleh Yang Berhormat Nik Hassan dan juga Yang Berhormat Enche' Amaluddin ia-itu kejadian beberapa buah sekolah dalam negeri Kelantan yang mengeluarkan senarai buku² yang hendak di-pakai di-sekolah² kapada sa-tinggi pekeda'i² Melayu sahaja. Perkara ini ada-lah perkara yang baharu saya dengar dan jikalau Ahli² Yang Berhormat itu sanggup memberi nama² sekolah yang bersangkutan dengan ini, saya akan menjalankan penyiasatan. Satu lagi perkara yang bersangkut-paut dengan buku ini ia-lah tentang harga iualan buku² yang di-kenakan di-sekolah. Saya ingat Yang Berhormat Dato' Shelly ada membangkitkan tentang hal itu. Ini juga ada-lah satu perkara yang saya uchapkan terima kaseh kerana saya sendiri pun mengalami hal saperti ibu bapa yang lain yang terpaksa mengeluarkan perbelanjaan yang banyak, kerana membeli buku² dan saya sendiri pun mempunyai anak yang banyak di-sekolah², dan sa-bagaimana yang di-shorkan oleh Yang

Berhormat Dato' Shelly itu ia-itu patut-lah di-adakan satu Jawatan-Kuasa yang mengandungi pegawai² penyiasat. Perkara ini saya akan jalankan.

Sa-lain daripada itu, Tuan Yang di-Pertua, ada satu perkara yang di-bangkitkan oleh Yang Berhormat Nik Hassan ia-itu berkenaan dengan dasar Kementerian saya yang hendak menjalankan chara² mendirikan rumah² sekolah dan rumah² guru dengan chara prefabrication. Ia berasa takut bahawa dengan menjalankan dasar ini maka peluang bagi pemborong² Melayu bagi mendapatkan kontrek akan hilang. Saya ingin menyatakan bahawa sa-sunggoh-nya chara ini berkehendakan pemborong² yang banyak mempunyai wang dan modal dan juga mempunyai kepandaian bagi menjalankan kerja² ini, tetapi itu bukan-lah berma'ana bahawa pemborong² Melayu akan tidak mendapat peluang langsung kerana pemborong² Melayu maseh boleh menuahkan satu company atau sharikat dengan pemborong bukan Melayu sa-bagaimana yang telah di-chadangkan oleh Yang Berhormat Enche' T. H. Tan supaya dapat kita memandang perkara ini dari segi Malayan dan langkah yang di-jalankan oleh Kementerian ini ia-lah di-sebabkan oleh dua perkara. Perkara yang pertama ia-lah peruntukan yang di-beri untuk Kementerian Pelajaran dalam Ranchangan Kemajuan Lima Tahun Yang Kedua ini ada-lah sa-banyak \$260,000,000 berbanding dengan yang di-beri dalam Ranchangan Lima Tahun Yang Pertama dahulu sa-banyak enam puluh juta ringgit. Jikalau dahulu kita terpaksa berbelanja wang untuk kemajuan hitong panjang sa-banyak dua belas juta ringgit sa-tahun dalam Ranchangan Lima Tahun Yang Kedua kita terpaksa membelanjakan wang hitong panjang sa-banyak lima puluh dua juta ringgit sa-tahun ia-itu hampir² lima kali ganda daripada yang biasa kita buat, dan dengan sebab itu kita telah mengalami kesusahan tentang hendak menjalankan ranchangan kemajuan ini mengikut chara yang berjalan sekarang.

Sebab yang kedua-nya kita mengambil langkah ini ia-lah kerana kita dapat bahawa chara² membina sa-buah bangunan saperti yang di-jalankan sekarang ini ada-lah sangat tinggi harga-nya dan sa-bagai satu chontoh saya suka-lah menjelaskan, di-dalam ranchangan 5 tahun berkenaan dengan Kementerian Pelajaran ada peruntukan yang banyak, untuk mendirikan rumah² bagi guru² yang duduk di-kawasan luar bandar. Kita menganggarkan bahawa sa-buah rumah saperti yang di-ranchangkan harus berharga sa-banyak lima atau enam ribu ringgit sa-buah, tetapi apabila kita dapat tender di-tempat² yang jauh dengan jalan raya dan sa-bagai-nya, maka harga tender itu telah meningkat bukan-nya lima atau enam ribu ringgit, tetapi sampai 12 ribu ringgit, jadi jikalau kita mengikut chara yang lama maka tiap² dua buah rumah yang kita akan dapat hanya sa-buah sahaja. Bagi mendapatkan nilaiang yang baik daripada wang yang di-keluarkan oleh Kerajaan bagi kemajuan pelajaran, itu-lah yang menyebabkan kita mengambil langkah untuk menjalankan chara membina rumah² dan juga sekolah² dengan chara prefabrication ini. Chara prefabrication ini telah di-jalankan dengan jaya-nya di-New Zealand dan juga di-United Kingdom sendiri sa-hingga harga membuat sekolah² di-sana di-bandingkan dengan harga beberapa tahun yang lepas telah menjadi sa-paroh daripada harga itu. Jadi, kita berkehendakkan banyak sekolah² dan banyak rumah² guru dan chara ini-lah yang boleh menchapai chita² kita itu.

Saya juga hendak menguchapkan terima kaseh kapada Enche' Yeoh Kian Teik yang telah meminta supaya sahabat saya Yang Berhormat Menteri Kewangan di-berikan timbangan yang istimewa kapada Kementerian Pelajaran. Tetapi saya suka-lah memberi akuan saya bahawa dalam pengalaman saya sa-lama saya menjadi Menteri Pelajaran saya dapat timbang rasa dan bantuan yang kuat daripada sahabat saya Yang Berhormat Menteri Kewangan itu (*Tepok*).

The Assistant Minister of Rural Development (Tuan Haji Abdul Khalid): Mr. President, Sir, I wish to reply to the Honourable Dato' Shelly regarding visits to the Congo, and to inform the House that senior military officers have been sent to the Congo at regular intervals to look into the conditions under which our men are serving there. In fact, Sir, the Brigadier of the Army, who is the Head of the Army, has just returned from such a visit. The welfare of our men in the Congo is constantly under close watch. We do not, however, think that visits by other than their own supervisory officers would serve any purpose.

Sir, on the question of sending relatives, penghulus and ketuas of kampongs to the Congo, I am sorry to inform the House that this proposal cannot be considered by the Government, because the United Nations' functions in the Congo are essentially of a military character. If we were to send civilians to the Congo, it would not only embarrass the United Nations' position there, but it will cause unnecessary liability; and as such it will involve the United Nations in transportation, thereby curtailing the transporting of troops for operational purposes. At present, the Government has been helping in the sending of presents on festivals, local newspapers, and personal correspondence which have regularly been sent there. From reports received, our men in the Congo are doing very well there and are very happy, and I do not think, besides the cost it would involve, that it is wise for us to send relatives, penghulus and ketuas of kampongs to the Congo.

With regard to the proposal to have an advisory committee, there is already a machinery established by the United Nations, and it is in close liaison with member States with troops in the Congo. Our mission in the United Nations is in continuous touch with this machinery and our men are being visited from time to time by our military advisers.

Sir, I would like to reply to the Honourable Enche' Yeoh Kian Teik, who seems to be very interested in deer shooting and he has advised the Ministry concerned to look into this question. I can promise him, Sir, that this matter will be looked into.

Kapada Yang Berhormat Nik Hassan saya suka-lah mengatakan bahawa hari ini RIDA sedang menjalankan berbagai² pertolongan kapada contractor² Melayu untuk menjalankan kerja² yang sedang di-keluarkan di-bawah ranchangan Pembangunan Luar Bandar dan juga di-bawah ranchangan kema-juan 5 tahun yang kedua. Di-sini saya suka-lah juga mengambil kesempatan mencheritakan kapada Dewan ini bagaimana RIDA sedang berusaha hendak menolong contractor² Melayu. Saya perchaya contractor² Melayu yang kecil ini tidak menerima nasihat daripada RIDA dan sa-kira-nya mereka menerima nasihat daripada RIDA maka saya perchaya chita² mereka hendak mendapatkan kerja² itu boleh-lah di-hasilkan. Contractor² kecil itu di-nasihatkan menubohkan syndicate atau satu badan contractor yang besar dan kuat dan pehak RIDA sanggup memberi pertolongan kapada syndi-cate itu. Hari ini kita dapati orang² Melayu, ia-itu contractor² kecil, manakala membuat tawaran biasa-nya tawaran itu di-tolakkan dengan alasan tawaran itu murah dengan harus kerja ta' boleh sempurna. Apa-tah lagi jika tawaran itu tinggi. Hari ini RIDA telah tampil kahadapan untuk menolong contractor² kecil daripada orang² Melayu dengan share mereka itu sanggup membuat syndicate dan manakala mereka membuat syndicate segala pertolongan yang mustahak RIDA sanggup berikan.

Dengan pertolongan ini saya per-chaya pejabat² Kerajaan tentu-lah dapat mengeluarkan tender² dengan mudah-nya kapada syndicate contractor² Melayu. Juga kapada contractor² Melayu yang tidak mem-buat syndicate, RIDA memang ada membuat bantuan dengan chara baharu ia-itu kalau-lah sa-kira-nya satu² contractor itu dapat satu tawaran atau

pun menangkap tender dengan satu pejabat Kerajaan dia boleh-lah pergi kapada RIDA meminta pertolongan dan RIDA bersama² dengan pejabat yang berkenaan itu akan membuat satu Tripartite Agreement. Dengan chara ini kena-lah di-bayar kapada RIDA terlebih dahulu sa-hingga segala² hutang yang RIDA bagi kapada contractor² ini di-selesaikan baharu-lah di-bagikan wang kapada contractor itu. Segala pertolongan seperti membeli barang² dan alat² perkakas boleh-lah di-berikan. Saya perchaya, dan Kementerian Pembangunan Luar Bandar juga perchaya, dengan jalan ini kesulitan yang di-hadapi oleh contractor² kecil itu dapat-lah di-atasi.

Yang Berhormat Nik Hassan telah menchadangkan supaya RIDA menge-luarkan modal kapada perusahaan besar saperti mana RIDA telah buat kapada Sharikat Nets. Sekarang ini RIDA telah di-berikan satu tugas yang tertentu ia-itu memajukan perusahaan² di-luar bandar yang di-namakan Rural Industry. RIDA memang, jika ada kemampuan, suka menjalankan usaha² untuk memajukan perusahaan² dalam bandar tetapi memandangkan kapada kepentingan RIDA hendak memajukan perusahaan² di-luar bandar terlebih dahulu maka perkara hendak memajukan perusahaan² dalam bandar itu ta' dapat tidak di-tanggohkan. Bukan-lah tidak mahu buat, hanya di-tanggohkan sahaja. Dan apabila RIDA masukkan modal dan sa-terusnya memajukan perusahaan itu dan manakala perusahaan itu telah maju dan berjaya perusahaan itu akan di-berikan dengan jalan beransor² kapada sharikat bekerjasama. Jadi, dengan jalan ini-lah RIDA dan juga Kementerian Pembangunan Luar Bandar perchaya, kita dapat menolong orang² kampong yang memang ingin hidup bahagia dalam negara yang merdeka ini dan dapat menerima nikmat² dengan chara ini.

Kapada Yang Berhormat Enche' Amaluddin, saya suka menyatakan perkara hendak mengadakan bank ra'ayat itu sedang di-kajikan oleh Kementerian saya.

Kapada Yang Berhormat Enche' Amaluddin juga berkenaan dengan kewajipan Duta kita Dato' Nik Ahmad Kamil di-United Nations dan di-Washington, pehak Kerajaan Persekutuan sangat-lah puas hati dengan kerja²-nya. Kerajaan tidak khuatir di-atas kewajipan yang telah di-jalankan oleh beliau itu, sebab segala apa yang di-buat oleh beliau ada-lah polisi² yang di-tetapkan oleh Kerajaan di-Kuala Lumpur ini. Perkara samacham ini biasa di-buat oleh banyak Kerajaan² negeri dalam dunia ini. Saya rasa sangat tidak patut-lah Yang Berhormat hendak berasa ragu² terhadap beliau. Kerajaan Persekutuan sendiri sangat puas hati kapada segala perkhidmatan dan perkerjaan² yang telah di-buat oleh Dato' Nik Ahmad Kamil, sekian.

Tok Pangku Pandak Hamid bin Puteh: Tuan Yang di-Pertua, saya berasa gumbira dapat berpeluang berchakap di-atas belanjawan bagi tahun 1962 ini. Saya menguchapkan ribuan terima kaseh kapada Yang Berhormat Menteri yang berkenaan untuk orang² Asli yang sangat sedeh dan di-anggap bangsa Asli yang dayus supaya berdiri sama tinggi dengan bangsa² asing. Oleh sebab fasal apa yang saya katakan bagitu di-sini sebab saya nampak semua perbelanjaan ada-lah bertambah bagi orang² Asli. Jadi, dengan sebab itu tidak apa yang hendak saya uchapkan melainkan saya uchapkan terima kaseh kapada Menteri yang berkenaan dan juga kapada Kerajaan Persekutuan.

