



PARLIAMENTARY DEBATES

DEWAN NEGARA (SENATE)

OFFICIAL REPORT

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FEDERATION OF MALAYA
DEWAN NEGARA (SENATE)
Official Report

Vol. IV

Fourth Session of the First Dewan Negara

No. 6

Friday, 28th December, 1962

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).
- „ ENCHE' AHMAD BIN SAID, A.M.N. (Perak).
- „ TUAN HAJI AHMAD BIN HAJI ABDULLAH, A.M.N. (Penang).
- „ ENCHE' ABDUL WAHAB BIN IDUS, P.J.K. (Negeri Sembilan).
- „ CHE' AISHAH BINTI HAJI ABDUL GHANI (Appointed).
- „ 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' HOH CHEE CHEONG, A.M.N., J.P. (Pahang).
- „ DATO' LEE FOONG YEE, J.M.N., P.P.T., J.P. (Negeri Sembilan).
- „ ENCHE' LIM HEE HONG, A.M.N. (Appointed).
- „ ENCHE' MOHAMED ADIB BIN OMAR (Trengganu).
- „ ENCHE' MOHD. SALLEH BIN MOHAMED ARIFF (Melaka).
- „ ENCHE' MOHD. ZAHIR BIN HAJI ISMAIL (Kedah).
- „ ENSKU MUHSEIN BIN ABDUL KADIR, J.M.N., P.J.K. (Appointed).
- „ ENCHE' S. P. S. NATHAN (Appointed).
- „ NIK HASSAN BIN HAJI NIK YAHYA, J.M.N. (Appointed).
- „ TUAN HAJI NIK MOHD. ADEEB BIN HAJI NIK MOHAMED (Kelantan).
- „ TOK PANGKU PANDAK HAMID BIN PUTEH JALI, P.J.K. (Appointed).
- „ RAJA RASTAM SHAHROME BIN RAJA SAID TAUPHY (Selangor).
- „ DATO' SHEIKH ABU BAKAR BIN YAHYA, D.P.M.J., P.I.S., J.P. (Johor).
- „ DATO' G. SHELLEY, P.M.N., J.P. (Appointed).

- The Honourable TUAN SYED AHMAD BIN SYED MAHMUD SHAHABUDIN, J.M.N. (Kedah).
 „ ENCHE' T. H. TAN, J.M.N. (Appointed).
 „ DATO' E. E. C. THURASINGHAM, D.P.M.J., J.P. (Appointed).
 „ ENCHE' S. O. K. UBAlDULLA, J.M.N. (Appointed).
 „ WAN AHMAD BIN WAN DAUD, J.M.N., P.J.K., J.P. (Perlis).
 „ ENCHE' YEOH KIAN TEIK (Perak).

ABSENT:

- The Honourable DATO' J. E. S. CRAWFORD, J.M.N., J.P., Dato' Kurnia Indera (Appointed).
 „ ENCHE' KOH KIM LENG (Melaka).
 „ ENCHE' ATHI NAHAPPAN (Appointed).
 „ DATO' WAN IBRAHIM BIN WAN TANJONG, J.M.N., P.J.K., Orang Kaya Indera Maharaja Purba Jelai (Pahang).

IN ATTENDANCE:

- The Honourable the Minister of Finance, ENCHE' TAN SIEW SIN, J.P. (Melaka Tengah).
 „ the Minister of Agriculture and Co-operatives, ENCHE' MOHAMED KHIR BIN JOHARI (Kedah Tengah).
 „ the Minister of Labour and Social Welfare, ENCHE' BAHAMAN BIN SAMSUDIN (Kuala Pilah).
 „ the Minister of Commerce and Industry, DR LIM SWEE AUN, J.P. (Larut Selatan).
 „ TUAN HAJI ABDUL KHALID BIN AWANG OSMAN, Assistant Minister (Kota Star Utara).

PRAYERS

(Mr President *in the Chair*)

BILLS

THE SUPPLY BILL, 1963

Second Reading

Order read for resumption of debate on motion, "That the Bill be now read a second time" (27th December, 1962).

Engku Muhsein bin Abdul Kadir:
 Tuan Yang di-Pertua, sa-bagai menyambong ucapan saya pada petang semalam dalam perkara² yang tertinggal yang saya rasa mustahak diambil berat tentang keadaan di-pantai timor ini.

Satu daripada perkara-nya ia-lah supaya dapat ra'ayat² di-pantai timor sana mengikut dengan lebeh jelas lagi keadaan² tanah ayer dan dunia pada masa sekarang ini. Maka alat² untuk menyenangkan ra'ayat bagi mendapat

penerangan dan penjelasan ia-lah, saya rasa, pada masa ini sama ada melalui surat² khabar, atau pun siaran radio. Surat khabar ini sudah tentu-lah bukan soal pemerintah. Apa yang saya maksud ini ia-lah siaran² melalui radio. Siaran radio yang sekarang ini diterima di-pantai timor, boleh di-katakan, walau pun telah ada banyak ranchangan² bagi menguatkan lagi siaran radio dengan patut-nya, atau lebeh kuat saperti di-Kota Bharu, tetapi pada keseluruhan-nya, siaran radio di-pantai timor itu belum begitu memuaskan hati, terutama sa-kali di-Trengganu yang hanya memakai sa-buah transmitter yang terlampau kecil, dan kadang² kita ta' dapat dengar langsung, terutama pada musim teng-kujoh. Maka dengan sebab itu-lah, saya berharap supaya radio di-pantai timor itu di-amal berat dan dengan yang demikian dapat-lah ra'ayat di-sana menerima siaran yang lebeh jelas lagi untuk faedah mereka dan Kerajaan sendiri.

Dalam menyebut berkenaan dengan pantai timor, saya selalu terbacha dalam surat² khabar dan saya mendengar perchakapan di-luar ia-itu apabila sa-saorang itu hendak di-hantar ka-pantai timor, biasa-nya dia berasa ragu dan tidak senang hati. Baharu² ini, saya terbacha dalam surat khabar, guru² lepasan Maktab Perguruan Kirkby dan Brinsford Lodge apabila pulang ka-Malaya, telah ada di-antara mereka itu membayangkan bila sampai di-lapangan terbang Kuala Lumpur, mereka mengatakan ia-itu mereka tidak senang hati kalau mereka itu di-hantar ka-pantai timor. Perkara ini, saya rasa patut-lah pehak yang berkenaan mengambil perhatian yang berat, oleh kerana saya perchaya, guru² ini dan juga yang lain² sama ada mereka itu doktor atau engineer, kalau kita hantar dengan perbelanjaan Kerajaan atau tegas-nya scholarship, dengan apa chara sa-kali pun sa-waktu hendak di-hantar itu sudah ada membuat perjanjian konterek dengan Kerajaan, dan ada shara²-nya mengatakan bagaimana dan di-mana mereka akan berkhidmat apabila mereka balek kelak, dan perkara ini mereka tidak boleh membangkang dan tidak boleh mereka chuba hendak melarikan diri, tetapi daripada chara², daripada chakapan dan ucapan² yang di-buat oleh kalangan² itu, walau pun bukan semua-nya, tetapi sa-bahagian daripada-nya ada-lah mengechewakan sangat kepada kami di-pantai timor, oleh kerana pertama sa-kali mereka faham yang mereka itu orang yang di-anggap oleh Kerajaan supaya menjadi bakal pendidik, bakal kemajuan pada negeri ini, sa-balek-nya mereka telah memilih chorak, telah memilih tempat² untuk mereka berkhidmat. Pada hal sa-paroh daripadanya, saya tahu, apabila mereka mahu meminta scholarship ka-luar negeri telah mengangkat dua belah tangan, macham meminta sedekah meminta scholarship itu, tetapi apabila mereka pulang di-buat-nya chara lain pula.

Ini-lah saya rasa patut sangat pehak pemerintah betul² beri peringatan masa memberi scholarship² ka-luar negeri supaya mereka² itu berkhidmat di-mana² sahaja dengan tidak patut membedza²kan atau memilih tempat. Apa

lagi saperti di-pantai timor itu, jika di-bandingkan 19 tahun yang lalu kemudahan² di-pantai timor itu jauh lebeh mudah daripada dahulu. Saya rasa walau pun di-pantai barat banyak perkara² yang menarek hati, saya rasa di-pantai timor pun saperti di-Kelantan, di-Trengganu ada juga tempat² yang boleh menarek hati. Tuan Yang di-Pertua, saya suka-lah juga menarek perhatian kepada Kementerian Luar Negeri, ucapan yang hangat sekarang ini menjadi buah perbincangan kita di-Malaya ini, saya perchaya-lah di-negara Asia ini ia-lah soal yang di-bangkit²kan ia-itu soal perhubungan kita yang nampak tidak begitu menyenangkan di-antara Persekutuan Tanah Melayu dengan Indonesia, bagaimana yang kita tahu yang di-katakan oleh Yang Teramat Mulia Tengku Perdana Menteri, perhubungan kita dengan Indonesia bukan-lah perhubungan yang baharu, tetapi ia-lah satu perhubungan yang lama yang telah berkurun² lama-nya. Saya tahu kebanyakan daripada sa-paroh orang² Malaya keturunan di-sini termasuk-lah beberapa orang Sumatra yang ada di-belakang dan di-hadapan saya ini. Jadi dengan itu tentu-lah menjadi satu rasa yang sangat mendukachitakan bahawa perhubungan yang sudah zaman her-zaman itu dalam masa sa-minggu dua ini nampak-nya chuba di-pergongchang²-kan, chuba hendak di-putus²kan, chuba hendak di-cherai²kan oleh gulungan yang tertentu. Apa yang mendukachitakan sa-kali ia-lah mengingatkan walau pun kita Malaya ini sa-bagai negara yang kecil, tetapi telah terlampau sangat melalui ucapan², melalui kechaman² yang telah di-buat, termasuklah pemimpin² pemerintah Indonesia mengecham dan menchaehi, menghina dengan hukan² sahaja, kata² yang di-luar daripada sa-orang pemerintah. Pada malam tadi melalui siaran radio ucapan yang di-buat oleh Ketua pemerintah Indonesia sendiri Paduka Yang Mulia Presiden Soekarno yang mengecham Tengku Perdana Menteri kita sa-bagai sa-orang penchinta kebebasan yang palsu. Kita tidak-lah boleh menyekat Soekarno daripada memberi apa juga ucapan yang dia suka, beliau telah mengecham Perdana Menteri kita dengan ucapan² yang begitu saya rasa

merendah²kan dan menghinakan. Ini ada-lah satu ucapan yang patut kita bangkang dan pandang berat serta mengingatkan orang yang berucap itu Soekarno sendiri yang membela dirinya itu sa-bagai pejuang kebebasan ra'ayat bertindak dan mengancham sa-orang penchinta keamanan palsu. Pada hal jika kita kaji sejarah²-nya, amalan² yang di-buat yang telah di-lakukan oleh kedua² pemimpin ini akan kita dapati, siapa-kah sa-benarnya membela kebebasan ra'ayat jelata. Kita sokong pejuang Indonesia, kita turut bersama dan saya tahu beratus² orang Malaya yang telah berjuang di-dalam revolusi Indonesia yang telah terkorban mati di-Indonesia. Bahkan saya ingat lagi dalam tahun 1945-1947 banyak pemuda² Malaya menderma, sama ada derma yang berupa moral atau material di-hantarkan ka-Indonesia sana. Satu daripada-nya Dato' Sardon yang pada masa itu menjadi Ketua Palang Merah, juga pada masa itu pejuang² Indonesia bukan sahaja Presiden Soekarno, bahkan pemashoratan kemerdekaan Indonesia itu di-ishtiharkan oleh dua orang ia-itu Soekarno dan Hatta. Tetapi apa yang terjadi yang telah di-buat oleh Soekarno sa-bagai pembela kebebasan ra'ayat jelata, sa-bagai pembela kaum yang terjajah, apa yang kita tahu ia-lah Dr Hatta telah di-kelepikan. Apa yang telah terjadi kapada sa-paroh lagi pejuang² pada masa itu seperti Sutan Shahrir, Dr Sukiman, Mohd. Nasir, dan beberapa orang lagi pejuang² yang betul² berjuang seperti Sutan Shahrir itu. Apa yang telah terjadi kapada Mohd. Rom yang telah menyain Kemerdekaan Indonesia dan Belanda semua-nya sekarang ini di-bela oleh pejuang kebebasan ra'ayat jelata, pembela tanah jajahan Soekarno itu dengan membela chara apa, ia-itu membela dengan chara melokapkan dan menangkap di-taroh dalam jel, itu-kah di-namakan pembela kapada bangsa² yang di-jajah. Pada hal jika kita lihat apa yang di-buat oleh Tengku walau pun Tengku tidak boleh di-bangga²kan sa-bagai sa-orang pejuang kemerdekaan yang ulong di-seluruh dunia ini, atau di-seluruh Asia ini, tetapi sa-kurang²-nya siapa juga yang memperjuangkan kemerdekaan tanah ayer kita ini, tidak

di-kurong sa-bagaimana yang di-lakukan di-Indonesia bahkan sa-paroh yang membuat kachau bilau itu pun dapat kebebasan di-dalam Malaya ini seperti D. R. Seenivasagam dan lain² lagi kunchu²-nya.