Yang kedua, saya hendak menjawab kapada sahabat saya Enche' Amaluddin yang kata-nya berkenaan Batu 12 jalan Pahang sana ada lagi pegawai orang puteh untuk menjaga orang² Asli di-sana. Kata dia, dia tidak boleh masuk di-sana kerana tempat itu di-tutup dan di-pagar serta di-buboh papan yang mengatakan siapa² tidak boleh masuk tetapi apabila awal dia berchakap tadi saya tidak perasaan. Apabila ka-sudahan-nya baharu saya perasaan bahawa saya pun takut macham doctor itu juga sebab di-sana ada doctor untuk menjaga keselamat-

an orang² Asli. Fasal apa di-tutup tempat itu takut barangkali pengganas boleh menyuchok jarum kapada orang² Asli dan boleh jadi orang tidak mahu datang berubat di-situ. Jadi, apabila Enche' Amaluddin berchakap tadi saya pun sudah takut dengan (*Ketawa*). Fasal apa, biasa-nya dia dia berchakap sadikit sahaja tentang kaum Asli dan bila dia balek ka-Kelantan nanti dan pergi ka-Kuala Kera dan Bertam atau pergi ka-mana² dia akan kata "aku telah balas Kerajaan Persekutuan ini atau Kerajaan Perikatan terhadap orang² Asli kerana tidak di-bela maka aku-lah yang bela-nya (*Ketawa*), itu yang saya takut. Saya harap daripada Enche' Amaluddin jangan panjang berchakap lagi menggunakan jarum-nya kapada orang Asli saya (*Tepok*).

Enche' Tan Siew Sin: Mr. President, Sir, I am naturally gratified at the general expression of support for the Budget which has come from all sides of the House. My Honourable friend Enche' Yeoh Kian Teik has suggested that more money should be allocated for three Ministries in particular, Education, Interior and Agriculture and Co-operatives. I can assure him that the Ministries concerned do not require any encouragement to ask for more money (*Laughter*). Anyway, my Honourable friend and colleague, the Minister of the Interior and Internal Security, has also assured the House that in spite of everything we are still friends. So, I hope the House can rest assured that everything is in order.

My Honourable friend Enche' Nik Hassan has urged the Government to extend a certain measure of tariff protection for the *batek* industry. Of course, there is an import duty on *batek* and, I believe, it is 25 per cent, or ten cents per square yard, at the full rate and 15 per cent, or six cents per square yard, at the preferential rate. If he feels that this industry requires additional protection it is always open to him or the industry to apply, in the first instance, to the

Tariff Advisory Committee, and if the manufacturers want some help as to how to go about it, they can seek the assistance of the Ministry of Commerce and Industry.

He also alleges that there is a certain amount of smuggling. The Customs have reported a few cases of smuggling which have been compounded, but if he thinks that there is more about which they should know, I have no doubt that the Customs will be extremely interested to hear what he has to tell them.

My Honourable friend Enche' T. H. Tan has suggested that we should expand the Royal Malayan Air Force—in particular, we should build up what he calls a combatant air force. I should remind the House that defence is an expensive business. I do not know how much it would cost to acquire the planes and weapons he suggested, but as a matter of interest I might tell the House that it requires about \$2,000,000 to maintain a frigate and \$6,000,000 per annum to maintain an infantry battalion. So, if we really want to expand our Defence Services—and I must admit that it is a very exhilarating thought—we will have to consider the minor matter of money.

My Honourable friend, Enche' Amaluddin urges the Government to diversify the country's economy. That is already the accepted policy of the Government, but as I have mentioned on many occasions in the past, both inside and outside this House, it is a matter which cannot be done overnight. Any way, the Government is constantly keeping this matter in view, and it will do all it can to accelerate this policy.

A number of other Honourable Members have made suggestions and given Government advice on matters which are really not within my jurisdiction but which concern other Ministries, and I have no doubt that those Ministries will note the points which have been made (*Applause*).

Question put, and agreed to.

Bill accordingly read a second time.

Third Reading

Tun Leong Yew Koh: Mr. President, Sir, in accordance with Standing Order 53 (2), I beg to move that the Bill be now read a third time and passed.

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

Question put, and agreed to.

Bill accordingly read a third time and passed.

THE SUPPLEMENTARY SUPPLY (1961) BILL

Second Reading

The Minister of Justice (Tun Leong Yew Koh): Mr. President, Sir, I beg to move that a Bill intituled "An Act to apply a sum out of the Consolidated Fund for additional expenditure for the service of the year 1961, to appropriate such sum for certain purposes and to provide for the replacement of amounts advanced from the Contingencies Fund" be read a second time.

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

The Minister of Finance (Enche' Tan Siew Sin): Mr. President, Sir, The Second Supplementary Estimates of Expenditure for 1961 have been laid on the table as Command Paper No. 50 of 1961. They provide for a total sum of \$13,634,800 of which \$1,396,152 consists of expenditure charged on the Consolidated Fund. Legislative approval is only necessary in respect of the sum of \$12,238,648 as shown in the Supplementary Supply Bill. The amounts required under the various Heads have either been advanced from the Contingencies Fund or provided by transfers from other Sub-heads within the same Head of Expenditure signified by only a

token request of \$10 so that Parliament may be made aware of the new expenditure.

The purposes for which the additional amount is required are set out in Treasury Memorandum tabled as Command Paper No. 51 of 1961, and I do not think I need explain them further except to touch on two of the bigger items.

Head 17: Federation Armed Forces—\$2,490,554/-. The amount was required to meet the costs of sending our troops and equipment to the Congo for the period July, 1961 to 31st December, 1961. The United Nations have agreed that the cost of sending our troops and their equipment would be reimbursed in due course and a detailed claim has recently been forwarded by the Government to New York.

Head 23: Contributions to Statutory Funds—\$7 million. This amount was required in order that the working capital of the Supplies Department Trading Account may be increased from \$40 million to \$47 million. As Honourable Members are no doubt aware, this account is used for the operation of a scheme which involves the purchase of all locally grown padi offered to Government at the guaranteed price of \$15 per picul for good dry padi delivered at mill door. The recent large increase in the domestic crop coupled with the deflation in world prices of rice has made it necessary for the Government to hold a larger stock of rice than before thereby necessitating an increase in the working capital of the Account.

Question put, and agreed to.

Bill accordingly read a second time.

Third Reading

Tun Leong Yew Koh: Mr. President, Sir, I beg to move that the Bill now be read a third time and passed.

Engku Muhssein: Sir, I beg to second the motion.

Question put, and agreed to.

Bill accordingly read the third time and passed.

THE LIFE ASSURANCE COMPANIES (COMPULSORY LIQUIDATION) BILL

Second Reading

Tun Leong Yew Koh: Mr. President, Sir, I beg to move that a Bill intituled "an Act to provide for the compulsory winding-up of certain companies carrying on life assurance business" be read a second time.

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

Enche' Tan Siew Sin: This Bill is designed to provide a speedy procedure for the liquidation of what have come to be known as mushroom life assurance companies. Honourable Members will no doubt be aware of the general background, but I think it would be helpful to the House to summarise the facts concerning these companies. Their common feature is that, fraudulently or through ignorance, they have carried on the business of issuing large numbers of policies at premiums which attract simple people because the amounts involved are very small. In fact they are so small that questions about the solvency of the companies concerned must inevitably arise. Even if the assets of the companies are not diverted—and I am sorry to say that in many cases we suspect they have been—the policy owners as a body must lose in the end.

Insolvency in a life assurance company differs from that in an ordinary commercial institution. A life company may be able to pay all its present debts, and also its future debts for quite some time. The question is whether it is capable of paying all of its future debts. If it is not, claims arising for a period will be paid in

full and then there will be nothing left with which to pay claims. This is clearly inequitable as between persons whose claims are made early and those whose claims are made late. Further, it is not sufficient in itself, after a company has been charging inadequate premiums, for future premiums to be adequate. This simply benefits existing policy owners at the expense of future policy owners. Apart from the lack of equity in this, particularly in the present circumstances in the Federation, such a company cannot be expected to acquire any reasonable number of new policy owners and so progress towards solvency.

There are 24 companies of this kind which have made the deposit of \$200,000 with the Account-General as required by law. Of these 24, two commenced business in the last quarter of 1960, six in the first quarter of 1961 and six in the second quarter of 1961. Thus the peak period was the first half of 1961, but legislation came promptly before this House in April and October of last year.

Until such time as comprehensive legislation is enacted, there is no law which requires that premium rates charged by companies shall be submitted to any governmental authority. Nevertheless, it came to the knowledge of the Government that the companies concerned were charging a flat rate of premium for all ages at entry. Whether or not this implied insolvency depended on the spread of the ages of the lives assured at the dates of the issue of policies. This information was not available, and there was no way of securing it. The Bill which was passed by this House in April 1961, therefore, sought to safeguard policy owners' interests by insisting that new companies should have a capital, paid up in cash, of at least \$1,000,000.

As more information about these companies became available, there grew a stronger presumption that a preponderance of old lives were being assured. Subject to the adoption of

sound insurance principles, the premium rates charged by the companies are adequate at about age 60, but it was not known what was the average age at entry. The Government, therefore, brought a Bill before this House in October last which required companies to secure an actuary's certificate as to the adequacy of their premiums. In point of fact, not one of these companies was able to produce such a certificate as to the premiums they had been charging. This points clearly to the insolvency of the companies except to the extent that shareholders' capital might make good the deficiency. The present Bill, therefore, provides for the compulsory winding-up of such companies, with a degree of discretion to which I shall refer again later.

Apart from the companies which had made deposits, there are a somewhat greater number who have carried on life assurance business without doing so. Most of them were incorporated in the second half of 1961. The proposed legislation, now before us, applies also to these companies. However, it is too much to hope that any substantial refunds can be expected, in view of the fact that there are no deposits which can be made available for this purpose.

As the House is no doubt aware, the law already provides that no life assurance company can be registered in the Companies Register until the proper deposit has been duly made. At first sight, then, it seems surprising that any of the companies I am now talking about could have managed to get registered. Needless to say, I have had the question of how this came about thoroughly investigated. In order to understand what happened, one must remember that registration takes place before the company commences business. All that the Registrar of Companies can go on, therefore, is the name of the company and its objects as set out in its Memorandum of Association. The House may not be surprised to know that none of these companies had names which suggested

that they were going into the life assurance business. What is more remarkable, and this has been verified, is that, with hardly an exception, the objects of these companies were so described as to conceal, rather than show, that they had power to undertake life assurance. But the story goes even further than that. There are at least two of these companies which in fact had no power to carry on insurance business at all. Such was their effrontery, that presumably because they had discovered that if they took this power they would have to pay a deposit, the power which was originally printed in the Memorandum was struck out in ink.

I might explain here that this was the reason for the amendment which I moved in Committee in the Dewan Ra'ayat. I am advised that under the general law a contract entered into by a company which is outside its powers is a nullity. Thus, when it came to the winding-up, the liquidator would be compelled to ignore all the policies issued by the two companies I have been talking about—and one of them at least issued a substantial number. The effect of the amendment is that so long as the policies were issued, it would be deemed to have been within the powers of the companies and therefore valid.

I now turn to the provisions of the Bill itself. The Government feels, and I am confident that the House will agree, that nothing can be done with most of these companies except to wind them up and salvage what little we can from the wreck. The existing law contains provision for winding up life assurance companies, but it is slow and cumbersome. What we want is to see that the liquidation takes place quickly, on as fair terms as possible, and at a cost which will not exhaust what assets there are. Hence our present proposals.

Clause 2 of the Bill enables us to select the companies to be wound up. Any company incorporated in the Federation, which was in business in

October, 1961, can be required to furnish the premium rates the company was then charging. If within a week it does not do so, it will be wound up. If it returns rates which are not properly graduated according to age, again it can be wound up unless it shows that its rates are no weaker than the minimum rates which will be prescribed under the Bill.

The Bill gives a discretion to the competent authority who will be administering it—i.e. the officer whom I shall appoint as my agent for the purposes of the Bill. In some cases, the shareholders may be prepared to transfer to the reserves held for the benefit of policy-owners, sufficient extra funds to make the company solvent. In such circumstances the competent authority might justifiably permit the company to carry on. There is no reason why a policy owner should be denied the benefit of a policy acquired at less than cost, if we can be reasonably certain that the company is or can be made solvent. Nevertheless, I must say that there is little hope that many or even any companies are or could be made solvent.

It was considered whether, in winding up these companies, it would have been better to establish a separate organisation or leave it to the existing machinery of the Courts. The Bill comes down in favour of the second alternative. The great advantage of existing machinery is that it is there and there are people experienced in its use. We could not help feeling that if we had had to improvise new machinery, we would not be able to proceed as quickly as we hope to. We may tend to be impatient of the law's delays, and laymen in the House may think the impatience justified, but I am given to understand that in fact these windings-up will be able to proceed expeditiously.

If the Bill is to produce the results which we hope, it is essential that there should be sufficient competent liquidators. From the enquiries made, it appears that this will be so. Sub-

clause (5) of Clause 2 of the Bill will enable the competent authority to recommend liquidators or provisional liquidators for appointment by the Court.

Now I turn to the claims which policy-owners will be able to make in the winding up. There are two cases to consider. The first is where premiums have been paid and the person assured is still alive. Here, we propose that so long as the policy is not one which had lapsed before 16th October, 1961, the person who paid the premiums will be able to claim them back. I say "claim them back" because it is only fair to emphasise again that in many cases there will not be sufficient assets to meet the claims in full. We chose 16th October, 1961, because that is the date on which the Bill for the Life Assurance Act, 1961, was read the first time. We think it is fair to ignore the fact that some policies will have lapsed since that date, because the effect of that Bill was to create some uneasiness among the people concerned. Indeed some companies simply went out of business and it became impossible for the policy-owner to pay his premium. What I have said about claiming the return of premiums applies equally whether or not the policy-owner has availed himself of his right under Section 6 of the 1961 Act to cancel his policy.

The second case we have to consider is where, before the winding-up order, the person assured has died, so that the policy monies have become payable. In this case, the policy-owner if he has not had his cheque before the winding-up order is made, will claim for the policy monies in the winding up. The proviso to Clause 3 (4) of the Bill assures that he cannot get both the policy monies and the return of his premiums.

I have already spoken about the possibility of a few of these companies being put back on to a sound footing, so I need not say any more about Clause 4 of the Bill. As for Clause 5, it is practically certain that most of

these companies have not kept proper records. If we are not going to risk intolerable delays in the liquidation we must have a provision giving the liquidator a discretion to act on what evidence he thinks reasonable, without insisting on strict proof. If by any chance he pays the wrong person, the person who ought to have got the payment is empowered by the clause to make a claim against the actual payee.

As I have said earlier, the Government is anxious that the cost of these liquidations should not be so much as to exhaust the assets of those companies which would otherwise have assets to distribute. Moreover, even if there are sufficient assets to defray the cost of winding up, some time will elapse before they can be collected. Clause 6 deals with both these points, by authorising the Government to make contributions towards the costs, and also to make advances pending the realisation of assets.

So much for the actual provisions of the Bill. I think, however, that I should also remind the House of some of the provisions of the Companies Ordinance, 1940, which will be available as a result of the winding-up order under the Bill. Firstly, the effect of a winding-up order will be to freeze all the assets of the company. Then, the Ordinance, as one might expect, contains wide powers for investigating the past record of a company which is being compulsorily wound up. In particular, the liquidator will be in a position to trace the assets of a company which have been improperly transferred. Both present and past directors, and indeed the promoters, can be called on to give the Court information about the promotion, dealings and property of the company, and if need be, can be publicly examined. I might mention that a person examined under these provisions will be on oath and cannot refuse to answer questions. If his answers disclose criminal evidence, he can be proceeded against either by the liquidator or the Public Prosecutor

under the ordinary law. Another useful provision in the Ordinance of 1940 is the one which enables the Court, where the business has been carried on for a fraudulent purpose, to declare the directors of the company, whether past or present to be personally responsible for the company's debts and liabilities.

Policy-owners are no doubt seeking advice as to whether they should continue the payment of premiums. As should be clear from what I have already said, the chances of the claimant for the return of premiums getting a hundred cents in the dollar are not good. The policy-owner who goes on paying premiums therefore risks throwing good money after bad. As against this, the policy-owner may say that if he stops paying premiums now his policy will lapse and he will therefore lose his chance of getting paid if the death occurs before the winding-up order. No doubt this is true; but as for myself, I do not wish to say anything to encourage that sort of speculation.

Policy-owners need take no action for the time being both as regards refunds of premiums and death claims which have not been paid. They need not write to the companies or to anybody else. Equally, they will gain nothing by sending in notices of cancellation under Section 6 of the 1961 Act. Liquidators will be appointed as soon as possible and they, by advertising, will ask those who have paid premiums to submit their claims to them. Those people who have written to the companies claiming refunds or death benefits will need to write again later to the liquidators. The liquidators themselves and consequently the payments to those who have paid premiums may take some time because of the need to realise assets and, if necessary, effect recoveries from office-holders of the companies.

The situation which we have experienced has been entirely without precedent. It would have needed the gift of prophecy to have prevented it.

Legislation to control it was enacted as quickly as the facts became known and the legislative time became available. The pity of the position is that the faith of so many people in life assurance has been shaken for it is an institution of such considerable social and economic importance. (Applause).

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 8 ordered to stand part of the Bill.

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

Sitting suspended at 4.20 p.m.

Sitting resumed at 4.45 p.m.

(Mr. President *in the Chair*)

THE CONSTITUTION (AMENDMENT) BILL

Second Reading

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

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

The Minister without Portfolio (Dato' Suleiman bin Dato Haji Abdul Rahman): Mr. President, Sir, this Bill has been introduced and taken through all stages in the Dewan Ra'ayat by the Honourable the Deputy Prime Minister, Tun Haji Abdul Razak bin Dato' Hussain, and passed with

amendments during the night session of Wednesday last. I believe, Sir, that you and all Honourable Members of this House have been supplied with and are acquainted with all the amendments which have been accepted and passed by the Dewan Ra'ayat.

Sir, the Bill before the House this afternoon is that which has been passed with amendments by the Dewan Ra'ayat. I shall not, therefore, move any amendment to the Bill in the Committee Stage later. The Bill in the course of its passage in the Dewan Ra'ayat has been exhaustively scrutinised, analysed and debated, with the *pros* and *cons* and merits and demerits thoroughly considered. The debate was published in detail in the Press. I have no doubt that Honourable Members of this House are by now well acquainted, I take it, with the contents of the Bill.

Sir, I would like to give now a short background of the circumstances obtaining in this country before and after World War II which led to the independence of this country, to the acceptance of the Reid Commission and the present Constitution, and the later events which caused the Government to introduce amendments to the Constitution, which said amendments are before this House now.

Sir, before World War II, there were five Unfederated Malay States, four Federated Malay States and the two British Colonies of Malacca and Penang, which now form the constituent States of the present independent Federation of Malaya. In regard to the five Unfederated Malay States, those States had a great measure of internal self-government—far more so than what is obtaining in Singapore at present—according to the constitutional pamphlet by Sir Roland Braddell, that famous and well-known legal luminary, who has retired now, and who for some years before World War II, as you, Sir, know, was a Member of the Johore State Executive Council. I have got a copy of the pamphlet referred to in Johore Bahru, but I

cannot get hold of it at the moment and, therefore, cannot quote from it. However, I am sure that the Honourable Dato' Thuraisingham, an eminent member of the legal profession and an elder statesman of the country knows the contents of that pamphlet well. Sir, there was a greater measure of internal self-government than that even obtaining in Egypt at that time: in fact, those five Unfederated Malay Malay States and the four Federated Malay States were Protected States under the protection of Great Britain which had control only in matters of external affairs and defence. The State of Johore, for example, had its own constitution which dated back to 1895, and this Constitution contained a proviso as to who could be subjects of the Ruler or the Sultan of Johore which meant, in effect, the nationals of the State of Johore: they were Malays of the Muhammadan religion born in the State of Johore and others who were born in that State, who had taken the Oath of Loyalty to the Sultan or Ruler. And in regard to the Malay States that I know of which had its own Constitution, the State of Trengganu was one. In short, Sir, all the Malay States had their own provisions for nationality and other provisos in respect of matters appertaining to the relationship between the Rulers and their people. Most of the provisions were very rigid and exclusively for the Malays.

As time passes on and means of communications with the outside world became easier, people in Malaya began looking askance at the forms of government and the progress made in other countries. Intermittent lone voices came from the sons of the soil, who sounded the clarion call for a united nation of Malaya and a more liberal form of Government, in certain State Assemblies—as for instance, the outspoken speeches, in the State of Malacca, of the late Tun Cheng-Lock Tan in the Malacca Settlement Council. Then came World War II with its terrors to this country and its blessings in disguise too, for it opened the eyes of every race in this country as to its

future and its people. To cut short, Sir—in fact very short—the history, Malay patriotism and loyalty to the country was set afire and they wanted independence for the country. At the same time, the Malays and their leaders realised the circumstances obtaining in the country at that time and that there were other people besides them who had their roots in this country and who wanted to make this country their home and give it their undivided loyalty.

Sir, one of these early community leaders, who took the first step towards getting the various communities in this country together is the Honourable Dato' E. E. C. Thuraisingham, a founder member of the Communities Liaison Committee, who, I believe, will be supporting this Bill. However, owing to the unique position of Malaya with its open coast-line forming the hinterland to what was then called the key port of the East, that is Singapore, the unique position regarding the balance of the multi-racial population of the country, and the fact that the system of education, which was sadly lacking in promoting patriotism and undivided loyalty to this country, the leaders of the Malays fully realised that, if this country were to keep its peace and prosperity, a way must be found to have a “get-together” among those people who wanted to make this country as their home and give it their undivided loyalty (*Applause*). This was a gigantic task. It must be remembered that until the attainment of independence, there had not been much inter-mingling socially among the members of the various races which could be a basis of understanding with one another among the masses of the multi-racial population of this country. Distrust and suspicion of one another, due to lack of understanding, had been the cause of attribution of ulterior motives to whoever and whatever was proposed for the good of the country as a whole—even when a proposal was made with the best intention in the world and with utmost sincerity by public leaders of high integrity.

Mr. President, Sir, even with all these seemingly unsurmountable obstacles and with all this deep distrust and great suspicion, leaders of the Malays as represented by UMNO, leaders of the Chinese as represented by the MCA, and leaders of the Indians as represented by the MIC, have managed to form an alliance based on understanding, trust and confidence. The leaders of the three major races have come to understand one another's difficulties, fears, hopes and aspirations. These leaders are people who are prepared to dedicate their lives to get the people together, who want to make this country their home and give it their undivided loyalty and to form a united Malayan Nation; with the object of keeping this country a peaceful and prosperous one. They have gone a long way towards achieving this objective—so much so, that the Federation of Malaya is highly regarded amongst the nations of the world, and whose voice is now heard with respect. It is about the most stable country in South East Asia, if not in Asia.

Sir, after the formation of the Alliance, and the British Government had agreed to give independence to Malaya, an independent Commission was set up to produce the Malayan constitutional documents. The result of the Commission is the present Constitution of the Federation of Malaya. As with highly trained jurists, there could not always be an unanimous report, so it was the case of the Report of the Reid Commission. Mr. Justice Abdul Hamid produced a minority report on certain provisions with which he found himself not in agreement with. It must also be remembered that the Alliance Party, which was by far the greatest Party at that time, submitted a memorandum and all of the recommendations contained in that memorandum were adopted by the Reid Commission.

Sir, the Reid Commission on the one hand has admitted that there will have to be amendments to the Constitution—after it has come into operation and its provisions have been

applied to daily practice—by providing an Article—Article 159—under which the said Constitution may be amended. On the other hand, the Alliance Party knew, when accepting the Constitution, that after it had come into force and the provisions had been allowed to work, if and when it is found wanting, due to circumstances changing in this country from time to time, it would after careful consideration, deliberation and sincere intention amend the Constitution for the benefit and good of the patriotic and loyal people of this country (*Applause*). The Alliance Party promised no more and no less in its Election Manifesto—that it would maintain the Constitution with, of course, the commonsense implication that should it be necessary to amend the Constitution for the benefit and well-being of the patriotic and loyal-minded citizens of the Federation of Malaya, the Alliance will do it without fear or favour.

Sir, I would like now to quote the words of our Prime Minister, Tunku Abdul Rahman, when he referred to the Constitution:—

"On the whole everybody accepts the Constitution as a workable document which will provide the basis for a united Malayan nation. Only time can tell how effective and good the Constitution is."

Now, through the passage of time, we have found that it is necessary to make certain amendments. The provisos in the Constitution of the Federation of Malaya on the whole were mostly fair and just at the time when it was enforced. Since then a certain time has lapsed for certain provisions of a temporary nature, made available to cope with the unusual circumstances existing in the country then, to be repealed and some to be amended, in the light of experience obtained in the last four years.