Satu lagi yang kita tahu perbuatan Indonesia ini yang menchuba hendak mengelirukan dan hendak menjatohkan dan hendak menjahanamkan nama Malaya ini ia-lah chara siaran² Radio-nya, chara siaran² surat khabar-nya yang betul² chara siaran negeri kumunis. Jikalau kita buka Radio Jakarta, jika kita baca surat khabar Indonesia, apa yang mereka cheritakan ia-lah berita² palsu, berita berat sa-belah, tidak ada langsung memberi peluang kapada kita menyiarkan berita² kenyataan² yang di-buat oleh pemimpin² Malaya, dan tidak langsung memuat kenyataan² yang sa-benar berhubung dengan keadaan Malaya. Apa yang di-siarkan, apa yang di-tuliskan dalam surat khabar dan Radio itu ia-lah berita² yang telah di-buat oleh pemerintah itu sendiri dengan chara tujuan hendak menjahanamkan dan hendak mengelirukan ra'ayat Indonesia. Dengan sebab itu-lah yang chukup mengharukan saya kerana saya perchaya ra'ayat Indonesia bukan-lah seperti mana di-telatah², di-kelirukan oleh sa-paroh pemimpin² yang berchakap besar itu tetapi ra'ayat Indonesia ra'ayat jelata-nya saya perchaya ada-lah sa-bagaimana juga ra'ayat Malaya, ra'ayat yang chintakan kapada keamanan, ra'ayat mahu kebebasan yang sa-benar bukan kebebasan bagaimana chara Indonesia ini, kebebasan tidak boleh berchakap kerana banyak kebebasan tidak boleh di-berikan suara dengan sa-benar-nya. Mithal-nya perkara pemberontakan di-Brunei perkara ini jika tuan² beli surat khabar Indonesia, jika tuan² baca siaran Radio Jakarta tidak ada langsung di-siarkan berita² yang sa-benar-nya, melainkan berita² laporan, kenyataan² daripada Azahari ketua penderhaka. Jadi sebab itu-lah saya rasa ada-lah menjadi kewajipan yang besar pada pemerintah Malaya ini menchari jalan supaya chara² dapat kita menyelesaikan kedudukan kita sa-benar-nya tentang Malaya dapat kita buat ka-

pada pemerintah Indonesia dan kepada ra'ayat Indonesia. Chara yang nampak kepada saya ia-lah terutama sa-kali dengan mengadakan siaran Radio yang lebeh kuat lagi di-pancharkan ka-Indonesia dan juga di-wilayah² lain. Sebab sekarang ini Radio Malaya kita tidak jauh pergi-nya hanya paling jauh yang saya tahu sampai Medan, tidak sampai Aceh, tidak sampai Bandung, tidak sampai Jakarta dan tidak sampai wilayah² di-Borneo sana. Jadi mustahak-lah siaran Radio ini di-perkuatkan betul² dan ini patut-lah boleh di-sebarkan oleh kerana saya katakan tadi walau bagaimanapun kita mesti sedar kedudukan perhubungan kita dengan Indonesia itu terlampau rapat sa-jalin dari zaman berzaman sebab itu-lah perhubungan yang merunching yang di-buat oleh sa-paroh pemimpin² negeri itu walau pun boleh kita anggap sepi sekarang ini tetapi saya sangat-lah bimbang dengan tidak ada satu penerangan yang jelas yang betul boleh di-ketahui oleh ra'ayat Indonesia ini akan menyebabkan ra'ayat² yang 100 juta orang itu akan terkeliru memandang pula kita orang Malaya ini sa-bagai musuh mereka. Pada hal saya perchaya penjelasan yang dapat di-berikan kepada mereka itu sama ada melalui Radio Malaya kita atau lain²-nya akan dapat-lah ra'ayat itu mendengar dan mengetahui kedudukan yang sa-benarnya akan hubungan Malaysia, pemberontakan di-Brunei dan juga perhubungan antara Malaya dengan Indonesia ini.

Semalam saya dengar Radio Jakarta dalam berita-nya, Menteri Luar Negeri Indonesia Dr Subandrio telah memberi kenyataan ia-itu-lah sa-telah Duta kita Dato' Kamaruddin memberi surat bantahan maka apa-kah kenyataan Dr Subandrio itu. Antara lain telah mengatakan, "ini-lah pertama sa-kali Malaya tahu hubungan dengan diplomat dalam chara menyelesaikan kerja dengan chara melalui saloran² diplomatic". Saya tidak tahu ada-kah ini satu kenyataan hendak mengelirukan tetapi yang saya tahu perhubungan yang telah di-buat dengan Malaya Kerajaan Indonesia sahaja-lah

yang ada mempunyai perjanjian perhubungan persahabatan dengan Malaya ini. Kita tidak ada perjanjian persahabatan dengan negara² ASA seperti Thailand dan Philippines tetapi kita ada perjanjian dengan Indonesia bukan-kah satu perhubungan diplomatic yang paling ulong sa-kali. Tetapi tuan² fikir sendiri ini-lah chara pemimpin Indonesia chuba hendak mengelirukan negeri ini. Bahkan sa-lain daripada itu saya tahu sudah bertahun² semenjak ada-nya perjanjian persahabatan, kita berusaha hendak menyatukan chara dalam lapangan kebudayaan, dalam lapangan persuratan terutama sa-kali dalam lapangan ejaan. Dewan Bahasa dan Pustaka dan juga badan² bahasa di-sini telah menjalankan meshuarat² dan lain² lagi chara² untuk hendak menyamakan atau hendak menyatukan pemakaian bahasa dan ejaan di-antara Indonesia dan Malaya. Dan saya dapat tahu, di-Malaya kita ini sudah ada tanda², sudah ada ranchangan hendak menjalankan dan mendapat persetujuan tetapi apabila di-bawa balek ka-Indonesia apa telah terjadi, mereka datang di-Malaya bersetuju dengan chara kita, balek ka-Indonesia dengan segala chadangan² yang mereka telah bersetuju itu, di-pendam sahaja, apa sebab, sebab-nya saya perchaya ia-lah telah di-sabotage atau telah di-sengajakan, di-gendalakan, di-lambat²kan oleh satu gulungan yang tertentu yang sentiasa mahu supaya perhubungan Indonesia dengan Malaya ini merunching di-sebabkan sama ada hasrat dengki, rasa iri hati atau pun oleh rasa tidak mahu melihat Malaya merdeka sendiri tetapi mahu menjadikan Malaya ini sa-bagai tanah jajahan Indonesia. Maka berchakap dalam perkara ini saya katakan tadi ada banyak orang² Melayu keturunan Indonesia di-Malaya ini. Sa-bagaimana ucapan Tunku maka saya rasa patut-lah kita berasa bangga bahawa mereka² yang berketurunan Indonesia yang duduk di-Malaya ini telah menunjukkan ta'at setia kepada negeri ini boleh di-katakan 99 peratus sama² berdiri di-belakang Kerajaan Malaya menyokong pendirian kita terhadap pemerintahan Indonesia itu. Tetapi walau

bagaimana pun saya patut minta kepada pemerintah memberikan perhatian ia-lah boleh jadi ada berapa kerat ra'ayat Indonesia yang dudok di-Malaya ini yang chuba hendak memainkan politik Indonesia di-tanah ayer kita ini. Saya katakan boleh jadi dan ini-lah saya minta pemerintah kena-lah awasi. Telatah² yang memang benar saya dengar ada berlaku, bukan semua orang Indonesia chuma satu persen sahaja di-tanah ayer kita ini yang chuba hendak menjalankan pemikiran telatah pemimpin² Indonesia sana di-Malaya ini. Dan mereka ini boleh di-sipatkan sa-bagai orang² mendatang ka-negeri kita ini yang hendak chuba mengajar terutama sekali orang Melayu di-tanah ayer kita ini. Sa-orang Indonesia, saya tahu datang ka-Malaya ini baharu sa-tahun dan dia ini sa-orang pengarang dapat kebenaran untuk menetap di-Malaya ini dan sekarang ini ada membuka sa-buah Majallah Mingguan atau bulanan di-Kuala Lumpur. Beliau saya dapat tahu telah pergi ka-pejabat akhbar *Utusan Melayu* berjumpa dengan sa-orang daripada sidang pengarang di-sana dan mengugut ketua pengarang supaya jangan menyiarkan berita² yang ta' sa-suai dengan fikiran beliau. Dan mengugut sa-orang sidang pengarang *Utusan Melayu* supaya membuang sa-orang daripada pekerja-nya yang terdiri dari sa-orang anak Malaya supaya di-buang daripada bekerja di-*Utusan Melayu* kerana ada satu daripada siaran² itu tidak sesuai agak dengan chara pemikiran beliau sa-orang Indonesia yang baharu datang ka-Malaya 12 bulan sahaja. Orang² bagini patut-lah di-ambil perhatian oleh pemerintah kerana orang² yang bagini-lah akan chuba hendak mempengaruhi banyak orang Indonesia yang tidak berdosa di-sini di-libatkan dalam chara perhubungan antara Malaya dengan Indonesia ini. Jadi, Tuan Yang di-Pertua, ini-lah saya rasa satu kedudukan yang rumit yang patut di-ambil berat oleh kita sekalian, terima kaseh.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, semenjak sa-malam hingga hari ini Dewan ini maseh terus menimbangkan Rang Undang² Per-

bekalan, 1963. Sa-malam kita telah mendengar ucapan Yang Berhormat Menteri Kewangan sa-bagaimana juga kita telah pernah mendengar ucapan-nya pada beberapa tahun yang lalu dalam masaalah kewangan negara. Kesimpulan yang saya dapat daripada mengikuti segala keterangan² tentang kedudukan kewangan negara kita ini, saya merasa kita maseh tidak tegap dan membimbangkan, sebab hanya dua sumber besar yang mendatangkan kewangan kepada Persekutuan ia-itu getah dan bijeh. Kedua² ini kepunyaan kita, tetapi harga-nya di-tentukan oleh orang lain. Kedua²-nya maseh terikut² sa-bagaimana asal-nya dahulu di-buat untuk kepentingan penjajah, dan sampai sekarang ini pun keadaan-nya tidak begitu berubah. Sa-lama ra'ayat dan negara kita bergantung kepada kedua² puncha ini, kita akan sentiasa terancham. Yang Berhormat Menteri Perdagangan dan Perusahaan yang dahulu telah pernah mengertak Amerika, tetapi gertakan itu ada-lah gertakan kanchil kepada gergasi sahaja, sebab apa yang kita dapat buat kepada Amerika yang menjual stock-file-nya. Harga getah dan bijeh semua-nya sentiasa terancham oleh sebab² yang saperti itu. Itu sebab-nya dalam masa² yang telah lalu saya pernah berchakap ia-itu Persekutuan Tanah Melayu jangan-lah sa-lama-nya menjadi negara yang membekal bahan² mentah, tetapi biar-lah menjadi negeri yang mengeluarkan barang² yang telah siap di-buat. Jepun, mithal-nya, negeri yang tidak mengeluarkan besi mengeluarkan barang² dengan membeli besi dari Malaya. Malaya yang mengeluarkan barang² besi tidak sanggup mengeluarkan barang² besi. Keadaan yang sa-macam ini kita tidak boleh biarkan sa-lama²-nya. Tuan Yang di-Pertua, daripada kejadian ini semua nyata-lah bahawa kedudukan kita terancham dan kema'amoran tidak benar² boleh di-banggakan.