So, let us look into some of the provisos relating to citizenship. Sir, from July to December 1960 an amnesty period had been declared by the Government to allow over 12,000

people to take advantage of the Government's offer to surrender their citizenship certificates without any prosecution and penalty, as these people had obtained citizenship by means of false representations. Before that period, about 1,400 people had already been deprived of their citizenship obtained through false representations too. Further, Sir, from my experience for more than three years as Minister of the Interior, and in my work in dealing with the deprivation of citizenship, I have found that because of the laxity, generosity and the easy means of obtaining citizenship in this country, the value of the citizenship of the Federation of Malaya has not been appreciated by some. For instance, there have been cases of Indians and Ceylonese, who had already obtained Federal citizenship, renouncing it afterwards when they go back to India or Ceylon and becoming citizens of the two countries. Later, however, somehow or other, the same people managed to come back to this country and they sought to regain their Federal citizenship stating their desire to renounce their Indian or Ceylonese citizenship that they had obtained in the meantime. I have also spoken to quite a number of impending Indian and Ceylonese pensioners, who had already obtained Federal citizenship. They said that when the time comes, they would like to go back to their country of origin but would however like, if possible, to bring to this country their children who are at present in India or Ceylon and who, according to them, wish to become Federal citizens in Malaya. I have also come across cases where people, including professional men, told me that they wanted to obtain Federal citizenship and Federation passports to enable them to go back to India or Ceylon to get married there, and that they hoped to bring their wives to this country but leaving their dowry, however, in the country of their wives (*Laughter*). Again, it has become fashionable now to go and get a bride from Hongkong and bring her back to this country. There are also many cases

where Malay women, citizens of the Federation of Malaya, who were married to Indian Malabarlis and left stranded with their children in this country when their husbands returned to India either to their first wives, or to get married again and settle down there. It can be seen, therefore, that these amendments are not aimed against any one section or community of the people in this country. They are amendments to safeguard the rights of loyal and patriotic citizens. It is time now to take steps to cover the loopholes and stop the abuses of the provision relating to citizenship.

Mr. President, Sir, it is fortunate for the patriotic Malayan citizens of this country that the Alliance has a two-thirds majority in the Dewan Ra'ayat to enable it, constitutionally and legally, to amend the Constitution to protect the rights of the citizens in this country. The amendments had been considered long before I left this country to take up my post in Australia at the end of April last year, but due to the tremendous development programme undertaken by the Government and the shortage of legal draftsmen, who are a rare specimen to obtain these days, it has taken a rather somewhat lengthy time to prepare the draft Amendment Bill. But I can assure this House that it is after careful and weighty deliberations, and practical experience in the working of the Constitution, that we have found it most necessary and urgent—before the position becomes worse—to bring forward this Amendment Bill.

Sir, since the Bill, as I have said earlier, has been passed by the Dewan Ra'ayat at about 2 a.m. on Wednesday, there has not been time to circulate the amendments passed to Honourable Members of this House. Though I have mentioned that the Press have published them in detail, for the record of this House, it is my bounden duty, even if it were to weary the Members present, to repeat the amendments introduced in the Dewan Ra'ayat clause by clause.

Now, the first amendment of importance relates to Clause 1 (b) of Article 14 of the Constitution. This Clause provides that every person born within the Federation on or after Merdeka Day is a citizen by operation of law. This basic principle, Sir, will remain untouched but the Government only proposes to have one minor modification to which I will refer in a moment. Sir, in the true interest of our country, it is the bounden duty of all of us, Members of this House in particular, of all Parties, to see that those who become citizens of our country in the future will be truly identified with this country and be prepared with all good faith and sincerity to play their part in the future development of this country. It is our duty to see that those who are given the inalienable rights in our Constitution are people who will uphold and cherish our heritage and defend our country and all that it stands for with their lives. As I have just stated, paragraph (b) of Clause 1 of Article 14 provides that a child born within the Federation on or after August 31, 1957, is a citizen by operation of law. There are at present two exceptions to this, i.e. a child of a foreign diplomat born in this country or a child of an enemy alien born in any place under enemy occupation.

Clause 2 of the Bill seeks to add a third category by providing that a person will not acquire citizenship by operation of law by reason of birth in the Federation, if at the time of birth neither of his parents was a citizen or a permanent resident in this country. This amendment will not apply to persons born in the Federation before the amendment comes into force. It will not prejudice rights already acquired, nor will it operate so as to render the child stateless. Sir, it is only fair, in my view, that children of persons who have no right to be in this country and who have no attachment to the country should not have the right to become citizens by operation of law. Under this amendment, any person on production of proof will be able to obtain a certificate

from Government to show that he is permanently resident, even if he is not in possession of any document issued under Federal Law to show that he had permission to reside permanently in the Federation. This provision will apply largely to people from Singapore who, at the moment, are allowed free access to the Federation without being required to obtain a permit. I would like to add that the possession of a red identity card will be accepted as evidence of permanent residence. It is not the intention of Government, as can clearly be seen from past action, to administer the law so as to cause difficulties to people who are genuinely resident in this country permanently. The intention of Government, as I have stated, is to stop those who have no attachment to the country from acquiring citizenship by operation of law. I would also add that the amended Clause (2) (c) of the Bill makes it clear that this provision will apply in respect of either parent. Consequently, a child born within the Federation on or after the coming into force of the Bill will be a citizen by operation of law under Article 14 (1) (b) if either of his parents was, at the time of his birth, a citizen of the Federation or a permanent resident therein.

Clause 2 (3) of the Bill makes minor amendments relating to Article 14 (1) (d) of the Constitution. As there are no Malayan Consulates in Singapore, Sarawak, Brunei and North Borneo, provision is made for the registration of births in these territories to be made with the Federal Government. This amendment merely rectifies an omission in the existing Constitution.

Clause 3 of the Bill relates to Article 15 of the Constitution which refers to the acquisition of citizenship by registration by the wives and children of citizens. A woman married to a citizen is entitled under the existing Article 15 (1) to be registered as a citizen, but the amendment will restrict this right to cases where the lady has lived continuously in the Federation for not less than two years, and

intends to reside here permanently and is of good character.

These amendments are fair and fully justified, but I can assure this House that there will be no difficulties in cases of genuine marriages, that is to say, for a Federal Citizen, who genuinely wants to get married outside and brings his wife to settle here permanently. There are special provisions in the Second Schedule to the Constitution as amended by Clause 27 (2) of the present Bill regarding the calculation of periods of residence and cases will be dealt with sympathetically under these provisions. It will also be possible, in genuine cases, for a wife to obtain permit to live permanently in this country. The new Article 15 (2) will give discretionary power to register any minor child of a citizen as a citizen on application by his parent or guardian.

Clause 3 of the Bill has been amended to make clear that existing provisions of Article 15 (1) will continue to apply to any woman who married a citizen prior to the coming into operation of Clause 3 and that existing Article 15 (2) will continue to apply in respect of minor children of a person who was a citizen prior to the coming into operation of Clause 3. These amendments will make it clear that the amendments to Article 15 of the Constitution will only apply to cases taking place after the coming into force of the amendments.

Clause 4 proposes to introduce a new Article 15A which gives the Government discretionary power to register any minor as a citizen if there are special circumstances.

Clause 5 repeals Article 17 of the Constitution which relates to citizenship by registration of persons resident in this country since before Merdeka Day. Now, Sir, more than four years have now elapsed since Merdeka and it is thought that ample opportunity has been afforded to persons wishing to take advantage of this Article and Article 15 (2) to register themselves

or their children as citizens. It was made clear at the time of promulgating the present Constitution that Article 17 was intended to be temporary and it is not considered reasonable that facilities such as these, which are not found in Constitutions of other countries, should be made available indefinitely. It was intended to be temporary to enable persons who were permanently resident in this country at the time of Merdeka to obtain citizenship if they so wished. It is considered that the period of four years is more than ample for these people to apply for citizenship if they had wanted to do so. For the future, it is considered appropriate that citizenship based upon residence only should be obtained by naturalisation on the ground that those seeking this status had made their home in this country. Article 17 provides for a person to claim citizenship based on residence qualification and not birth. It has been alleged in some quarters that by deleting this Article the Alliance Government has broken its pledge to the people. This, Sir, is certainly not true. In its memorandum to the Reid Commission, as I have stated just now, the Alliance Party made clear the distinction between citizenship claims founded on birth and those founded on residence alone. As regards birth, Article 16 makes it clear that a person born in the Federation before Merdeka Day has a right to obtain citizenship if he has the required residential qualifications. But the Alliance Party also recommended that those 'aliens' who had not been born in this country but resided here before and after the date of Independence should also be eligible to become citizens. Therefore, it is clear, that persons not born in the country should only be eligible to become citizens by naturalisation and that granting of citizenship should be at the discretion of the Government. Article 19 provides for citizenship by naturalisation which is akin to the provision of Article 17. Therefore, Sir, no right has been taken away but only provisions which were intended to be temporary to provide facilities for a certain group of people to obtain

citizenship after Merdeka. Parallel provision still exists in Article 19 and therefore, the right of persons resident but not born in this country to obtain citizenship is still available.

Honourable Members will observe that the repeal of Article 17 is expressed to be without prejudice to any application for registration made before the coming into operation of this repeal. The reason for this saving is, of course, that as between applicants who have the requisite qualifications for registration when the repeal comes into operation, it would be unfair to discriminate on the ground that one application may have been dealt with and another not. The two cases will have equal merit and it is due only to administrative difficulties that they will not be able to be dealt with simultaneously. I would also wish to add, Sir, that after discussion with Members of the Alliance in this House and at the request of the Malayan Chinese Association and the Malayan Indian Congress it has been decided to give a short period of grace before this Clause is put into effect to enable those who are eligible and who genuinely want to become citizens, but have not had opportunity to do so, to apply to register as citizens under the present Article 17.

Under Section 1 (c) of the Schedule to the Bill, Clause (4) of Article 18 has been repealed. It is clearly not conducive to public good that a person who has acted in a manner prejudicial to the security of the country should be registered as a citizen and it is to this end that the presumption of good character contained in the existing Article 18 (4) is to be deleted. A person who has not been convicted of any criminal offence may nevertheless be a person of bad character and it is clearly undesirable that such persons should be registered as citizens.

Sir, I mentioned just now that persons who apply for citizenship by naturalization under Article 19 must have made this country their home. Clause 6 of the Bill therefore seeks to

amend that Article by requiring an applicant to have resided in the Federation for the year immediately preceding the application.

Clause 7 of the Bill repeals Article 20 which provides special conditions for the naturalization of members of the Armed Forces. In view of the fact that citizenship is a requirement on enlistment into the Armed Forces, this Article is no longer necessary and it is accordingly decided that it should be repealed.

Article 23 of the Constitution relates to renunciation of citizenship and Clause 8 of the Bill makes a minor amendment to this Article. As the Constitution stands, a citizen cannot renounce his citizenship unless he is actually a citizen of another country. Certain foreign citizenship laws, however, debar an individual from becoming a citizen until any previous citizenship has been renounced, and this amendment is designed to facilitate that process.

Article 24 of the Constitution deals with deprivation of citizenship by reason of the acquisition of foreign citizenship or the exercise of foreign citizenship rights. Clause 9 makes certain amendments to that article. Under Article 24 (2) a person may be deprived of his citizenship if the Federal Government is satisfied that he has at any time after Merdeka Day claimed, voluntarily claimed and exercised, in a foreign country rights available to him under the law of that country being rights accorded exclusively to its citizens. For this purpose the exercise of rights conferred on citizens of a Commonwealth country which are not available to other Commonwealth citizens is deemed by the existing Article 24 (3) to be the exercise in a foreign country of rights accorded exclusively to its citizens. The definition of "Commonwealth country" in Article 160 (2) does not however, except by special Act of Parliament, include Colonies, Protectorates, Protected States or other territories administered by the Govern-

ment of a Commonwealth country. Such territories are, however, included in the definition of "part of the Commonwealth". In the context of Article 24 (2), there is no reason to distinguish between different territories within the Commonwealth and Article 24 (3) is therefore amended to include all such territories.

Clause 9 (3) of the Bill also introduces a new Clause (3A) into Article 24. This clause makes it clear that for the purpose of deprivation under Article 24 (2), and under that clause as applied by Article 24 (3), voting in a political election in a place outside the Federation constitutes the exercise of a right available under the law of that place, whether the vote is cast in that place or outside it. But whether or not the exercise of a vote is a right exclusively accorded to the citizens of the place where the election is held—i.e. whether by exercising it a Federal citizen imperils his citizenship—depends on whether the law of that place restricts the franchise to its own citizens. On the other hand, the new clause provides that, after a date to be appointed, application for, or the use of, a passport of another country will constitute the exercise of a right available under the law of that country exclusively to its citizens, and consequently will be a ground for deprivation of citizenship.

Clause 10 (2) of the Bill introduces a new clause in Article 25. The effect of this clause will be to render a citizen by registration under Article 17 or a citizen by naturalisation liable to be deprived of his citizenship if, without the approval of the Federal Government, he accepts any office or appointment under a foreign Government in any case where an oath of allegiance is required in respect of such appointment. An amendment has been made to provide that this new provision will not have retrospective operation or apply to acts done before citizenship was acquired.