Dewan ini sunggoh pun sejak pada pagi ini yang lebeh sejak daripada hawa sa-malam tetapi telah menjadi hangat sedikit. Dewan ini. Tuan Yang di-Pertua, semenjak dua tahun yang lalu saya rasa telah menjadi Dewan yang di-ejek² oleh anggota² Dewan

Ra'ayat, sebab itu timbul soal hendak memberi elaun \$10 sahaja dan timbul soal patut adakan pilihan raya. Saya rasa mula-nya penghinaan dan ejekan² yang di-beri kepada anggota Dewan ini ia-lah di-mulakan oleh Kerajaan sendiri. Saya boleh beri mithal, Dewan Negara dan Dewan Ra'ayat kedua²-nya ada-lah Parlimen—Parlimen yang pertama bagi Persekutuan Tanah Melayu. Jadi kedua² anggota Dewan agak-nya dahulu sa-bagai professional sahaja, tetapi sa-telah melalui satu masa dengan tidak ada examination, tiba² satu naik First Grade mendapat elaun \$750 dan yang lagi kekal elaun-nya \$500. Kata pepatah Melayu, "Bila kayu sudah bongkok, kura² pun hendak memanjat". Jadi, ini-lah yang telah terjadi. Orang telah menchabar, sa-hinggakan dalam Dewan Undangan Pulau Pinang di-bangkitkan soal mengadakan pilihan raya bagi anggota Senate. Saya perchaya semua ahli² Dewan ini bersetuju dengan saya ia-itu kita bersedia untuk bertanding dalam pilihan raya, yang mana ada-lah lebeh gentleman kita duduk dalam Dewan ini daripada kita di-lantek. Walau pun dalam Perlembagaan Persekutuan Tanah Melayu ada Fasal yang menyebutkan boleh di-buat peratoran untuk mengadakan pilihan raya, tetapi tidak ada Fasal dalam Perlembagaan itu yang menunjukkan bahawa ada kuasa lain yang akan di-tambah kepada Senate yang memberi erti bahawa pilihan raya itu lebeh berguna daripada anggota² Senate yang ada sekarang ini. Saya tidak nampak apa² faedah mengadakan pilihan raya bagi anggota Senate sa-lama Perlembagaan tidak memberi sa-barang peluang untuk mengubah kuasa Senate yang boleh menahan dan menolak sama sa-kali segala apa yang di-buat oleh Dewan Ra'ayat. Kita mahu satu kuasa yang sama seperti Amerika. Kalau sa-kira-nya bersedia begitu, kita bersedia bertanding dalam pilihan raya. Tuan Yang di-Pertua, barangkali ini semua sengaja di-timbulkan oleh anggota Dewan Ra'ayat, tetapi bagi orang yang berkhidmat untuk kepentingan negara ini tidak boleh mengikut sentimen dan kita tidak boleh marah² sangat. ..

Sekarang saya kembali kepada kedudukan ekonomi negara. Walau bagaimana pun Kerajaan chuba mengatakan kita sedang menuju kepada kemajuan dan kema'amoran, saya maseh bimbang dan ragu². Sebab Malaya berhutang \$1,000 juta lebeh dari luar negeri. Tiap² tahun membayar bunga sa-banyak \$10 juta lebeh. Hutang negara (national debt) ini di-tanggung oleh ra'ayat. Kemajuan luar bandar yang di-bangga²kan itu ia-lah membuka jalan 60 kaki atau dua rantai kerana mahu menyesuaikan dengan perkembangan sekarang. Belanja-nya besar, tar-nya belum sampai, maintenance-nya pada masa ka-hadapan akan bertambah besar, hasil-nya belum tentu dapat. Hasil-nya belum banyak, chuma yang tentu banyak hutang yang mesti di-bayar. Ra'ayat mesti menanggung beban chukai yang lebeh pada masa yang akan datang. Saya berani mengatakan bahawa Kerajaan akan menaikkan chukai pada masa yang akan datang dengan lebeh berat lagi. Tuan Yang di-Pertua, dengan politik kita boleh mengharap kema'amoran negara, kerana kita ada-lah warga-negara negara ini, tetapi kita harap Kerajaan tidak akan membiarkan kejadian² seperti yang telah lalu. Sa-bagaimana yang kita sedar getah tiruan ada-lah sedang berlawan dengan getah asli. Kita jangan boros berbelanja. Perlawanan harga getah telah menyebabkan wang kurang (deficit) sa-banyak \$300 juta dalam tahun 1962. Saya tidak marah chuma mengingatkan ia-itu lebeh baik berchermat kerana kita orang miskin.

Tuan Yang di-Pertua, kemajuan di-luar bandar walau pun nampak indah tetapi ra'ayat belum menerima apa². Keuntungan daripada Ranchangan Pembangunan Luar Bandar mungkin di-dapati 15 tahun yang akan datang. Yang boleh di-sebutkan di-dalam Dewan ini sa-malam ia-lah tanah. Tanah itu ada-lah soal biasa. Apabila saya menyebut ranchangan luar bandar saya tidak berchakap fasal tanah, kerana tanah biasa di-beri walau pun ranchangan luar bandar tidak ada. Saya berchakap soal keseluruhan-nya dari segi ekonomi

negeri ini ia-lah tidak ada persediaan kepada orang di-luar bandar itu dalam pembangunan ekonomi dari usaha tenaga-nya sendiri. Maka segala jalan yang di-buat itu ia-lah untuk orang dalam bandar masuk ka-kampung mengeluarkan segala barang² yang dikeluarkan oleh orang kampung. Orang kampung menanggung segala perbelanjaan. Mereka harus akan membayar tambang bas lebih sebab harga minyak telah naik.

Sa-lain daripada itu tentang taraf perintis. Mereka yang mendapat taraf perintis tidak membayar cukai selama 5 tahun, mereka itu dapat jaminan dan keistimewaan. Siapa yang dapat taraf perintis itu? Yang dapat taraf perintis itu ia-lah pemodal asing dari luar negeri. Saya mengingatkan Dewan ini bahawa negara Persekutuan Tanah Melayu ini akan terancam, sebab pemodal asing yang masuk kadalam sa-sabuah negara itu apabila modal-nya bertambah pengaruh-nya akan juga bertambah yang mempengaruhi perkembangan politik dan ekonomi sa-sabuah negara itu. Kita tidak mahu menjadi sa-buah negeri yang menggantungkan keseluruhan hidup kita kepada modal² asing, sa-hingga pada suatu masa nanti akan nyata dan terang bahawa politik dan ekonomi kita semua-nya akan terikat kepada kepentingan² asing. Ini bukanlah chakap² atau tuduhan², tetapi berdasarkan pengalaman² dari negara² yang telah maju. Malaya hendak-nya jangan sampai di-biarkan menjadi begitu. Kita akan kechiwa dengan kemerdekaan kita, kalau kita tidak jaga, dan menentukan politik kita, berdasarkan kepada politik yang tertentu yang ada hari ini, dan oleh kerana ada beberapa kepentingan² yang tertentu.

Satu perkara yang saya hendak sentoh ia-lah berhubung dengan kewangan negara ia-itu soal income tax. Income Tax tidak naik. Semalam pun, sa-orang Ahli dalam Dewan ini telah menyebutkan tentang soal ini dan saya ingin menambahkan sedikit lagi, kerana pada satu masa sa-waktu kita menimbangkan dalam Dewan ini berhubung dengan Rang Undang² mengenai kenaikan cukai Income

Tax, saya pernah mengatakan supaya Kerajaan memberi pertimbangan kepada ra'ayat negeri ini. Dari sudut kacha mata Islam dan saya tidak kira, erti-nya yang boleh di-jalankan semua oleh kerana pertimbangan yang sama. Apa yang ada hari ini ia-lah sa-orang yang ada isteri dan lima orang anak yang terlepas daripada kiraan Income Tax. Saya pernah mengatakan bahawa mengikut pengertian ugama Islam, ugama resmi negeri ini, ada-lah menjadi kewajipan pada sa-saorang bagi memelihara anak, anak perempuan yang telah di-cheraiakan oleh suami-nya, sa-pupu-nya memelihara emak saudara-nya, ada-lah menjadi kewajipan dan tanggung-jawab sa-orang Muslim yang dia mesti bertanggung-jawab dan memelihara supaya jangan terbiar dalam masyarakat kita di-negara kita ini. Kalau kita tidak dapat menyesuaikan dengan keadaan² dan chara negeri ini bagi ra'ayat kita sendiri, maka ini ada-lah satu keadaan yang sangat mengechiwakan dan terang² berlawanan dengan pengakuan kita, Islam ugama resmi negeri ini. Saya minta supaya Kerajaan membuat pertimbangan dalam perkara ini.

Dahulu pernah saya mengatakan bukan hanya sa-mata² dari segi Islam, tetapi juga dari segi tradition—adat resam yang berlaku pada orang² Timur, termasuk juga, saya rasa, orang² China dan India yang sama sahaja ada tanggung-jawab mereka dalam memelihara orang² tua dan sa-bagai-nya, kerana tiap² orang Timur itu menghormati kepada orang² tua yang dhaif.

Tuan Yang di-Pertua, saya berpaling pada Jabatan Perdana Menteri. Nampak pada keseluruhan-nya, Yang Teramat Mulia Tunku Perdana Menteri kita chukup stable, kita ini semua-nya chukup baik, menuju kepada ke-ma'amoran, keadilan dan kebahagiaan, tetapi saya telah melawat di-sagenap kampung di-seluruh Tanah Melayu ini. Di-kampung² dan di-bandar² saya telah bertemu dengan ra'ayat², saya dapati yang perkara ini belum lagi mendapat perubahan. Yang kaya tetap kaya, yang baharu hendak kaya hanya sa-gelintir, dan yang banyak maseh menderit. Saya berjumpa, Tuan Yang di-Pertua, orang yang mengurus perut,

kerana kekenyangan; orang yang menekan perut kerana kelaparan dalam negara Persekutuan Tanah Melayu ini. Mengurut dan menekan ada-lah sama, tetapi yang satu kerana terlampau kenyang dan yang satu lagi terlampau lapar.