Clause 10 (3) of the Bill reduces from 7 to 5 years the period of

residence abroad which, unless the specified conditions are fulfilled, will render a citizen by registration under Article 17, or a citizen by naturalisation, liable to deprivation. The intention of this amendment is clear. It is essential that citizens who obtained that status by registration or naturalisation should continue to maintain a close and genuine contact with this country.

Paragraph 3 of the Schedule of Minor and Consequential Amendments has the effect of deleting Clause (3) of Article 26 of the Constitution. It will be recalled that this particular Clause places a 12 months' restriction on deprivation of citizenship granted by mistake. The existing prohibition of deprivation under Article 26, unless conducive to the public good, is maintained by a new Article 26B (2) (a).

Clause 11 introduces a new Article 26A which provides that where a child of a citizen has been registered under the new Article 15 (2) the child may, if still under the age of 21, be deprived of citizenship in the event of his parent renouncing or being deprived of that status. The liability of a child to be deprived of citizenship under this clause will be limited to cases where the parent has renounced his citizenship or has been deprived under 24 (1) (voluntary acquisition of other citizenship) or Article 26 (1) (a) (Citizenship obtained by fraud). From this it is clear that the child will not be punished for the sins of the father. Clause 11 also inserts a new Article 26B which is designed to ensure that deprivation does not result in statelessness, and that it is confined to cases where continued citizenship would be contrary to the public good. An amendment has been made to except from the provision as to statelessness deprivations under Article 26 (1) (a). The result will be that deprivation resulting in statelessness will be prohibited except where the citizenship was obtained by fraud or misrepresentation.

I come now to Clause 26 which amends the oath of allegiance which new citizens are required to take. All citizens of the Federation owe allegiance to the Sovereign and this amendment is designed accordingly.

Clause 27 (1) and (3) of the Bill relate to Section 4 of the Second Schedule to the Constitution, which enables the Minister to delegate his functions under the Constitution relating to citizenship. That section, as it stands, is defective in two respects. First it contains a verbal error ("of" instead of "or"). Secondly, the power of delegation conferred by the existing section is unjustifiably wide. No order of deprivation of citizenship has ever been made except by the Minister personally; and the Government feels that the section ought in terms to be limited to matters of machinery. Provision is made for the retrospective operation of any delegation made under this amendment within one month of its coming into force. The reason for this is that, although no delegation has ever been made of any of the vital functions of the Government under Part III of the Constitution, delegations have from time to time been made of purely administrative functions. Having regard to the verbal error I have already mentioned, and to the somewhat complicated history of the Second Schedule—at one time the registration authority was the Election Commission; later the Minister took over the administration as well as the substantial powers—it seems desirable to have a clear provision for validating former delegations, provided that they fall within the scope of the delegations which the Minister is now empowered to make.

Clause 27 (2) of the Bill amends Section 20 of the Second Schedule which defines residence for the purpose of Part III of the Constitution. Under the proposed amendments, periods of service on Government duty outside this country will count for residence, but periods in which a person was not lawfully resident in the Federation, or

was only temporarily resident under any pass or exemption order issued or made under the Immigration Ordinance, 1959, or was in lawful custody (other than in a mental hospital) in the Federation, may not be treated as residence for the purpose of obtaining citizenship under Part III. There is an important exception to this, to which I have already referred in connection with Article 15. The Minister is given power to allow time spent in the Federation under the authority of a temporary pass to count towards qualifying for citizenship.

Such then are the citizenship amendments contained in the Bill. I will only repeat what I said earlier, that these amendments have been proposed after 4 years' experience of the working of the Constitution.

Sir, I will now deal with those parts of the Bill which relate to the delimitation of constituencies and connected matters. These are Clauses 14, 20, 22 and 31 of the Bill. Broadly, it is proposed to retain the existing number of 104 members of the House of Representatives and to lay it down that in future, the final authority for the delimitation of constituencies will be the Dewan Ra'ayat instead of the Elections Commission.

The amendment in Clause 14 of the Bill proposes to retain the existing figure of 104 members for the Dewan Ra'ayat. This figure, as Honourable Members are aware, was obtained by doubling the fifty-two constituencies created for the elections to the last Federal Legislative Council in 1955. It is considered that in view of the local ties that have developed in relation to the existing constituencies since that time, there is merit for such retention.

Clauses 20, 22 and 31 relate to the procedure for altering the boundaries of constituencies. Under the present proposals, the Elections Commission, after holding a review as the Constitution provides, will formulate provisional recommendations, framed

in accordance with the principles set out in Part I of the new Thirteenth Schedule introduced by Clause 31. The recommendations will be published, and the Commission will revise them in the light of any representations received and submit them to the Prime Minister. The results of the Commission's work will be laid before the Dewan Ra'ayat and unless the Commission has recommended no change the Prime Minister will lay a draft Order giving effect to the Commission's recommendations, with or without modifications. On the draft Order being approved by not less than half of the total number of members of the House, it will be submitted to His Majesty for the making of an Order in terms of the draft. The Order will not affect constituencies until the following General Election. The procedure for altering boundaries is based upon that adopted in the United Kingdom, by the House of Commons (Redistribution of Seats) Acts, 1949 and 1958 and I am sure Honourable Members will agree that the proper authority for deciding on the delimitation of constituencies is the Dewan Ra'ayat.

Honourable Members will observe that Section 2 of the new Thirteenth Schedule specifies certain general principles which, as far as possible, are to be taken into account in delimiting constituencies. These are known and accepted principles and were taken into account when delimiting the present constituencies. There is therefore no new principle which has been brought in. One of these principles is the weightage of rural constituencies for area. Basically, the number of electors in each constituency ought to be approximately equal except that, having regard to the greater difficulty of reaching electors in country districts and other disadvantages affecting rural constituencies, weightage for area may be given to rural constituencies to the extent that in certain instances rural constituencies may contain as little as half the number of electors in an urban constituency. This is not a new principle. It is to be found in the

existing Constitution and is accepted in other countries. The percentage of weightage now suggested is that recommended in the Report of the Committee appointed in 1953 to examine the question of elections to the Federal Legislative Council.

I will now deal with amendments proposed to financial provisions of the Constitution. Clause 12 seeks to amend Article 35 (1) of the Constitution, which at present requires Parliament by law to provide a Civil List of the Yang di-Pertuan Agong and also a Civil List of the Raja Permaisuri Agong. It would appear inappropriate to have two Civil Lists and it has in fact been the practice for the provision for the Raja Permaisuri Agong to be included in the Civil List of the Yang di-Pertuan Agong. The amendment provides for a single Civil List which will include provision for the Raja Permaisuri Agong.

The next financial amendment is in Clause 17 which I will take together with Clause 19 later. In the meantime I will deal with Clause 18. Article 99 (1) of the Constitution at present requires the Yang di-Pertuan Agong in respect of every financial year to cause to be laid before the House of Parliament a statement of the estimated receipts and expenditure of the Federation for that year and, unless Parliament in respect of any year otherwise provides, that statement shall be so laid before the commencement of that financial year. It may well happen, as in the case of the Budget for this year, that it is not practicable or convenient for the Budget debate to begin before the beginning of the year to which the Budget relates. In such a case it would still be necessary for the Estimates of Expenditure to be laid on the Table before the beginning of the year, since otherwise Ministries and Departments would have no basis for their operations after 31st December. It would clearly be undesirable, however, for the Revenue Estimates to be made public before the Minister of Finance had announced any proposed changes in

the tax structure in his Budget Speech. The first part of Clause 18 therefore makes it possible for the publication of the Revenue Estimates to be delayed until after the beginning of the new financial year.

The second part of Clause 18 seeks to add another paragraph to Clause (3) of Article 99, which specifies the categories of payments for which provision does not have to be included in the annual Estimates, namely, payments from the proceeds of loans raised for specific purposes and from trust monies. The trust funds with which the existing paragraph (b) of Clause (3) of this Article is obviously intended to deal are monies of which the Federation is not the beneficial owner but which it has received subject to a trust. The suggested new paragraph (c) would cover the case of Government monies appropriated to statutory trust funds in accordance with the procedure laid down by Section 10 of the Financial Procedure Ordinance, 1957.

I will now deal with Clauses 17 and 19. Under the existing provisions of the Constitution, State Governments are entitled to impose royalty on minerals mined within their borders and the Federal Government is entitled to impose export duties thereon. It is clearly inequitable that any mine should have to pay both royalty and export duty on the same product or that the same product should pay different rates of royalty depending upon the State in which it is situated. Experience has shown that it is not always easy to obtain agreement between the States and the Federal Government on the rate of taxation to be imposed on any particular mineral or the share of such taxation which should be retained by the Federal Government and the State Government concerned respectively. To overcome this difficulty it has been decided to amend Article 110 of the Constitution so as to enable Parliament to legislate on the proportion of export duty which is to be paid over by the Federal Government to the States in

respect of each mineral and the conditions to which such assignment will be subject. The proposed paragraph (3A) of Article 110 gives the necessary power whilst at the same time recognising that the individual States have a valid claim to a share of the revenue derived from any mineral mined within their respective borders.

As Parliament will provide for the States to receive a fair proportion of the export duty on minerals, it follows that the States' power to impose royalties or similar charges should also be subject to such limitations as Parliament sees fit to impose. Such limitations can be imposed in future by virtue of the proposed paragraph (3B) of Article 110 of the Constitution. One of the main objectives of amending Article 110 is to ensure uniformity of treatment of mines throughout the Federation. It has been decided therefore that Clause (4) of Article 76 of the Constitution should be amended so as to enable Parliament to legislate on the terms of mining leases. By virtue of such legislation Parliament would be able to ensure not only the uniformity of mining leases throughout the country but also that excessive burdens are not placed on individual mines by the insertion of high rates of premium and other onerous conditions in the terms of individual leases.

The House should know that the States have been receiving the proceeds of the 10% ad valorem export duty on iron ore ever since the beginning of 1956. Nearly all the past duty has been paid over, but there are a few cases where the exact amounts have not yet been verified; the payments in these cases will be made as soon as we know the figures. These past payments have been extra-statutory, though the States may well think them nonetheless beneficial for that. The present amendment to Article 110 is not retrospective; obviously, it could not have been made retrospective to a time before Merdeka Day. I, therefore, invite the House, in passing the clause, to give an implied sanction to

the payment to the States of these past duties. The assignment of this revenue to States has undoubtedly been beneficial in promoting the States' co-operation in the spectacular development of the iron ore industry in recent years.

Should the House approve the amendment proposed to Article 110 of the Constitution, the Government proposes to introduce immediately a Bill to authorise the assignment in future to the States of such proportion of the proceeds of the export duty on iron ore as is considered equitable.

The Bill which we have before us contains several other proposals for amendment; there are only two of them which require any time to explain.

First, Clause 16. In our Constitution, as in many others, it is fundamental that the financial initiative should rest with the Government. Accordingly, Article 67 provides that Bills and amendments making provision for taxation, expenditure and other financial matters can only be introduced or moved by a Minister. But as the Article stands it is not clear what is meant by "making provision". If for example, a Bill provides for establishing a new Government service, which will inevitably involve expenditure, is that a Bill making provision for Expenditure? This amendment proposed by Clause 16 will make it clear that Article 67 covers both direct and indirect financial consequences. But the Government realises that it would be wrong to go too far and to prevent any amendment being moved by a private member if it had any financial consequences, however remote. To avoid this, Clause 16 is drafted so that Article 67 will only operate if the Minister of Finance signifies that the Bill or amendment has financial effects which are not merely incidental or insubstantial.

Next I turn to Clause 24. The House will remember that as the Constitution stands Article 2 enables new States

to be brought into the Federation by an ordinary Federal Law, that is a law passed by a simple majority of this House; and under Article 159 (4) (b) the same majority suffices for consequential amendments of the Constitution necessitated by a law under Article 2. The Government is advised that the wording of Article 2 and Article 159, in their present form, does not quite fit the amendments which will be required on the establishment of the Federation of Greater Malaysia. Clause 24 will give the necessary flexibility, both at the initial stage and thereafter.

The remaining Clauses of the Bill can be dealt with very shortly. Clause 13 clarifies the law as to the formal exercise of the executive power of the Federation, and will relieve His Majesty of a number of administrative acts, many of them trivial, which can properly be done by the Cabinet or by a Minister acting under Cabinet authority. Clause 15 aims at unifying the staffs of the two Houses of Parliament with obvious advantages from the point of view of recruitment. Clauses 21 and 23 are no more than clarification of the law relating to the terms of office of the Judges and of members of the Election Commission. Clause 28 brings the compulsory provisions of State Constitutions into line with the amended Federal Constitution and with current practice. Clause 30 fills a gap in the application to the Constitution of the Statutory rules of interpretation. Clauses 1 and 33 govern the timing of the changes we are making, and Clauses 32 and 34 and the Schedule contain a number of consequential amendments.

Such, then, is the Bill which the Government invites the House to debate and to read a second time. I do not wish to minimise the importance of some of the changes we propose. But as I have already said they are put forward after long and anxious deliberation. We have realised all along that it would be easy enough for men of ill-will to misrepresent our proposals. That cannot be helped. We believe,

however, that the great majority of the people of this country will not be misled. These matters are not always easy to understand at first sight. Some genuine doubts have been expressed. The amendments to the Bill, which have been brought forward and discussed, are designed to allay these doubts. As I have said in the beginning, and I repeat it again, these amendments have been put forward as a result of very careful consideration in the light of experience gained in the working of our Constitution for the last 4 years. These amendments have not brought any new principle nor have we departed from the principles enshrined in our Constitution. However, we are a young nation and our Constitution was promulgated on the day we achieved independence. Obviously, it is our duty to see that our Constitution works well and in the true interest of our country and in particular satisfies the needs, aims and aspirations of our people. It was never intended that the Constitution once promulgated should not be amended. But the provisions for amending the Constitution are clearly designed so as to be neither so difficult as to produce frustration nor so easy as to weaken seriously the safeguards which the Constitution provides. For this reason the amendments to the Constitution must obtain the support on the second and third reading of two-thirds of the Members at each of the Houses of Parliament. It is, Sir, after due consideration of the interest of our young country and young nation and with the sole object of maintaining a stable and united nation that the Government has decided to put these amendments to the House.

Therefore, this Bill before the House, Sir, is fully within the spirit of the Constitution which we promulgated four years ago and contain such changes—and only such changes—as are needed for the peace, progress and stability of our country and our people and it is in this spirit that I commend this Bill to the House (*Applause*).

Dato' E. E. C. Thuraisingham: Mr. President, Sir, I beg to second this Bill. Mr. President, Article 15 of the Declaration of Human Rights says this—

“Everyone has a right to a nationality. No one shall be arbitrarily deprived of his nationality, nor denied the right to change his nationality.”

I have studied this Bill and the amendments that have been put forward at another place and I am satisfied beyond doubt that this Bill and the amendments do not violate this Article 15, which is one of the fundamental rights of man.

As a person who had been connected with constitutional changes in this country from their very beginning, I would like to elaborate on some of the points that have been raised and have been discussed up and down the Federation. Particularly before the amendments were made known by the Government, these discussions took a very serious turn and of serious purpose in the minds of many good citizens. First there was an allegation that there were some vague promises that *jus soli* had been promised but now abandoned, and that certain sections of the community were not keen on giving *jus soli* in this country because they did not want another section of the community to take advantage of *jus soli*. I have documents to show that as far back as September 1949 the Communities Liaison Committee, to which the Honourable Minister referred, considered this very matter. Many of you know the eminent men who sat on this Committee. I would mention firstly the late Dato' Sir Onn, a very far-sighted politician and a very sincere patriot; then Tun Sir Tan Cheng Lock, who was the acknowledged leader in this country not only of the Chinese community, which he led, but also of the other nationalities; and also Dato' Sir Roland Braddell, a very eminent constitutional lawyer of great experience and who had studied constitutions, particularly of the States, and had helped in drafting the many

constitutions of this country. We were advised by such great men, and the Liaison Committee decided that we shall support the principle of *jus soli*—that was in September, 1949. Then a communique called "The Agreed Views of this Liaison Committee" was published. In November, 1949, the Malayan Forum in London similarly accepted that the principle of *jus soli* shall form the basis of nationality. It will be interesting for me to read out the names of the persons who signed that memorandum of the Malayan Forum. The first signature was Abdul Razak bin Dato' Hussein, the Honourable the Deputy Prime Minister; the second was Goh Keng Swee, the Honourable Minister for Finance of Singapore; the third was Mr. Arulanandom, a partner in Messrs. Braddell and Ramani at Ipoh; then we have Mr. Philip Hoalim, who is practising in Singapore, Mr. Morris Baker, and it was signed also by Mohamed Sopiee bin Sheikh Ibrahim the Director of the Information Department, who was then the Secretary of the Malayan Forum. These were young men at that time, but today they are very eminent men. I am bringing this out to show you that in the minds of these persons, who subscribed to the agreed views of the Liaison Committee and those who signed this memorandum at London, there was never any intention to deny the people of this country *jus soli*.

We went on from there to many discussions, culminating in the Constitution that we have today before us in which the Article clearly and definitely says "all born in the Federation shall be citizens of the Federation." That is *jus soli*. Now, what does this amendment say? The amendment says that the children of Federal citizens if either of the parents are Federal citizens and the children of persons permanently resident in this country, shall be citizens of the Federation. It has not taken away the rights of children born in this country to citizens of this country. Who else then is left? Whose children are left without the application

of *jus soli*? It is the children of people who do not belong to this country, children of the diplomatic corps, children of those who are birds of passage—the hit-and-run variety that you find in this country. All others in this country, who have a genuine purpose in this country, can have their children considered by law, by international law, as citizens of this country.

The next point that has been debated is that the Alliance Government has taken away the agreed right that has been conferred on the citizens of this country under Article 17—that is, registration. I have documents to say that this citizenship by registration was temporary and everybody understood that it was temporary. Why was this clause put in? When citizenship matters were discussed in this country for many years, it was pointed out, times out of number, by the non-Malays of this place that, as the inhabitants of the land did not give great thought to citizenship problems and did not know how to become citizens, there should be a period in which, firstly, they should know a little bit of Malay, and, secondly, they should know how to apply, and they should have birth certificates. And all these complications hoisted on these people all of a sudden will make the people nervous of what they are about. Added to this confusion of the humble people of the rural areas were teams of enthusiastic politicians who went out there. They said that they represented the MCA, the UMNO, the MIC, the Party Negara, this, that and the other. They went out to collect votes and, incidentally, to assist the people to be Federal citizens. This is what happened in my estate in Johore. On one fine day there arrived five or six enthusiastic young men, and all the labourers were told, "Those of you who were born here, will you stand on this side? Those of you who were not born here, will you stand on that side?" They did take their stand on either side. To the persons on this side, they asked: "All of you born here?"—"Oh, yes!" "Put up your hands."

All put up their hands. "Can you speak Malay?"—"Oh yes!" "Put up your hands." "Do you owe allegiance to the Sultan?"—"Oh, yes! We owe allegiance to the Sultan." Similar questions were put to the persons on the other side: "How many years you have been here—more than 10 years?"—"Yes, yes—more than 10 years". "Do you know Malay?"—"Oh, yes!" As regards allegiance to the Sultan, I can tell you that 80 per cent of them did not know that there was a Sultan at all! (*Laughter*). This is how several people were registered. But now many years have passed since then; almost everybody who is in this country knows Malay; and it is time that the relaxations, that were meant wisely at that time, should not continue vaguely in this registration clause. If you are permanently resident here, unless you take a definite oath of allegiance to this country, unless you have an adequate knowledge of the Malay language, you cannot become a citizen—that is provided for under naturalization. So where you had two avenues, one easy and quick—that is Section 17—and naturalization which is a little more cautious path to attain citizenship, now you have one path, that is naturalization, which is also registration. And I think to belabour the Alliance Government for deleting Article 17 is unreal and not in conformity with the firm desire of this Government, to once and for all, settle the question of nationality and loyalty.

The other Clause is in respect of married women. At the present time, you can get married anywhere you like, come back and, if you are married in law, you can register your wife the following morning. Some crafty men can divorce their wives the following day, or after a lapse of a decent time. This has happened in other countries. It has happened in this country. I know of young men from a country nearby who married in Europe, came back with their brides, got them registered, and the wives immediately plunged into subversive propaganda with revolutionary talks, and the

Government could not do anything about it. Therefore, I think, the lesson that that country has had made it necessary to pass legislation that the wife is not registered immediately but after a certain period of time. It is a necessary precaution in these times of speedy travel and great plausibility in political talk in which not only the men indulge in but women also. I would like to read to you the Clause in the American law—Section 319 of United States public law No. 414: it says:

"Any person whose spouse is a citizen of the United States may be naturalized by compliance with all the requirements. Such person, immediately preceding the date of filing his petition for naturalization, has resided continuously after being lawfully admitted for permanent residence within the United States for at least three years, and, during the three years immediately preceding the date of filing the petition, has been living in marital union as the citizen's spouse who has been a United States citizen during that period; and has been physically present in the United States for periods totalling at least half the time that he has resided in the State in which he has filed his petition for at least six months."

So, you see that even a great country like America has found it necessary that spouses who are not citizens should have a probationary period to show that they are an acquisition to the country and not a possible nuisance later on.

The other Clause that gives me trouble, and gives trouble to many, is the deprivation Clause. I have told you the way how many became citizens. You have also heard of great corruption among the Registrars of Citizens. During the ten years or more that have elapsed, how many Registrars were sent to prison, and some absconded, after registering every Dick, Tom and Harry who was prepared to pay a fee? Therefore, there was a large number of people who have acquired citizenship—some by fraud, some by misrepresentation (some

innocently, some by persuasion); but there was a large number of Federal Citizens who had not the qualifications.

Mr. President, Sir, the Honourable Minister, the present proposer of this Bill, the Honourable Dato' Suleiman, very wisely gave an amnesty to all these people. Thousands of people, were found to have had false certificates and they were allowed time to surrender them. Because in terms of that amnesty they would not be prosecuted, large numbers surrendered; but some did not surrender—they thought they were artful fellows and could make out a case—and some of them are being prosecuted now; some had been prosecuted and convicted.

Another amendment says that the children of citizens, who have been deprived on the ground of fraud, will also be deprived. I think that this is a very harsh thing, knowing well the history of how these Federal Citizenship Certificates were taken and the confusion that had been created by politicians, and the corruption that was rampant. I think it is very harsh, when these men throughout these years have had children, to deprive their children because of the fraud of the parents. It is a harsh provision and that is why I read to you the Article on human rights, because I know that the Alliance Government realises that it cannot make anyone stateless. I hope, when we are considering the deprivation, you would consider what the fate of that child would be. I would, in this instance, commend to the Government a provision in the Australian nationality law—they also have a provision that deprivation shall take place where a person has been registered or naturalized by means of fraud, false representation, or concealment of some material circumstances; if citizenship had been deprived because of fraud Section 23 says:

"A person who has ceased to be an Australian citizen, Sub-section (3), under the preceding provisions of this section may, within a year or after attaining the age of 21 years, or in special circum-

stances with such extended period as the Minister may allow, make a declaration that he wishes to resume Australian citizenship and upon re-registration of the declaration in the prescribed manner, he shall again become an Australian citizen."

It will be seen that along with the fate of the people, who had been deprived of their citizenship in this country, the children also will be deprived under the amendment, and I say that the Government should take a merciful view in this matter. Unless the matter is really serious, the child should be allowed to apply for naturalization or to be re-registered as a citizen when he attains the age of 21 years. I hope that it is not too much to ask the Alliance Government that while administrative implementation takes place on the deprivation, the paramount rule that no person should be stateless should be prominent in the mind of the administrator, and also that there should be utmost compassion for the child, who had been deprived because of the sins of his father.

Sir, I have great pleasure to support the motion (*Applause*).

Enche' Athi Nahappan: Mr. President, Sir, it has always been a great pleasure to speak after the speech of my learned friend, Dato' E. E. C. Thuraisingham. As usual he has made a masterly speech touching on the subject, and appealing to the discretion of the Government in regard to certain provisions.

Sir, today we have the supreme task of taking a close look at the working of our Constitution once again. Not so long ago, in 1960, we had a similar task. Let it be known at the outset that there is no sin in amending a constitution when necessary and nor is there virtue in not amending a constitution when necessary. The significant words are "when necessary". Attempt has been made to make a political sacrilege out of the alleged frequency of the amendments. This assumes that amendments are made for their own sake, or by

reason of ulterior motives, not because there is a case. Such assumption deserves no more than utter contempt.

The other criticism springs from the fallacy that a Constitution is sacred and it should remain unaltered. It ignores the fact that, like other laws, a Constitution is man-made and no work of man is and could be perfect. To say so is an insult to intelligence.

The essence of human progress is reflected in its evolution. To evolve is to change for the better. To degenerate is to change for the worse. Either way there has got to be a change. We in Malaya believe in evolution. We don't want to rush into things. We don't want to lag behind. We want idealism harmonised with realism. So far that has been our approach and we want to keep it that way.

There are forces now at work to upset this harmony. Some are viciously idealistic; some are coldly pragmatic.

In this context, Sir, our Constitution is placed before us. We have been summoned to digest and to deliver judgment on the merits or otherwise of certain amendments to the Constitution.

Critics of the Constitutional amendments have been vociferous both in the Parliament and elsewhere. Words, sharper than swords, have been unreservedly bandied. Verbal restraint has been so easily brushed aside. Motives have been freely imputed. Even treachery has been ignominiously attributed. This is the privilege and, perhaps, the pleasure of the Opposition—at any rate, in this case, some of the Opposition.

The benign gentlemen of the Opposition must have pleasure to oppose anything and everything. They must be heard. They are the champions of freedom; they are the saviours of liberty; they are the architects of justice. They must save the country from the tyranny of the Alliance Government.