Ini betul dan kita tidak boleh menyembunyikan kenyataan—kenyataan jangan di-semunyikan, maka itu-lah sebab-nya kerana rasa tidak puas hati dan rasa ingin hendak mendapat hak dan pembelaan, maka timbul pemogokan, pemogokan keretapi kerana menuntut hak dan keadilan. Orang gaji hari, mahu gaji yang lebih baik dengan gaji bulan. Saya tidak mahu menyentuh soal mogok itu, tetapi oleh kerana tidak ada ka-stable-an dalam negeri ini, timbul-lah pemogokan itu. Ini menandakan, tidak ada stable dalam negeri, pemogokan itu tidak boleh di-katakan pengachau atau sa-bagai anasir² yang mengachau, dari sambutan yang di-beri kerana simpati oleh Trade Unions dan lain² badan² buroh yang hampir 100,000 orang itu, yang di-antara-nya ingin ikut mogok simpati 24 jam, maka ini ada-lah satu kejadian yang nyata dan benar² penting, Kerajaan tidak boleh meringankan dalam perkara ini.

Dalam pertemuan saya dengan sa-orang pekerja keretapi, di-mana saya menanyakan hal itu, mengapa dia terpaksa mengambil sikap mogok. Kata-nya, Tunku Abdul Rahman, sa-waktu di-England dahulu pernah mengirim taligram kepada Persatuan Kerja Keretapi Malaya, sebab mereka mengadakan kerja mengikut peratoran. "Berhentikan itu, dan buat kerja biasa balek, nanti saya balek, saya selesaikan." Sa-hingga sekarang, Tunku Abdul Rahman belum champor tangan dalam masaalah ini. Jadi ini-lah yang saya khuatirkan, kalau terlalu² sangat kita mengeluarkan chakapan pun, tidak akan menguntungkan. Pernah baharu² ini sa-waktu lepas di-adakan pilehan raya dahulu ia-itu dalam tahun 1959, Tunku Abdul Rahman kelihatan dalam satu gambar pakai uniform polis, dengan seluar panjang-nya, bush jacket, pip cap yang chantek lagi endah, tetapi sampai pada hari ini polis² kita belum menerima uniform-

nya yang telah di-pakai oleh Tunku Abdul Rahman dalam tahun 1959 dahulu, dan yang ada hari ini ia-lah pip cap-nya. Gaji belum di-terima, dapur dengan barrack maseh berasi-ngan, isteri mereka tetap terkena basah sa-waktu hujan kerana ka-dapor, me-reka ini sa-bahagian besar-nya bertaboran di-Tanah Melayu kita ini. Ini semua-nya harus di-perhatikan. Bebe-rapa chara dalam pentadbiran yang berlaku mithal-nya, ada mata² yang bukan Melayu menerima allowance² bahasa, kalau dia Hokien dan dia tahu bahasa Kumpu, Kek maka dia mendapat allowance sa-banyak \$17 tetapi bagi mata² Melayu, kalau dia tahu bahasa Banjar, Minangkabau, Bugis, Jawa dan lain², dia tidak mendapat apa² walau satu sen pun dan ini tidak boleh di-amalkan, kechuali kalau Kerajaan bersedia memberi tambahan allowance kepada mata² Melayu yang tahu bahasa² yang saya sebutkan itu, kerana bahasa² ini ada-lah suku² bangsa dari keturunan Melayu dalam negeri ini. Ini semua-nya harus diambil perhatian oleh Kerajaan. Jangan hati kechil itu di-rosakkan, jangan di-pandang benda ini kechil, kalau yang kechil² itu di-kumpulkan nanti dia besar. Sebab itu-lah Kerajaan harus beringat², jangan pandang ranchangan² yang besar, modal² yang besar, kerja² yang besar dan yang kechil² itu di-tinggalkan, akhir-nya jadi mogok. Saya tidak mendo²akan kekachauan berlaku dalam Malaya ini, tetapi saya harap supaya Malaya ini aman dan ma'amor.

Tuan Yang di-Pertua, berpaling kepada Kementerian Pelajaran saya nampak sa-makin sa-hari sa-makin nyata gejala² yang tidak baik mulai tumbuh dalam negara Persekutuan ini. Dalam masa kita mengujudkan dasar pelajaran, Penyata Razak, Penyata Abdul Rahman Talib yang bertujuan hujong-nya menuju kepada tiap² warga negara mengetahui bahasa kebangsaan untuk mengujudkan satu persatuan bangsa yang bernama warga negara. Tetapi timbul masaalah tuntutan bahasa lain bahkan di-dalam pertubohan politik perkauman yang menjadi anggota Perikatan timbul menuntut supaya bahasa Tamil di-aku² menjadi bahasa

rasmi dalam negara Persekutuan. Sangat di-sesalkan ini-lah saya katakan gejala² yang tidak baik akan timbul dalam Persekutuan ini. Negeri ini telah menerima bahasa Melayu sa-bagai bahasa kebangsaan, tetapi oleh kerana sikap tidak tegas yang tidak memandangkan keadaan² politik negeri ini dari awal yang menyebabkan keadaan² itu tumboh terjadi, saya tidak tahu entah apa yang akan jadi masa hadapan, janganlah jadi Ceylon yang kedua pula, Malaya bukan Ceylon, Malaya bukan Canada, tempat pangkalan orang² Perancis yang bersama² merasmikan bahasa Inggeris, Malaya kepunyaan bangsa Melayu yang bermurah hati memberi orang² lain menjadi warga negara negeri ini, Malaya mesti memakai bahasa Melayu. Bagaimana kata pepatah Melayu, masok kandang kerbau menguak, masok kandang kambing membebek, mosak kandang ayam berkokok. Ini sa-harus-nya kalau kita mahu hidup aman, jika tidak hanchor semua-nya dan runtoh semua-nya. Tuan Yang di-Pertua, saya harap timbul kesadaran orang yang bukan Melayu yang ingin hidup bersama dengan aman dan damai dalam negara ini yang telah bermurah hati membuka pintu-nya memberikan hak kepada orang lain. Mari kita fikir bersama dengan tidak chuba meninbul²kan suatu yang boleh menjadi api yang besar dalam negeri ini. Kerajaan nampak-nya tidak begitu tegas, oleh telah mengizinkan wujud-nya sekolah² lain daripada sekolah kebangsaan samata², sa-olah² dengan tidak sedar dengan tidak resmi telah di-aku² satu masa besok akan di-ikut-lah bahasa lain menjadi bahasa resmi.

Hari ini kita membelanjakan dengan rasmi wang negara dan besok orang akan menuntut dengan kuasa politik di-tangan mereka, hak rasmi bahasa mereka, sekarang pun sekolah² mereka itu telah di-belanjakan dengan wang yang rasmi. Saya pandang satu chara politik yang salah yang akan membawa akibat burok kepada Malaya masa hadapan. Tuan Yang di-Pertua, kesal sa-kali kalau terjadi bagini, sebab tanda² telah ada, M.I.C. telah menuntut bahasa Tamil menjadi bahasa rasmi. Tuan Yang di-Pertua, ini

sebab-nya mendorong saya bertanya kepada Perdana Menteri kita dalam Dewan melalui dengan pertanyaan bertulis, oleh kerana pada tahun 1967 mengikut Perlembagaan akan menggunakan bahasa Melayu sa-bagai bahasa yang tunggal, saya bertanya ada-kah Kerajaan berchadang akan mengadakan peratoran atau sharat² supaya chalun² yang akan bertanding tahun 1964 ini mesti mengetahui bahasa kebangsaan, termasuk menulis dan membacha, oleh kerana mereka yang berada dalam Parlimen pada masa itu akan menemui tahun 1967 itu tahun mana bahasa kebangsaan akan ditentukan sa-bagai bahasa yang tunggal, boleh berchakap, menulis dan sa-bagai-nya. Jawab-nya, kita tidak mustahak mengadakan satu undang² saperti ini memada²lah kerja² kita melalui Dewan Bahasa. Ini jawapan sa-bagai melepaskan batok di-tangga. Nyata-lah tidak akan dapat di-amalkan bahasa Melayu dalam tahun 1967 akan datang. Jadi, saya tidak tahu ka-mana akan di-bawa oleh dasar Kerajaan Perikatan. Bahasa Melayu tidak akan dapat di-amalkan tahun 1967 berdasarkan kenyataan² yang sedang terjadi pada masa ini. Maka dengan sebab itu-lah berani sa-orang anggota Dewan Rakyat menchabar, jangan di-ugut² tidak ada undang² memaksa saya belajar bahasa kebangsaan. Tuan Yang di-Pertua, kerana sikap politik yang tidak tegas menurut Planning yang di-bentok oleh Inggeris menjadikan orang Melayu boleh di-katakan orang men-datang dari Sumatra dan lain² oleh anggota Party Socialist Front, tetapi Malaya asal-nya Melayu punya, perpindahan manusia purbakala dari tanah besar Asia pindah di-Gugusan Pulau² Melayu bermula melalui Semenanjung Tanah Melayu, bukan dari sana ka-mari, tetapi dari sini ka-sana, dan tidak timbul dari sana ka-mari sebab orang² ini ada-lah satu rumpun yang satu. Tetapi dari sini-lah seluroh-nya manusia yang datang dari Utara mengikut sejarah. Mengatakan Malaya bukan kepunyaan Melayu ada-lah satu perkataan yang silap dan sengaja di-buat², ini ada-lah kelemahan² politik yang menjadikan orang² boleh menda'awa sa-suatu yang tidak patut di-da'awakan di-dalam negeri Melayu.

Tuan Yang di-Pertua, saya tidak-lah hendak berchakap panjang lagi kerana itu saya harap Kementerian Pelajaran hendak-lah mengkaji betul² jangan timbul gejala² burok saperti sekarang mula di-bisek²kan, penuntut² Melayu ketinggalan, penuntut² Melayu yang mempelajari bahagian ilmu yang tinggi Form 5-6 mendapat latehan yang kurang, tetapi kalau kapada penuntut² yang bukan Melayu di-lebuhkan, malah bila hampir² hendak pereksa penuntut² yang bukan Melayu di-panggil di-rumah guru, ini ada-lah rungutan² yang harus di-sedari oleh Kerajaan dan di-perbaiki kesemua-nya. Kerajaan harus berchakap benar kapada ra'ayat Melayu, harus-lah berchakap benar dalam negeri ini supaya mereka tahu mereka telah kehilangan semua-nya sa-kali dalam negeri mereka sendiri. Tuan Yang di-Pertua, berchakap mengenai Kementerian Perdagangan nyata-lah bahawa Melayu belum dapat apa², RIDA bukan ubat, RIDA hanya umpan, umpan yang dibuat oleh Penjajah British, sebab di-masa 'Dato' Onn dahulu di-modalkan dengan 10 juta untuk menolong Melayu supaya Melayu mahu menerima dasar membuka pintu kapada orang² lain menjadi warga negara. Ini bukan ubat menolong Melayu, ini umpan. RIDA di-tubuhkan sa-masa British dengan uchap² yang lemah lembut dan lonak daripada Sir General Templer sendiri. Untuk membentok satu bangsa Malaya yang satu, maka di-bentok-lah RIDA sa-hingga hari ini tidak menjadi ubat kapada orang Melayu. Saya ingat di-masa saya di-sekolah Melayu darjah tiga tahun 1938 satu buku Melayu ada menyebutkan satu pantun, saya tidak-lah hendak menyindir chuma hendak mencheritakan sahaja.

Buai laju²

Sampai balek sana.

Beli baju baru,

Dari kedai China.

Tahun 1938 maseh mengatakan hingga sekarang ini, beli baju baru dari kedai China. (*Ketawa*). Jadi orang² Melayu belum menerima perubahan tetapi telah menyerahkan semua hak-nya.

Hak² politik yang dahulu-nya tidak ada pada orang lain telah di-serahkan-nya tetapi yang telah di-dapati dari-pada orang² yang bukan Melayu yang telah menerima budi orang Melayu? Itu-lah sebab-nya timbul keloh-kesah bukan sahaja dalam Dewan ini tetapi timbul di-tepi sudut hati bangsa Melayu dan ini mesti ada rasa toloren kapada orang yang bukan Melayu sa-belum timbul benar² rasa tidak puas hati dari orang Melayu. Kerajaan, dalam jawapan yang telah di-berikan oleh Yang Berhormat Menteri Muda semalam nampak-nya sudah berdolak-dalek ka-sini ta' kena dan ka-sana ta' kena. Memang saya tahu dan saya faham dari sudut mana juga kedudukan politik negeri ini Kerajaan Perikatan gagal untuk memberikan sa-barang pertolongan yang berkesan kapada perkembangan ekonomi orang Melayu, jangan untuk menyama² dengan orang² yang bukan Melayu dalam negeri ini malah sa-balek-nya. Satu usaha yang besar untuk memajukan orang Melayu melalui co-operative—sharikat kerjasama, satu usaha saperti itu patut dibuat dengan chara national tetapi telah di-bunoh sa-belum ia-nya menetas telor-nya di-pechah sa-belum menetas. Kilang baja urea menjadi impian semata². Sebab dia bertentangan dengan kapitalis, bertentangan dengan kepentingan² modal asing maka dengan sebab itu kepentingan Melayu tidak di-pertahankan sedang kepentingan asing mesti di-bela, ini palsu dan Kerajaan Perikatan hendak-lah berkata terang² kapada orang Melayu, "kami tidak boleh membela orang Melayu, sa-kali pun apa yang di-katakan hak istimewa orang Melayu—special privileges to the Malays tidak dapat". Sebab apa, sa-suatu yang hendak dibuat itu di-berikan kapada orang lain saperti lesen, kalau telah ada kapada orang lain, tidak boleh di-tarek balek kerana itu orang lain yang punya, jadi tinggal-lah gembargembor semata². Tetapi walau bagaimana sa-kali pun tidak mahu di-aku² oleh Kerajaan negeri ini kechewaan mereka terhadap menolong orang Melayu di-dalam pembangunan ekonomi dan lambat-laun ra'ayat akan tahu hal ini semua-nya. Hanya satu jalan sahaja untuk memajukan sharikat kerjasama dengan chara

yang baik. Saya tertarik hati kepada convention pemuda UMNO di-mana ada satu kertas kerja di-binchangkan di-sana yang di-buat oleh Engku Abdul Aziz sa-orang expert dalam bahagian ekonomi yang menggalakkan supaya Kerajaan membentok co-operative sa-chara national.

Tuan Yang di-Pertua, saya rasa kalau Kerajaan Perikatan betul² mahu berkhidmat untuk kepentingan ra'ayat negeri ini, jangan-lah apa yang telah berlaku dengan chakap² hendak menolong tetapi tidak boleh buat pula. Biarlah kita terang² bekerja untuk menolong orang Melayu—membangunkan ra'ayat negeri ini. Tetapi tidak ada jalan lain melainkan tunjok betul² kerjasama, kerjasama hanya-lah daripada orang² yang menjadi warga negara negeri ini yang bukan Melayu yang memegang sa-bahagian besar ekonomi sa-lain daripada penjajah British yang mempunyai modal bermillion² ringgit di-negeri ini ada-lah orang² yang baharu menjadi warga negara negeri ini dari keturunan China. Kita mahu kerjasama dan tunjukkan-lah betul² kejujuran kepada orang Melayu yang telah jujur memberi hak politik di-negeri ini yang tidak samudah itu di-berikan oleh bangsa lain mana² dalam dunia ini dengan pimpinan Tunku Abdul Rahman Putra Al-Haj.

Tuan Yang di-Pertua, sekarang saya berchakap dalam soal Kementerian Pertahanan. Saya tidak dapat menerima dasar Kerajaan yang mengatakan kita tidak mahu menjadi negeri yang kuat. Apa-kah kita hanya mengadakan angkatan perang daripada beberapa battalion Federation Regiment untuk exhibition, untuk parade, untuk mengadakan beberapa buah kapal terbang untuk melayang² di-angkasa dan untuk mengangkat V.I.P. ka-sana ka-sini sahaja. Kita mesti menambah kekuatan untuk mempertahankan negara kita. Sa-buah negara yang ma'amor memang kita idam dan negara bahagia memang kita mahu. Tiap² manusia di-dalam negara ini mahu tetapi negara ma'amor itu kita tidak dapat mempertahankan melainkan dengan kekuatan; falsafah Kur'an. Kita mesti mempertahankan negara dengan kekuatan walau pun tenaga yang dapat kita adakan dengan

kewangan yang kechil tetapi sa-banyak mana yang dapat untuk pertahanan inilah satu perkara yang penting yang tidak boleh di-abai²kan. Pertahanan tidak boleh di-ringan²kan semata². Kita ada mempunyai perjanjian dengan British, dan Commonwealth Forces yang ada di-Malaya hari ini tidak termasuk lain² negeri chuma Australia, New Zealand dan tentera British semata². Kita telah melalui satu zaman yang mana bila Jepun sampai di-Kuala Lipis, British sampai di-Gemas bila Jepun sampai di-Gemas, British sampai di-Singapura, ini tidak boleh di-biarkan. Jangan-lah negara kita ini sa-nasib dengan zaman itu. Kementerian Pertahanan harus mengambil inisiatif baharu menyediakan pertahanan sa-kuat²-nya sa-berapa yang terdaya dalam mempertahankan negara kita ini.

Tuan Yang di-Pertua, satu perkara lagi ia-itu soal Congo kerana Congo ini berlarut² nampak-nya. Sudah habis berita Lumumba, Kalunji, Mubutu tinggal lagi Tshombe. Dari laporan yang kita ikuti perkembangan² di-sana, perpechahan Katanga daripada seluruh Congo ia-lah kerana kepentingan penjajah Belgium dan ada berkaitan dengan kepentingan modal Inggeris yang besar dalam negara itu, itu yang kita ikut dari akhbar². Jadi nyata-lah wujud-nya persengketaan yang tidak habis² maka tentera Malaya di-kirirkan ka-sana semata² kerana ada anasir² lain yang menimbulkan keadaan yang menyebabkan tentera kita terikat di-sana. Walau apa pun terjadi saya rasa Malaya patut menarek balek tentera²-nya dari Congo, biar-lah Congo dengan Congo sahaja. Sudah-lah kita chuba hendak membetulkan sa-suatu tetapi membetulkan Congo ini nampak-nya sebok sa-hingga berita pagi ini keseluruhan tentera² Bangsa² Bersatu yang ada di-Congo di-kerah dan di-kumpulkan di-sana kerana perlawanan diberikan oleh Tshombe dengan tentera² upahan-nya yang terdiri dari kulit puteh juga.

Satu perkara lagi mengenai Kementerian Penerangan dan Siaran Radio. Penerangan itu satu alat, alat yang maha penting bagi menimbulkan ketenteraman ra'ayat dalam negeri ini.

Mempergunakan alat ini dengan baik²-nya ada-lah menguntongkann kepada segala pihak. Mempergunakan alat ini dengan betul bererti adil kerana dia dibelanjakan dengan wang ra'ayat dari semua pihak dan semua golongan dalam negeri ini tetapi malang-nya bagi Kerajaan negeri Kelantan sa-waktu Duli Yang Maha Mulia Sultan Kelantan ikut upacara meresmikan meletakkan batu asas pembenaan jambatan Sultan Yahya Putra di-Kota Bharu. Jabatan Penerangan telah tidak bertugas sa-bagaimana yang sa-patut-nya, dan konon-nya ada "arahan" dari Kuala Lumpur yang mengatakan jangan di-filemkan isti'adat yang dilakukan di-sana. Jadi tidak ada di-filemkan kejadian² yang berlaku dalam isti'adat meletakkan Batu Asas yang di-hadiri oleh beribu orang itu.

Nik Hassan bin Nik Yahya: Itu jambatan politik!

Enche' Amaluddin bin Darus: Ra'ayat membayar chukai termasuk ra'ayat Kelantan. Mereka berhak mendapat keadilan. Ada-kah Kerajaan Persekutuan ingin supaya negeri Kelantan minta mengasingkan diri daripada Persekutuan Tanah Melayu? Jangan menimbulkan sikap memelih². Erti-nya kita "mengajar buaya bernang". Saya tidak ingin memisahkan negeri Kelantan daripada Persekutuan Tanah Melayu, sebab saya ingin Persekutuan Tanah Melayu di-kuasi oleh PAS. Tetapi perbuatan² yang tidak adil yang sa-macam ini ada-lah berlawanan dengan asas yang di-katakan oleh pemimpin Parti Perikatan dan Kerajaan Perikatan ia-itu mahu melaksanakan keadilan, keamanan dan kema'amanan.

Sa-lain daripada itu berkenaan dengan Siaran Radio. Alhamdulillah! Sekarang ini telah bertambah satu seteshen ia-itu di-Kota Bharu. Kita ada Radio Malaya Kuala Lumpur, Radio Malaya Pulau Pinang dan Radio Malaya Melaka dan satu lagi akan bertambah ia-itu Radio Malaya Pantai Timor—tidak Radio Malaya Kota Bharu walau pun letak-nya dalam Kota Bharu. Itu tidak mengapa. Soal-nya satu ia-itu saya minta kepada Kementerian yang berkenaan

supaya siaran² radio itu sa-lain daripada menyiarkan siaran sa-chara langsung dari seteshen pusat-nya, maka hendak-lah di-beri peluang dan kebebasan menyiarkan berita² daerah. Erti-nya, Radio Malaya Melaka itu ada mempunyai programme sendiri untuk menyiarkan berita² daerah dalam Melaka, Johor, Negeri Sembilan, begitu juga Radio Malaya Pulau Pinang menyiarkan berita² daerah dalam negeri² Perlis, Kedah, sa-lain daripada menyiarkan berita pusat ia-itu berita nasional dari Kuala Lumpur. Jadi begitu juga Radio Malaya Pantai Timor apabila berjalan kelak patut-lah di-beri peluang supaya berita² daerah yang berlaku dalam negeri² Trengganu, Pahang dan Kelantan semua-nya di-siarkan sa-bagai warta-berita daerah. Ini ada-lah satu perubahan yang baik bagi Persekutuan Tanah Melayu yang berdasarkan demokrasi.

Tuan Yang di-Pertua, satu lagi ia-lah dasar luar negeri. Dasar luar negeri Persekutuan, kadang malam kadang siang.

Engku Muhsein bin Abdul Kadir: Dunia ada siang ada malam!

Enche' Amaluddin bin Darus: Jadi dasar luar negeri ini pun ada siang ada malam rupa-nya. Ada kala kita dengar Yang Berhormat Perdana Menteri yang merangkap Menteri Luar Negeri mengatakan dasar luar kita ia-lah bebas. Ada kala kita dengar dasar luar negeri kita ia-lah bebas, tetapi kita menyebelah bloc barat (Western Bloc). Jadi tidak bebas. Dia ada dua, satu malam satu siang. Bila ada malam tidak ada siang. Bila ada siang tidak ada malam. Jadi bila bebas menyebelah bloc barat, dia bukan bebas lagi nama-nya.

Tuan Yang di-Pertua, PAS menuntut supaya bebas dengan sa-benar². Itu dasar kita. Kita menuntut Kerajaan kita, Kerajaan negara Persekutuan Tanah Melayu supaya bersikap bebas betul², kerana kita menjadikan Islam Ugama Rasmi. Islam menyuroh "neutral"—bebas daripada semua bloc.

AN HONOURABLE SENATOR: Termasok kominis.