The criticisms of the Opposition against the constitutional amendments can briefly be boiled down to two categories: one is in regard to the method adopted by the Government to bring about the amendments; the other is in regard to the alleged demerits of the amendments. As regards the method, the critics say that as the amendments are vital the Government should have referred them to the electorate before bringing them into the Parliament, that there should have been a referendum, and that the Government has no moral leg to stand in bulldozing through the amendments with the support of the two-third majority in the Parliament as provided by the Constitution.

Now, are these criticisms valid? Is there any legal basis to these criticisms? None at all. No one can say that the Government's introduction of the amendments without seeking a referendum is *ultra vires* the Constitution. The criticism that the Government has no moral power to introduce these amendments without consulting the electorate is merely, at best, a matter of opinion. If it is a matter of opinion, then the Government is just as much entitled to its opinion as the Opposition. Whether or not a matter should be decided by referendum depends on the importance of the matter. It is understandable if the issue, for instance, is one of changing the character of the State into a republic from a monarchy. No such issues are involved in the present amendments.

Again a referendum is not the best instrument to seek public approval. I refer to Professor Harold Lasky who is, perhaps, acceptable to most Members of the Opposition. He had criticised the usefulness of this method even in a relatively more sophisticated country like Australia where this method of Constitutional amendment is provided for. It is even more dangerous in Malaya, where it will amount to a sort of general election, and unscrupulous politicians are likely to confuse the issues by revealing only

half-truths and whipping up emotional excitement which may degenerate into a communal conflict. This is a danger which the country cannot afford until such time as the national feeling has taken deep root among the various peoples of the country.

It is not the fault of the Alliance Government that it enjoys a two-third majority support in the Parliament. As the Opposition feels that its duty is to oppose, the Government must feel that its duty is to rule, and rule fairly and effectively. Nothing is more of a disservice to the country than the weak-kneed timidity of a Government not acting when it is necessary to act—even if it means displeasing some people and thereby losing some votes. There is ample evidence that the Alliance Government has the moral fibre to stand up to its convictions. And the nation as a whole has every reason to feel satisfied that the destiny of the country is in good hands.

Now, as regards the substantive provisions of the amendments, so much have been said with so little substance about the sacrifice of the *jus soli* principle in regard to nationality and citizenship. A country is not bound to adhere to the *jus soli* principle. At any rate, every country has not adopted this. In fact, in Germany they have the other principle, *jus sanguinis*. In some countries they have a mixture of both. *Jus soli* is the law of the soil in which the child acquires the nationality of the place of birth regardless of parentage. *Jus sanguinis* is the law of blood in which nationality of the child follows that of his parents or one of them.

Jus soli has sometimes been criticised because under certain circumstances it leads to dual citizenship, as when the child of a national, where *jus sanguinis* is the custom, is born in a territory where *jus soli* is observed. On the other hand, if a child of a national, where *jus soli* is recognised, is born in a foreign country which recognises only *jus sanguinis*, the child is without legal citizenship. It is clear that after all *jus soli* is not

all that sacred as it seems. It has its difficulties. And one fails to see why some of the Opposition Members should have sighed and heaved so much at the modification of the principle. In so far as the present amendments are concerned, it has been manifestly made plain that the *jus soli* principle remains in Article 14 subject to certain qualifications, the most significant of which is contained in Clause 2 (4) (c) of the Bill. The principle is not applicable to a child neither of whose parents is a citizen nor is a permanent resident in Malaya.

In other words, only children of persons who come here on Visit Passes will be affected. I cannot see, by any stretch of imagination, why some of the Opposition Members should have cried their hearts out and wasted their sympathy on aliens. Why are they so much concerned about visiting aliens? The answer is obvious to infer.

As regards Article 17 of the Constitution, it has been fully explained by the Yang Berhormat Deputy Prime Minister. During the past few years we in the MIC had not spared our efforts to encourage those Indians who were eligible to become citizens to do so. We have repeatedly advised against sitting on the fence and trying to enjoy the best of both worlds. By reason of our efforts, hundreds of thousands of Indians have become citizens and taken advantage of Article 17 though I regret to say that some of them might have done so by wrong methods, as has been pointed out by my learned friend Dato' Thuraisingham. But, in spite of our efforts and continued advice, if there are still Indians who are lukewarm in their decision as to which side of the Indian Ocean they should place their destiny, they are entirely to blame themselves for their indecision. In spite of this, it is very gratifying that the Government at the request of the Malayan Chinese Association and the Malayan Indian Congress has sympathetically agreed to give a period of grace to enable persons to take advantage of Article 17. This is a

gesture to which everyone must feel grateful.

I must state here and now, and in no uncertain terms, that in no country in South-East Asia—and, indeed, in any part of the former British Empire—have citizenship provisions been so liberally been accorded to Indians as in Malaya. And if some Opposition members and some erstwhile members of the Alliance Party allege that Indians are denied citizenship rights, such allegations are utter rubbish not worth listening to (*Applause*).

Certain allegations have been made that the Malayan Indian Congress is spineless and that the Malayan Indian Congress has surrendered itself as a complete stooge of the UMNO in regard to these amendments. I say to these critics that if our working with the UMNO and the Malayan Chinese Association for the welfare of this country means to some people as our being a stooge, then in the interests of the country we would gladly be a stooge.

We support these amendments because they are good for the country as a whole. To us the country comes first. Though the Alliance Party may appear to be communal in form, it is national in spirit—unlike some of the Opposition Parties ostensibly national in form but basically and tactically communal in spirit for obvious short-sighted expediencies to woo new voters by outraging political principles.

Malaya is now having one of the highest birth rates in the world. There is an annual population increase of 3 per cent. The country's primary responsibility is to look after its citizens. We have to provide the benefits of a welfare state to our people first and, therefore, we have to check the growth of our population not only internally and also to check the addition from outside sources. That is why the provisions are timely and necessary.

Though the principle of *jus soli* is modified, provision is accorded for persons to be citizens by naturalisation. Process by naturalisation is a gratuitous concession on the part of a State. Conditions upon which it is conferred very greatly from State to State and they may be rigid or liberal, according to the desire of the State to allow additional citizens. There is no standard rule throughout the world. Therefore, no sane person will quarrel with Article 19 of the Constitution as amended.

Finally, one word about Article 15, as amended. I am sure many Indian parents who have daughters in this country will welcome this provision, if it will discourage prospective grooms from going abroad to seek brides (*Laughter*). At present only very few go to India to get married, but it will be a good thing if local marriages are promoted. From that point of view, I have no doubt, barring few, most Indians who are Malayan citizens will and should welcome this.

So, taking the amendments as a whole, Sir, one could see that they are primarily aimed to tidy up the present provisions in the interests of the country. As such I am glad to support the amendments (*Applause*).

The Minister of Justice (Tun Leong Yew Koh): Mr. President, Sir, in reply to the eloquent appeal made by the Honourable Dato' Sir Thuraisingham, may I point out to him that adequate safeguards have been provided. With your permission, I will read the following—

"No person shall be deprived of citizenship under Article 25, 26 or 26A unless the Federal Government is satisfied that—

- (a) it is not conducive to the public good that he should continue to be a citizen; or
- (b) as a result of the deprivation, he would not be a citizen of any country."

I am sure the Alliance's record is a guarantee that justice will be more than tempered by mercy.

Enche' T. H. Tan: Mr. President, Sir, I rise to give my fullest support for the Constitution Amendment Bill. The debate in this House gives me the opportunity of allaying or removing the fears allegedly felt by certain sections of the Chinese and Indian communities. These fears were expressed by the Opposition in the Lower House and at public rallies organised by the Opposition. Knowing what type of Opposition we have in this country, I am convinced that the fears are more imaginary than real and the more I try the less can I find any merit in the arguments put forward by those who have opposed this Bill within Parliament and without.

Some have gone so far as to say that the amendments to the Constitution will destroy the principle of *jus soli* or citizenship by birth. They have even accused the Government of going back on its pledge to the people that everyone born here after independence will ultimately become citizens. Article 14 of the Constitution incorporates the principle of *jus soli* and this Article is not being repealed. Therefore, the principle of *jus soli* is being retained in our Constitution. It does not require exceptional intelligence to understand this. And yet opponents of the amendments to our Constitution have thought fit not to credit the people of this country with any intelligence at all by trying to mislead them into believing that the principle of *jus soli* is being thrown overboard. The efforts of the Opposition have, if anything, further exposed them and have drawn public attention the more to the fact that the Opposition will always try to hoodwink the less knowledgeable sections of the public in order to gain their own ends.

The debate in the Lower House clearly shows that the Opposition has no scruples whatever in this matter. The amendments to Article 14 will plug loopholes discovered in the course

of practical experience. These amendments will ensure that children of transients will, after the passage of the Bill, not enjoy the right of citizenship by birth. Two exceptions to the principle of *jus soli* already exist under Article 14. Now by the amendment before us the Government is adding a third. These exceptions are incorporated in our Constitution in the national interest. Transients have no roots in our country and it is logical that their children should not automatically enjoy the rights of citizenship which are the birthrights of children of Malayans under our Constitution. Is it wrong to protect the rights of children of Malayans under our Constitution? Is it wrong that we should jealously protect the position and rights of the children of our own people? The Opposition both in the Lower House and in public has given me the impression that it is so un-Malayan that it is more concerned with the interests of aliens than with those of the people of this country. I call upon this House and all true Malayans to take due note of this.

Criticism has also been directed to the Government's proposal to remove Article 17 from our Constitution and it provides for citizenship by registration. This unique provision was originally inserted in our Constitution to enable especially those who were not born here to become citizens by a comparatively easy process. More than one million people, mostly through the good offices of the Malayan Chinese Association and the Malayan Indian Congress, became citizens under this provision since Merdeka day. It is not Government's fault if there should be a few who have not taken advantage of Article 17. This notwithstanding, the Government has proposed to give further grace to these few. If after the period of grace there are still fence-sitters, then I suggest we should not hesitate to push them over to the other side of the fence where they really belong (*Laughter*).

In appealing to the emotions of the less knowledgeable, the opponents of

the Constitutional (Amendment) Bill have tried to make out that the Government is committing a terrible crime against children by adding new clauses to Article 26. These clauses relate to the deprivation of citizenship of children of those who have renounced, or have been deprived of their Federal Citizenship. The amendments merely state that the Government may—and I wish to emphasise the word *may*—order the deprivation of the citizenship of such children only if our national interests so demand. And furthermore, such deprivation may only be ordered if the Government is certain that those involved will not be stateless as a result. Is it right, for example, that the children of those deprived of their citizenship for security reasons should continue to enjoy the privilege of Federal citizenship? The answer is obviously "No". Then it should not be difficult to justify Government's action in this matter.

The position of wives of Federal citizens has engaged the attention of the opponents of the Constitutional (Amendment) Bill—the opposition has tried to champion the cause of wives. There is nothing wrong with this amendment—of course, except that the Opposition did not think it proper—and in the interests of our nation certain tests and standards should be set to make sure that the women have not contracted marriage for convenience or ulterior motives. By amending Article 15, the Government will ensure that the Federation shall not find itself in the same position as England after the war, when the female scourges of Europe married British subjects just to get British passports and a right of entry into Britain only to debase British society. In this case also, the Opposition in our country has chosen to cast aside national interests and has appealed to emotion for their own ends.

The other proposed amendments to our Constitution deal mainly with parliamentary elections and the delimitation of constituencies. The

amendments merely seek to retain the present 104 constituencies and to retain also the principle of weightage. The fact that the system of 104 seats in the Lower House has worked satisfactorily is in itself justification for its retention. The principle of weightage is not new and it is universally adopted by all the democracies of the world. The Opposition has tried to make out that one rural Malay vote is equal to two urban Chinese votes under the weightage proposed by the amendments to our Constitution. This argument is not only misleading but it is also mischievous. The Opposition did not mention that in at least 40 rural constituencies Chinese and Indian voters are in the absolute majority. Here, again, the Opposition has tried to stir up emotions for the purpose of vote catching.

Mr. President, Sir, I have tried to explain the amendments to our Constitution from a purely Malayan standpoint. I suggest that these amendments should not be viewed from any other standpoint. As Malayans, we have a duty to our country and to our people, and to serve aliens rather than Malayans is an act which is both unpatriotic and un-Malayan. Therefore, I urge Members of this House to pass the Constitutional (Amendment) Bill without hesitation and without dissent. Gentlemen, it is our duty to do so (*Applause*).

Dato' Sheikh Abu Bakar Yahya: Honourable Dato' President, Sir, I beg to associate myself with the speeches made by the Honourable Dato' Suleiman, and the other Honourable Members of this House, especially that of the Honourable Dato' Thuraisingham, whom I know very well. The explanation given by all the Honourable Members—especially that given by the Honourable Dato' Suleiman—is so clear and explicit that I have really nothing to say in contra to what has been said. However, Sir, I wish to say something on the merits of the Bill generally.