Enche' Amaluddin bin Darus: Ya, termasuk. Bebas dari semua bloc—bloc kanan atau bloc kiri.

Tuan Yang di-Pertua, tuduh-menyudoh terlalu banyak terjadi. Kerajaan Persekutuan harus menguatkan kedudukan diri-nya. Jangan melibatkan dalam soal titek bengek, menchamporkan diri-nya walau pun dengan maksud menjadi ujian, kemudian memuji kerana ujian sudah berjaya (success). Adakan "Tabong Menyelamatkan Demokrasi" membela India. Kemudian, kata Yang Berhormat Tunku Abdul Rahman, ini ujian. Orang sosialis menyuarakan tidak senang, bahkan yang amat di-kesal sa-kali ia-lah rupa-nya ada perhubungan pula dengan Peking, di-tunjukkan jawapan daripada Peking. Tetapi yang sosialis diam—hati kechil-nya wallahua'lam. Ini ujian tidak success. Ini ujian menyakiti diri sendiri. Malaya lebeh senang dengan ra'ayat yang sa-macham ini. Chuba betul² menarek keyakinan ra'ayat negeri ini melupakan semua yang asal, pandang Malaya sa-bagai tanah ayer kita, lupakan yang lain. Tetapi dalam chara macham ini tidak akan dapat, oleh itu, Tuan Yang di-Pertua, saya harap Yang Berhormat Perdana Menteri kita akan lebeh berhati² dalam memainkan politik luar negeri.

Enche' Yeoh Kian Teik: On a point of clarification. The Honourable speaker says that we should not joint the Western Bloc—night is night, day is day. If we do not join the Western Bloc, following his argument, then the other way is, if we are not part of the night, therefore we are part of the day: if we are not in the Western Bloc, therefore we must be in the Eastern Bloc.

Nik Hassan bin Nik Yahya: Kominis bloc.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, mudah²an tidak berapa lama lagi kita semua dapat berbahasa kebangsaan, maka dapatlah faham dengan baik. Saya mengatakan tidak ka-sana dan tidak ka-mari, tetapi di-tengah²—ada gulungan tengah.

Engku Muhsein bin Abdul Kadir: Tuan Yang di-Pertua, untuk pene-

rangan. Kalau di-tengah itu siang-kah atau malam (*Ketawa*).

Enche' Amaluddin bin Darus: Soal itu tidak berbangkit. Kita tidak mahu menjadi orang kanan atau kiri, menyebelah ka-barat atau ka-timor. Dalam kaedah Kur'an yang menjadi asas Islam itu yang di-katakan Islam itu Ugama Rasmi chukup terang bahawa umat satu negara patut "neutral". Itu sebab kami menuntut supaya dasar Malaya harus "neutral". Jangan melibatkan ra'ayat negeri ini kepada satu bloc yang akan mengakibatkan kerugian: gergasi sama gergasi berperang, pelandok mati di-tengah².

Tuan Yang di-Pertua, soal yang paling rumit, paling sedeh dan di-kesali sa-kali ia-lah soal Malaya dan Indonesia. Soal Malaya dan Indonesia, Tuan Yang di-Pertua, ia-lah Malaya mengatakan sa-darah sa-daging dengan Indonesia; Indonesia mengatakan "perahu lalu kiambang pertaut". Kalau telah tahu sa-darah sa-daging apa yang di-susah²kan dan di-bising²kan—gigi dengan lidah lagi bergigit. Lebeh baik pakai akal daripada memakai sentimen. Pergaduhan orang² Arab beratus tahun oleh kerana "divide and rule" oleh bangsa² barat untuk kepentingan ekonomi mereka sendiri, tidak menguntungkan orang² Arab. Kita jangan menjadikan diri kita bagitu. Ini sudah ada chontoh yang terus di-permainkan untuk kepentingan barat, sa-hinggakan satu bangsa yang kalau kerana tidak-lah kedatangan penjajah² Belanda, Inggeris, Spanish dan Amerika tidak-lah berpechah menjadi Philippines, Malaya dan Indonesia. Jangan-lah kita membiarkan sentimen kita terikut² sa-hingga barang yang dapat di-baiki akan bertambah luas jurang-nya kelak. Tuan Yang di-Pertua, di-sini bertepok di-sana menyambut, akhir-nya kita menyesal semua sa-kali.

Saya pun sedeh melihat gambar bagaimana berlaku tenaga bersama ra'ayat Indonesia ia-itu Islam, kominis dan nasional semua-nya ada membakar gambar patong Yang Berhormat Tunku Abdul Rahman, Perdana Menteri kita, dalam keranda bersama² dengan patong British dekat lapangan Merdeka—saya

pun belum pernah pergi ka-Indonesia. Jadi bila saya tengok gambar itu tidak senang benar hati saya berlaku peristiwa yang saperti itu. Tetapi teringat saya di-Johor Bahru dahulu pernah Yang Berhormat Tunku Abdul Rahman sendiri membawa keranda ramai² membakar surat khabar yang di-keluarkan oleh Qalam ia-itu Warta dan Majallah Qalam dua² di-bakar. Sekarang dua gambar di-bakar di-Jakarta: "Wallahi ghalibun 'ala amrih. Yadullah fauqa aidihim"—minta ma'af, Tuan Yang di-Pertua, saya tersebut ayat Kur'an—kuasa Allah di-atas kuasa mereka itu. Ini chontoh ke'adilan dalam dunia ini. Mudah²an kita berfikir. Jangan-lah kita terus-menerus juga mengapi²kan perkara perselisihan itu, kerana "tetak ayer tidakkan putus". Kalau terus kita mengapi²kan juga akibat-nya burok dan kita yang akan menggigit jari menyesal.

Engku Muhsein bin Abdul Kadir: Untuk penerangan, Tuan Yang di-Pertua. Rasa saya pehak kita—Malaya, ta' pernah mengapi²kan. Apa yang Malaya mahu ia-lah penerangan yang sa-benar-nya dan sa-bagai bangsa yang merdeka dan ada maruah, kita tidak menerima kechaman² dan hentaman² yang tidak di-jawab langsung. Kita ada maruah kita juga yang mesti kita pelihara!

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, saya menghargai maruah, dan saya sendiri pun ada maruah juga, dan saya tahu juga maruah saya. Akan tetapi, saya minta supaya jangan di-panaskan, jangan keras lawan keras, sa-hingga akibat-nya merugikan—tidak ada menguntongkan pertentangan, tidak ada untong-nya kekacauan, jadi dengan sebab itu, chuba-lah kita berfikir dengan mencari penyelesaian dan persesuaian daripada kita meneruskan, meluaskan jurang yang memisahkan kita di-antara satu bangsa yang kita akui sa-darah sading kita sendiri.

Tuan Yang di-Pertua, usaha² boleh di-buat apabila kita mengilakan tuduhan² yang melarut², pada hal nyata kita di-Malaya ini mempunyai falsafah yang berbeza, falsafah perjuangan yang berbeza, falsafah politik Malaya yang

berbeza, falsafah perjuangan bangsa Indonesia yang berbeza, falsafah saya dalam perjuangan pun berbeza. Kami berdasarkan kapada falsafah Islam yang tidak dapat di-samakan dengan prinsip President Soekarno, tetapi itu ada-lah soal lain—hidup di-antara bangsa manusia, perhubungan kebangsaan itu harus-lah di-jkhtiarkan dengan chara bijaksana. Jadi dengan chara bijaksana itu hendak-lah pakai akal, jangan pakai sa-chara sentimen, sekian.

Engku Muhsein bin Abdul Kadir: Ada-kah Yang Berhormat itu mengatakan memakai akal yang sa-olah² Kerajaan Persekutuan ini tidak ada akal?

Enche' Amaluddin bin Darus: Tidak begitu, Tuan Yang di-Pertua, maksud saya. Saya tidak mahu rasa sentimen itu di-churahkan terlalu sangat!

Enche' Lim Hee Hong: Dato' Yang di-Pertua, saya juga sa-orang Ahli Jawatan-Kuasa Bulan Bahasa Kebangsaan, dan saya berasa ada-lah tanggungjawab saya bagi memberi penerangan kapada Yang Berhormat Enche' Amaluddin bin Darus. Saya tahu, Ahli Yang Berhormat itu pun tahu, kita tidak boleh memaksa orang menggunakan bahasa itu, tetapi bagi Jawatan-Kuasa kita telah menggunakan bermacam² jalan untuk hendak menggalakkan semua orang dalam Negeri ini menggunakan bahasa kebangsaan.

Yang Berhormat Enche' Amaluddin bin Darus, saya fikir, bersetuju dengan saya—orang tua macham saya ini bukan senang boleh bertanding macham dia, tetapi kalau anak saya, saya fikir boleh, kalau Yang Berhormat itu datang ka-rumah saya berchakap dengan anak saya.

Saya perchaya, Ahli Yang Berhormat itu bersetuju, di-sekolah² dalam Negeri ini, murid² yang berumor di-antara 10 hingga 18 tahun kalau masuk peperiksaan ikut sama saperti murid² Melayu, mereka boleh belajar chukup pantas. Ini satu bahasa bukan senang mahu chakap!

Saya ingat dalam tahun 1942, pada masa itu, saya fikir Ahli Yang Berhormat itu maseh budak lagi, maseh

main guli lagi (*Ketawa*). Jadi, kita ta' boleh bandingkan anak² dahulu dengan anak² hari ini. Kita harap, kalau kerja hendak di-jalankan, terpaksa-lah di-ajar dahulu, kemudian baharu-lah boleh memberi keuntungan pada orang² kita. Saya harap Yang Berhormat Enche' Amaluddin fikir sadikit.

Saya setuju dalam Perlembagaan kita ada ditetapkan ia-itu dalam tahun 1967 bahasa Melayu akan di-jadikan bahasa resmi Negeri ini. Kita setuju, tetapi kita mesti memberi tempoh kepada orang² tua macham kita ini. Orang² tua macham kita ini, bukan boleh dua hari atau dua bulan boleh belajar, tetapi mesti memakan masa juga! Terima kaseh.

The Minister of Labour and Social Welfare (Enche' Bahaman bin Sam-sudin): Mr President, Sir, I wish to take this opportunity of replying to the speeches made by the Honourable Enche' S. P. S. Nathan and others regarding the Railway strike which is in progress at the moment. I fully share their concern. As you all know, my Ministry has been doing its best to see that an amicable settlement is brought about, but we have not so far been successful. As a result, a Court of Enquiry under the Industrial Courts Ordinance has been appointed to enquire into the dispute, and the Court is now sitting. It is my hope that the Court will complete its work soon and make its report. It is hoped that not only can some solution be found to the immediate problem of the dispute but also to some of the long term issues and industrial relations in the Malayan Railway Administration. Pending the report, I can assure the Honourable Senators that my Ministry will continue to make every effort to resolve the present dispute. I am still in touch with the parties and am hopeful that a settlement can be reached. The show of strength by both sides is an expensive affair, and I hope that they will take stock of their present position and agree to a reasonable compromise. (*Applause*).

The Honourable Enche' Nathan also referred to the Third Party Contract System on estates and mines. While

appreciating that this system of employment has its defects, it must be borne in mind that the method of employment used by any employer is almost entirely dependent on the relative benefits that accrue to him by any system. Nevertheless if such a system of employment leads to abuses, the trade unions engaged in the fields concerned could always make a strong representation to the employers' side to bring about a change. On the Government side, we would give careful consideration to this matter if it is raised in the National Joint Labour Advisory Council by the workers' representatives.

The Honourable Enche' Nathan also referred to the question of visits of Labour officers to places of employment. He has said that these officers go for visits in the mornings and that they, therefore, do not have an opportunity of meeting the workers. Sir, the House will appreciate that, if all my officers make their inspection only in the afternoons, it is not possible for them to complete much of their work. Arrangements have been made, therefore, for alternate visits of Labour officers to be made in the afternoons. The possibility of workers being informed of any intended visits of any Labour officers is also being considered. He has also mentioned about Labour officers not visiting workers' houses during their inspection. As far as I know, there are strict instructions that workers' houses must be visited at every inspection. In respect of any case of breach of these instructions, if the Honourable Enche' Nathan, or other workers' representatives, would send their representation to my Ministry, I will see that action is taken.

Regarding the Honourable Puan Aishah binti Abdul Ghani's remark about moral instructions to rehabilitate prostitutes and girl delinquents in the proposed Home, this will be borne in mind.

The Minister of Commerce and Industry (Dr Lim Swee Aun): Mr President, I am indeed very happy to note the great concern that several Honourable Senators have over the threat of synthetic rubber and the

releases from the American stockpiles on the sales of our two biggest dollar earners—rubber and tin. Yesterday I listened with great interest and attention to these Honourable Senators, who may be referred to as the senior statesmen of Malaya, with the great expectation that they with their many years of experience behind them would be able to guide me, a very new Minister in the Government, in the fight against synthetic rubber and the continued releases from the stockpiles. Perhaps the most enlightening proposal came from the Honourable Senator Dato' Thuraisingham, who insisted that the best solution was to appoint a new Minister to take charge of rubber and tin. The strong support he received from the Honourable Senator Enche' Ubaidulla

Enche' S. O. K. Ubaidulla: It was Dato' Dr Cheah Toon Lok.

Dr Lim Swee Aun: Dato' Dr Cheah Toon Lok made me read the writing in this Senate wall. Clearly, Sir, if this proposal could gather sufficient momentum, it is probably the hope of this House that the new Minister will be found within its four walls.

The Honourable Senator Dato' Thuraisingham criticised the Government for not taking action to improve the presentation of our rubber for sale. He suggested that pilot schemes should be immediately set up to improve the processing of smallholders' rubber. I am surprised that the Honourable Dato', a well-known figure in the rubber industry, is not aware that such pilot schemes had been launched by Government several years ago through rural development. In fact, today there are many co-operatives scattered throughout the length and breadth of Malaya which collect latex from smallholders for manufacture under improved and clean conditions and are producing better grade rubbers than before. In addition to this, private enterprise, including large rubber agencies, are buying latex from smallholders for the manufacture of liquid latex for export and pale crepe or smoked sheets of high grade. To ensure that the smallholders are made aware

of the advantages of improved processing methods of rubber, the Rubber Research Institute has been, and still is, running courses both in the two residential schools and in the fields for smallholders and their sons. Besides replanting and research, Government is exploring every avenue to improve and increase the marketing of our rubber. We are studying the feasibility of reducing the number of grades of rubber offered for sale, and even the desirability of changing our packing system to meet the requirements of the consumers. There are studies also as to the possibility of marketing our natural rubber in their newer forms. Of course, there is the constant vigilance of the Malayan Rubber Export Registration Board to see that the right grades of rubber are supplied against contracts. In the battle against synthetic Government is not taking it lying down. We mean to make use of all that science can offer to help us to out-sell synthetic rubber in the scientific era.

In his enthusiasm and indeed his concern to ensure the future of rubber and tin, the Honourable Dato' Thuraisingham urged that Malaya should forthwith join the European Economic Community. The Honourable Senator Ubaidulla echoed the call and even deplored

Enche' S. O. K. Ubaidulla: Again it was Dato' Dr Cheah Toon Lok.

Dr Lim Swee Aun: Are you sure?

Enche' S. O. K. Ubaidulla: Yes.

Dr Lim Swee Aun: I beg your pardon . . . the Honourable Senator Dato' Dr Cheah Toon Lok echoed the call and even deplored the formation of an Asian Economic Community . . .

Dato' E. E. C. Thuraisingham: Which Dato'?

Dr Lim Swee Aun: Dato' Cheah.

Dato' E. E. C. Thuraisingham: No, he didn't.

Dr Lim Swee Aun: Didn't he say that an Asian Economic Community is not desirable?

Dato' E. E. C. Thuraisingham: I did say it.

Dr Lim Swee Aun: Oh. You did! *(Laughter).*

Dato' Dr Cheah Toon Lok: Mr President, I did not say it. I am sorry the Minister did not know. *(Laughter).*

Dr Lim Swee Aun: In any case, Mr President, perhaps both these senior statesmen are otherwise too busy to realise that the European Economic Community, as its name implies, is a very "close" club for certain European countries only. Even the United Kingdom and the Outer Seven have not yet been admitted. France, West Germany, Netherlands, Belgium, Luxembourg and Italy are the members of the European Common Market whilst their colonies and dependencies are treated as associated territories. The Common Market of Europe has been referred to as an economic bloc formed for the benefit of its members at the expense of non-member countries. Much as the Honourable Senators wish that we should join the European Economic Community the doors are not open to us. The great United States of America, fully realising the exclusiveness of this European Common Market, has found it necessary to pass the Trade Expansion Act of 1962 in an attempt to retain her markets in these countries. Although Malaya cannot join the European Common Market because the United Kingdom only can be considered for membership and not the Commonwealth, negotiations are afoot for bilateral trade agreements to be drawn between the Common Market and countries like India, Pakistan and Malaya. Our rubber and tin will still enter the European Common Market duty free.

I fully endorse the sentiments expressed by the Honourable Senator Enche' T. H. Tan on rubber and tin. He warned that we must not be too dependent on the Eastern European countries as our main buyers of rubber and tin. The Western democracies are fully alive to the dangers of Eastern economic diplomacy. Malaya lives by trade and we must sell our rubber and tin to the highest bidder. It is because of this that Dr Bateman, Chairman of

the Rubber Fund Board, is making a tour of Australia, New Zealand, America and Europe to find new markets for our rubber. The demand for new rubber is growing every day. We intend to capture this market. However, people like the Honourable Dato' Thuraisingham have been applying pressure on the Government to send rubber trade missions to Russia and the Eastern European countries. I can only promise him that Government is studying the desirability of such a step.

I am glad that Senator Enche' Ubaidulla has given my predecessor, the Honourable Enche' Mohamed Khir Johari, credit for the formation of the United Chambers of Commerce of Malaya. He agreed that this was an achievement beneficial to the country and the Government. It therefore came as a surprise when he loudly deplored Government for treating the Chambers of Commerce as an unnecessary fifth wheel. To all users of four-wheeled vehicles, the fifth or spare wheel is the most important accessory. If I am not mistaken, one of the reasons why the Honourable Senator is sitting in this House is because of his association with the Chambers of Commerce, and it is indeed regrettable that he should feel like an unnecessary fifth wheel. On behalf of the Government I should like to take this opportunity to thank the Chambers of Commerce for the great help they have been giving to Government and I look forward to their continued co-operation and assistance. The Government does not look upon the Chambers of Commerce as an unnecessary fifth wheel; on the contrary, it treats it as a responsible, independent body that can assist Government not only in rubber and tin but also in commerce and industry. With the formation of ASA the Government will depend on the members of the Chambers of Commerce to undertake trade missions to the ASA countries, and also in joint ASA trade missions overseas. The Government has appealed to the private sector to take a greater share in the industrialisation of Malaya and this is where I feel that the Chambers of Commerce can play a fuller role.

The Honourable Senator Enche' Amaluddin bin Darus has referred to the RIDA as weak and not the cure for the improvement of the economic development of the Malays. Little does he realise that there are two minor functions of RIDA. The first function is to be the source of capital for Malays in commerce and industry. The second is to provide technical advisers to the Malays in industry. The Honourable Senator cannot deny that the North Eastern Transport Service in Kelantan, a purely Malay bus company, which was on the verge of bankruptcy has been put back on a profitable basis through RIDA. The Honourable Senator cannot also deny that RIDA has also positively assisted the batik industry in Kelantan by supplying duty-free white cloth for the making of batik, and also has helped it in its marketing. These are only two examples to show that RIDA certainly is one of the effective cures of the Malay economic ills. He has charged that the Alliance Government has failed to assist the Malays in commerce and industry. He claims that the only way which has still not been used by the Government to uplift the economic level of the Malays is through the active co-operation of non-Malays to help the Malays. It is obvious that the Honourable Senator refuses to acknowledge the great strides the Alliance Government has made in this direction. In the Dewan Ra'ayat I had explained in detail that my Ministry has assisted Malays in the following ways:

- (i) The formation of a Malay Secretariat that will guide and assist Malays in commerce and industry;
- (ii) The formation of the Sharikat Permodalan Kebangsaan Ltd, which is a Malay investment company, as a source of Malay capital;
- (iii) The reservation of a percentage of shares in certain companies given pioneer certificates for Malay participation so that the Malays will have a stake in the industrialisation of this country; and

(iv) The reservation of a proportion of the number of jobs, ranging from labour to management, for Malays in pioneer companies.

Sir, if this is not co-operation from and by the non-Malays to assist the Malays in commerce and industry, I do not know what is.

Dato' E. E. C. Thuraisingham: On a point of explanation. The statement of the Honourable Minister of Commerce and Industry that myself and my supporters when making the suggestion for a new rubber Minister hope that the Minister will be appointed from within the four walls of this Senate, has a very familiar note and ring. When I made a suggestion two years ago that overseas missions should be sent out, the same story was told by an Honourable Minister. He said that we were trying to create an opportunity to go for a jaunt round the world, and the present Minister of Commerce and Industry makes the suggestion that the new Minister may come from the four walls of this House. I think it is not the type of statement one expects of a very respected and very Honourable Minister of His Majesty and I would ask you, Sir, whether you consider that the Minister should withdraw this insinuation. It is becoming too often the practice of Ministers: when suggestions are made by persons not in their camp they always belittle them with personal motives.

The Assistant Minister of Commerce and Industry (Tuan Haji Abdul Khalid bin Awang Osman): On behalf of the Minister of Rural Development, I wish to reply

Dato' E. E. C. Thuraisingham: I want a ruling, Sir, as to whether you consider that the Honourable Minister should be asked to withdraw that insinuation.

Dato' Dr Cheah Toon Lok: Mr President, Sir, on a point of explanation, I would say that attention was not paid to what was said; I was left out twice by the Minister. I think more attention should be paid to the speeches of members of this august Senate. In fact, as one of the Opposition Members,

Enche' Amaluddin bin Darus, said, in the Senate of the United States of America even bills passed by the Congress could be nullified, and I expect a Minister of our Government to pay more attention to the speeches of Senators in this House. I do not say that our Honourable Minister has failed, but I think he has got his notes mixed up. I hope it will not be mixed up next time.

Mr President: I do not think the Minister has made any insinuation, but I think the Minister should not have said that.

Dato' E. E. C. Thuraisingham: I do not press, Sir, that he should withdraw it. I thank you, Sir, and since you have noticed that point; there would not be any recurrence of this type of talk here.

Dato' Dr Cheah Toon Lok: Mr President, I suggest it was an imputation and it should be withdrawn.

Enche' S. O. K. Ubaidulla: It was said in a light vein and it should not be taken so seriously.

Tuan Haji Abdul Khalid bin Awang Osman: Mr President, Sir, on behalf of the Minister of Rural Development, I wish to reply to the Honourable Enche' Nathan in regard to the points raised by him regarding the Land Scheme. At the moment, the subsidy extends for two years. This is being reviewed, that is, it may be extended to three years. The choice of areas to be developed is dependent on the availability of State land. Estate workers are given the opportunity of getting lands under the controlled land alienation policy. Under this policy, workers who have the means will be allowed to participate.