The Constitution, Sir, was enacted in 1957 and since then a considerable

number of things, good and bad, have happened in Malaya. The Government, I believe, is very wise now to amend the "Bad". For instance, Sir, I know very well what is happening on the question of citizenship in my State—Johore. Citizenship certificates were issued so freely and easily—undoubtedly in accordance with the Articles of the Constitution—that more often than not I have formed the opinion that there must be something within the Federal Constitution, which was not well up to the periodical changes of times. I say this, Sir, because a member of my family is also a member of the Johore State Assembly, and this person used to ask me in respect of citizenship, whenever people of the constituency came over, for verification etc. of their applications. On this point, Sir, I would like to emphasise here that even an Honourable Member of the PMIP two nights ago in the Dewan Ra'ayat stated that citizenship certificates here were so dangerously and easily obtainable by the people of this country. I quite agree with his contention, Sir. It is, therefore, high time for the Constitution to be amended to suit, as I said, the changing of times. After all, Sir, the Constitution, as far as my knowledge goes, means the fundamental principles according to which a country is governed, and that Constitution is made for the welfare of the country and for the convenience of men. Even, Sir, if some of the ra'ayats may not like it, a State must look forward to the welfare of the country, and not only to a section of the people of the country. As I know, Sir, it will be an impossibility to please and satisfy everybody in whatever one does, but the dissatisfied persons, if any, must give their views or reasons for their dissatisfaction, and the views given must be constructive and not destructive. In regard to this, Sir, with your permission, I would like to refer to the speech made by a certain Chinese gentleman in Penang which appeared in certain newspapers on the 5th of January. I am sorry, Sir, I do not know whether he is a member of the MCA, but if he is, I would like to beg pardon of my learned friends

here, who are members of the MCA, because I am going to go against his speech which appeared in the papers. He criticised the Federation Government, Sir, by saying, *inter alia*, that it was a very bad habit for the Government to propose changes in the Constitution, and adding, "After all, the Constitution was just over four years old." But, Sir, with all due respect to that gentleman, he offered nothing constructive in his criticisms of the amendments. Nor can I agree with him that just over four years is a short period. Malaya was occupied by the enemy in the last war for about less than four years, and everyone of us knows the havoc and destruction which had been caused in our country during that period of less than four years.

Dato' President, Sir, there were so many criticisms flung at the Bill by so many people on the Opposition in the Lower House a few days back, that it will be useless for us to dwell on them and rebut their unreasonable and unconstructive criticisms; as our time limit here does not permit us to indulge in replying to their twisting of the real intentions, and contentions of the amendments to this Bill. As everyone knows, Sir, we are only given two days to deal with this and other Bills, while the Lower House was given 28 days.

Sir, as I said above, I welcome the Bill and support the amendments. However, Sir, there is one small point which needs some clarification from the Honourable Minister concerned, and I would like to have some explanation on what I am going to say. I refer to Clauses 17 and 19 of the amendments. It seems to me, Sir, that by Clause 17, which repeals the words "other than mining leases" from Article 76 (4) of the Constitution, it would mean—if my interpretation is correct, Sir—that the States may be deprived of a major portion of their revenue from mining. Because in accordance with Part III of the Tenth Schedule of the Constitution revenue

from mining among others are sources of revenue assigned to the States.

Clause 19 of the amendment, which adds Articles (3A) and (3B) to Article 110 of the Constitution, deals with export duty and royalty on minerals. Sir, this, I think, may also more or less lessen the revenues of the States. Sir, I am an Alliance Member and not in the Opposition. However, in view of what I have stated, I believe that it is only fair and justifiable that when the new law comes into operation the apportionment of revenue to the various States should be commensurate with the circumstances which prevailed throughout previously and before the introduction of the present Bill. Thank you.

Enche' Yeoh Kian Teik: Mr. President, Sir, after reading the criticisms and hearing the distortions and misrepresentations of Members of the Opposition *ad nauseam*, it is extremely refreshing to listen to my Honourable and learned friend Dato' Thuraisingham, and I can safely say that an opinion from him, without any bias, an independent opinion without any political inclination, is one which is acceptable to many people. I do not think that it is necessary for me to go into the merits of this Bill, as it has been debated here and in the Lower House at length, but suffice it for me to say that in the Malayan Chinese Association we have taken it Clause by Clause, word for word, and we have great pleasure in supporting our President when he assured the Lower House that the MCA gives its full support to this Bill (*Applause*).

Dato' Dr. Cheah Toon Lok: Mr. President, Sir, I wish to stand up to support the Bill. I wish to thank the Honourable Dato' E. E. C. Thuraisingham for his very lucid explanation on the operation of the law of *jus soli*. I regret very much that the Opposition leaders had prepared their speeches before the coming into effect of changes by the Prime Minister's Committee. Their minds were not flexible enough to change their speeches to suit the

occasion. In fact, there were two arguments that they brought forward. One is that of a static constitution. I do not believe that in any part of the world a constitution can be static. There must be changes in the set-up of society, and especially in a multi-racial society such as that existing in Malaya. We have to adapt ourselves to the conditions of changes to suit a new nation, to suit a new policy in our education, to suit a new prosperity, a new harmony; and these amendments have come about to build a nation—and I think they are most appropriate. I think the time is exact for these changes to be made, because when we have a Greater Malaya, then the people of the other territories will know that we are changing our Constitution to bring justice not only to the citizens of this country but also to the citizens of those territories which are going to be partners of our Constitution.

Sir, I believe that if they were to go back and study these amendments to the Constitution, as thoroughly as the MCA has studied it through the State levels, through the national level, even through the level of our Legal Sub-Committee, they will find that these amendments to the Constitution are fair and just to all the people who claim loyalty to this country and who have made this country their home.

Sir, in regard to the principle of *jus soli*, the other point raised I think, there is only a slight modification. We have accepted the principle of the modification to say that those who do not desire to be a citizen of this country by law should not be a citizen of this country. I think that it is time the Opposition should go back and re-read these amendments clause by clause, sentence by sentence, so that the next time their speeches can be more flexible for the sake of Justice. Thank you.

Enche' Cheah Seng Khim: Mr. President, Sir, in the interest of our country, I rise to support the Bill. These amendments are not only important but also necessary, and I

congratulate the Honourable Deputy Prime Minister and his colleagues for introducing these amendments at this juncture.

Enche' Abdul Wahab bin Idus: Dato' Yang di-Pertua, kalau tidak saya tidak juga mahu bangun, banyak orang kata kita takut kapada pehak pembangkang dan marah kapada pehak pembangkang, tetapi saya tidak takut dan tidak marah dan tidak pun terperanjat kapada pehak pembangkang, oleh sebab itu kesukaan saya bertambah dan tiap² orang dalam Dewan ini masing² itu telah menatapi sa-halus²-nya dari sa-penggal ka-sapenggal di-atas pindaan itu. Saya nampak pehak pembangkang sa-benar²-nya menujukan bangkangan²-nya itu supaya dapat menarek di-persetujukan pendapat mereka itu kapada mereka² yang ada dalam Dewan ini. Jadi, nampak saya, walau pun halus pengajian dan pendapat mereka itu sa-orang pun tidak terpengaroh dan boleh di-katakan semua-nya telah menyokong Rang Undang² ini. Orang² yang membangkang itu sudah tentulah mereka mengikut darjah-nya, yang di-takutkan mereka itu Kerajaan Persekutuan akan mengadakan pula ra'ayat-nya yang berkelas, jadi ada yang jadi ra'ayat kelas 1, kelas 2 dan kelas 3, sa-benar-nya Kerajaan tidak bersetuju bagitu, yang ada kelas 1 dan kelas 2 itu ia-lah kedudukan mereka itu, dia sendiri yang membuat kelas satu atau kelas 2 itu, sebab itu-lah pengukoran² tidak sama, saya bagi orang yang sudah memang tidak akan ka-mana² lagi, ta'at setia saya tetap kapada negeri ini berpegang dua² jalan yang sudah di-pusakai oleh nenek moyang kami; kami ta'at dan chinta kapada negeri ini, bak kata pepatah nenek moyang kita: "Hujan emas di-negeri orang, hujan keris lembeng di-negeri kita elok juga negeri kita" walau pun bagitu kami maseh mahu juga di-negeri ini, kita tahu tahu keris lembeng bergaduh dan berbunoh², hujan emas di-negeri orang, hujan keris lembeng di-negeri kita, saya maseh sayang kapada negeri ini (*Tepok*). Kemudian di-pandang pula dari segi ugama yang kita anut: "Hubbul watan

minal Iman" bererti, kasehkan tanah ayer itu sa-bahagian daripada iman. Jadi, kita sa-bagai orang Islam dua² perkara itu sangat di-kuatkan ia-itu chinta dan sayang di-tumpukan sa-penoh²-nya kapada negeri ini. Sahabat² kami pada hari ini nampak-nya mengikut sayang dan chinta dan menumpahkan ta'at setia mereka kapada negeri dan saya bertambah suka, tetapi pehak pembangkang pula dia ada masok kapada pendapat saya yang ketiga ia-itu mengikut satu pantun budak:

Anak enggang di-kayu tinggi
Patah ranting terbang-lah ia
Anak dagang ta' lama di-sini
Sampai musim pulang-lah dia.

Jadi, (*Ketawa*). Sebab mereka itu bersemangat bagitu maka jatoh-lah dia kapada ra'ayat kelas 3, tetapi kita tidak ada kelas² sama ada kelas satu, kelas dua, tidak ada. Jadi, orang yang sa-macham itu dia sendiri menjatohkan diri mereka maka jadi-lah dia kelas 3, kita tidak ada tinggi rendah.

Tuan Yang di-Pertua, nampak-nya petang ini semua-nya sa-kali menyokong jadi tidak ada sa-orang pun pembangkang. Jadi, yang ada ini semua-nya sudah menjadi pehak kita (*Ketawa*). Saya rasa tidak patut lagi perkara ini kita panjangkan. Melainkan saya beri lagi petua orang tua² dahulu. Perkara yang baik itu baik kita chepatkan (*Ketawa*). Supaya jangan datang yang burok, perkara yang burok itu kita lambatkan, supaya datang yang baik (*Ketawa*). Oleh itu saya chadangkan, Tuan Yang di-Pertua, Majlis kita ini supaya di-chepatkan supaya jangan datang yang burok (*Ketawa*). (*Tepok*).

Enche' Tan Siew Sin: Mr. President, Sir, I rise to reply to the comments raised on the financial Clauses of the Bill. I am, of course, referring to the clarification asked for by my Honourable friend Dato' Sheikh Abu Bakar. I can assure him that there is no intention on the part of the Federal

Government to reduce the revenue of the States from mineral ores. The sole intention of Clause 17 is to ensure that, in future, mining leases would be uniform throughout the Federation—uniform in the sense of taxation and not of land policy. Honourable Members, I think, might remember that unless we have these two Clauses, that is Clauses 17 and 19, it would be possible now for a State to levy royalty in addition to the export duty levied by the Federal Government. You could, therefore, get a situation where a mine would have to pay such a high rate of taxation in respect of both export duty and royalty that the Government will be faced with the alternative either of allowing the mine to go bankrupt, or of withdrawing the export duty. These two Clauses are designed to prevent that from happening. There can be no doubt at all that the States will not lose in any way. Further, I would also add that these provisions have been agreed to by the National Finance Council.

Question put, that the Bill be now read a second time.

The House Divided: Ayes 34; Noes—Nil; Abstentions—Nil.

AYES

Tun Leong Yew Koh
 Enche' T. H. Tan
 Dato' Wan Ibrahim
 Enche' Yap Khen Van
 Enche' Abdul Wahab
 Dato' Lee Foong Yee
 Enche' Chan Kwong Hon
 Dato' Sheikh Abu Bakar
 Enche' Mohamed Zahir

Tuan Syed Ahmad
 Enche' Ahmad Said
 Enche' Yeoh Kian Teik
 Enche' Wan Ahmad
 Raja Rastam Shahrome
 Enche' Cheah Seng Khim
 Enche' Hashim Awang
 Enche' Mohamed Salleh
 Enche' Koh Kim Leng
 Enche' Abdullah bin Ishak
 Enche' Amaluddin bin Darus
 Enche' Da Abdul Jalil
 Tuan Haji Abbas
 Enche' Lim Hee Hong
 Enche' Nik Hassan
 Engku Muhsein
 Enche' Choo Kok Leong
 Tok Pangku Pandak Hamid
 Dato' G. Shelley
 Dato' Dr. Cheah Toon Lok
 Enche' S. O. K. Ubaidulla
 Dato' E. E. C. Thuraisingham
 Enche' S. P. S. Nathan
 Enche' A. M. Abu Bakar
 Enche' Athi Nahappan

NOES

Nil

ABSTENTIONS

Nil

Bill accordingly read a second time.

House adjourned at 7 p.m.