The Minister of Agriculture and Co-operatives (Enche' Mohamed Khir Johari): Mr President, Sir, I wish to reply briefly to the points raised by the Honourable Enche' Nathan in regard to my Ministry. He has said that the Government should go all out to achieve self-sufficiency in the matter of food-stuffs, in meat and other things. I can assure him that the Government is no less anxious than he is towards the achievement of this objective and,

as a matter of fact, even right now we are already self-sufficient in the matter of pork. We hope that, as people get more interested in rearing poultry, cattle, etc., we shall be able, in the next few years, to be self-sufficient in meat and other food-stuffs.

The Honourable Member has also advocated the opening up of more grazing reserves specially for workers in estates in order to enable them to have co-operative dairy farming. That is, in fact, the policy of my Ministry. But there is the question of finding suitable land for this purpose. However, wherever possible, it has been the policy of the Veterinary Department of my Ministry to open up new reserves to encourage more people to go in for cattle grazing.

In regard to the question of the National Land Development Finance Company, the Honourable Member has said that we should try to get away politicians from the co-operative movement. I wholeheartedly agree with him, but I note in the souvenir copy issued at the opening of the Ladang Rinching by Tun Razak on 14th April, 1962, there was a word of welcome by the Honourable Enche' S. P. S. Nathan himself. I wish to quote the relevant part:

"As a worker, I rejoice in the success of your Society in buying Bukit Sidim Estate. This amply demonstrates that the ordinary worker can make sacrifices to see forcible things done . . ."

At that time the Chairman of this Co-operative Society was the same person, i.e., Dato' Sambanthan. So, I am beginning to wonder why there is a sudden change in his attitude towards this Society. I wish also to quote the remarks made by the Acting Commissioner for Co-operative Development at that time. He says:

"This fine achievement has resulted in the purchase of an estate of 2,900 acres, thus assuring constant employment for about 500 workers and freeing them and their families from the worry of unemployment and despair. This remarkable achievement will serve as a shining example of the great responsibilities that could be obtained through the co-operative movement."

There is also a word of congratulations from Mr P. P. Narayanan, but

I shall not bother the House to quote what he said. Any way, as I have also said in the Dewan Ra'ayat, when this matter was raised by the Opposition, particularly by the Socialist Front, that as far as we know, as far as we can trace, the activities of this Society are not inconsistent with the objectives of the co-operative movement and, therefore, as far as my Ministry is concerned, it does not deviate from its objectives, but we will give all our support to this kind of Society.

Yang Berhormat Enche' Da Abdul Jalil telah mengeshorkan supaya Kerajaan mengadakan motobot yang besar di-letakkan di-Pantai Timor dalam masa tengkujuh. Baharu² ini Yang Berhormat Menteri Besar Trengganu telah berhubung dengan saya. Beliau minta saya hantar satu motobot besar di-sana. Tetapi yang menghairankan saya ia-lah motobot yang saya hantar itu maseh lagi di-tengah perjalanan, saya dapat taligeram suroh tahan motobot itu, dia tidak mahu motobot itu (*Ketawa*). Walau pun begitu, saya berjanji saya akan ikhtiarkan apa juga bagi menolong saudara² kita yang bergantung di-atas perikanan bagi kehidupan mereka itu.

Sekarang saya suka menjawab ucapan Yang Berhormat Enche' Amaluddin yang mengatakan bahawa M.I.C. ia-itu satu daripada anggota Parti Perikatan telah menuntut supaya bahasa Tamil itu menjadi Bahasa Rasmi. Perkara ini ada-lah sangat karut dan tidak berasas, kerana saya dapat tahu daripada M.I.C. sendiri ia-itu tidak ada satu usul pun yang telah di-terima atau yang di-bawa yang menuntut supaya bahasa Tamil itu menjadi Bahasa Rasmi. Jadi jika ada pun itu ada-lah rekaan PAS.

Enche' S. O. K. Ubaidulla: Betul.

Enche' Mohamed Khir Johari: Selain daripada itu dia telah menyebutkan berkenaan dengan Kerajaan tidak menjalankan ikhtiar bagi menggalakkan pengeluaran barang² yang perlu yang di-gunakan dalam negeri ini. Saya suka menarek perhatian-nya kepada jawapan yang telah di-beri kelmarin oleh Yang Berhormat Menteri Perdagangan dan Perusahaan. Kalau

beliau itu membaca dia akan nampak dengan terang-nya banyak benda yang telah di-buat pada masa ini dalam negeri ini, tetapi jika kita berkehendakan semua sa-kali barang² itu di-keluarkan dalam negeri ini tentu-lah akan mengambil masa. PAS sendiri pun sa-bagaimana yang kita tahu hendak menutup Biarritz Park, Kota Bharu, sudah 3 tahun belum boleh tutup lagi—itu hendak tutup "park" (*Ketawa*). tambahan pula hendak membuka gudang tentu-lah akan mengambil masa yang panjang (*Ketawa*).

Beliau telah menyebutkan dasar sharikat bekerjasama yang di-jalankan o'eh Kerajaan ada-lah dasar kolonial. Saya suka mengatakan ia-itu orang yang selalu memburokkan dasar kolonial itu ada-lah orang yang tidak ada modal. Fikiran-nya sentiasa negative. Tidak-lah perlu langsung bagi kita mengingati tentang kolonialism. Sekarang ini kita menjalankan dasar kita mengikut keadaan masa. Tidak-lah berma'ana apabila Professor Ungku Aziz kata benda itu puteh, maka Kerajaan bersetuju mengatakan benda itu puteh. Kalau begitu keadaan-nya, dunia kita ini semua-nya di-kuasai oleh professor sahaja (*Ketawa*), yang jadi Menteri semua-nya professor dan semua Kepala Negeri patut professor. Barangkali apa yang di-katakan oleh professor itu betul di-atas kertas, tetapi pada perektilal-nya tidak boleh buat. Jadi, saya kata, Ungku Aziz bukan-nya ta' betul. Saya kata, ada kala-nya dia betul dan ada kala-nya dia ta' betul, tetapi jika sa-kira-nya dia boleh tunjukkan apa yang patut kita buat untok membaiki sharikat kerjasama, saya perchaya Kerajaan akan menguchapkan berbanyak terima kaseh kapada-nya.

Berkenaan dengan baja urea telah pun di-sebutkan oleh Ahli Yang Berhormat itu. Perkara ini, saya ta' mahu sebutkan apa² kerana sharikat itu telah mengeluarkan satu kenyataan bahawa mereka dengan suka hati mereka itu telah mengeneipkan dengan satu perkara hendak mendirikan kilang baja urea ini. Oleh sebab itu, kalau perkara ini dia hendak tahu jawapan-nya, tanya-lah pada sharikat itu.

Berkenaan dengan kapal terbang, kata-nya kapal terbang ini kecil sangat hanya untuk kegunaan VIP sahaja. Jadi kita ta' mahu dua sa-kali tambah—hospital hendak di-tambah, kapal terbang hendak di-tambah. Macham mana kita hendak tambah sekarang ini, kita kedekut sangat, bekalan tentang pertahanan tidak perlu pada kita. Jadi, sebab itu-lah, bila di-sebut hendak beli kapal terbang, Menteri Kewangan kita dekat² hendak dapat heart failure (*Ketawa*) ta' boleh kita beli dua² sa-kali. Ini yang mesti PAS mahu ingat!

Ahli Yang Berhormat itu telah menuduh bahawa pegawai² kita yang lain bangsa tidak mahu memberi kerjasama ia-itu menyekat orang² Melayu. Saya suka hendak bertanya kepada Ahli Yang Berhormat itu: Di-Kelantan siapa yang tahan Kerajaan PAS untuk membuat kemajuan² bagi orang² Melayu, siapa pun ta' ada, tetapi apa yang dia sudah buat sekarang ini? Ini yang kita hendak tahu. Kalau-lah perchakapan-nya yang bagitu panjang dia tujukan kepada Kerajaan PAS, barangkali ini-lah satu penghargaan yang besar bagi ra'ayat² negeri Kelantan terhadap Yang Berhormat Enche' Amaluddin bin Darus itu.

Penghabisan sa-kali berkenaan dengan Yang Berhormat Dato' Thuraisingham. As regards the Honourable Dato' E. E. C. Thuraisingham, the Honourable Minister of Commerce and Industry has already replied to him. In fact, Mr President, Sir, when I first knew the Honourable Dato' Thuraisingham, I was asked by somebody what did the initials in his name "E.E.C." stand for. I said at once that they stood for "European Economic Community" (*Laughter*).

Enche' Tan Siew Sin: Mr President, Sir, in winding up this debate on behalf of the Government, I would like to say that we are very grateful for the expressions of support which this Budget has received from all sides of this House. I think I am justified in using the adjective "all" because apart from one Senator from the Opposition benches, all other speakers have unreservedly supported this Budget,

and even in the case of that lone Opposition Member only a very small part of his speech, which extended for nearly one hour, was devoted to finance.

My Honourable friend Enche' Ubaidulla has suggested that the Government might consider the opening of duty-free shops at airport terminal buildings. From the Treasury standpoint, I can see no objection to this proposal, but my Honourable friend the Minister of Commerce and Industry will no doubt consider whether this is desirable or not with a view to promoting the sale of domestic products.

My Honourable friend Enche' T. H. Tan warned the Government that in procuring our defence requirements we should take care not to buy what he describes as war surplus junk. I can give him an assurance that whenever we have to buy defence equipment, we in fact purchase only what is needed for our requirements, and we take care that what we do buy is the equipment which is most suitable for us. For example, we are equipping our troops with a self-loading rifle and we are also obtaining fast patrol craft for the Royal Malayan Navy. We are also examining our requirements for larger planes, particularly transport planes, in the light of our commitments on Malaysia, but as my Honourable friend the Minister of Agriculture and Co-operatives has already pointed out, we obviously cannot buy all the things which are desirable, for the simple reason that our finances are limited.

My Honourable friend Dato' Sheikh Abu Bakar suggested that if a male citizen or a male resident of this country has more than one wife and in consequence has to keep more than one establishment, the Government should consider giving tax relief for more than one house which is occupied.

Dato' Sheikh Abu Bakar bin Yahya: I beg your pardon, Sir. I did not say so. I said that according to what the Honourable Minister said in his address in the Lower House, I have to ask him to see that when the rules are drafted they must be properly done so

that a man who has two houses in the same locality should be given exemption for one house only, not two, Sir.

Enche' Tan Siew Sin: I am grateful to the Honourable Dato' Sheikh Abu Bakar for his clarification. I can certainly give him the assurance that it is not the intention of the Government to give exemption on more than one house. (*Laughter*). I was under the impression that he wanted the concession to be broadened.

My Honourable friend Enche' Chan Kwong Hon suggested something which was quite different. He felt that the Government should also consider the granting of relief to those taxpayers who have to support dependent parents. I entirely agree with him that it is a good thing to support aged parents. I think that is a duty which we could encourage taxpayers to observe, but I do not think the Government can afford to give a concession for that. We must remember that in this country we have got something of the order of 80,000 taxpayers, many of whom pay a very small amount in income tax, and I think those taxpayers can well afford, if they have aged parents, to support them and yet continue to pay tax at the present rates without the benefit of further concessions. We might remember that if we gave in to every request for a concession, there will practically be no income tax left to collect. (*Laughter*).

My Honourable friend Enche' Nik Hassan asked the Government about the results of the Commission of Enquiry which was appointed to enquire into the tender system. The report is now in hand and is being actively considered by the Government and we hope that something can be done about the recommendations contained in the report. I should say that the report in my view is a very useful one, and I think the Government can benefit from the recommendations made therein.

The Honourable Enche' Amaluddin suggests that our public debt is too high. I think there can be more than one opinion on what the level of a

nations' public debt should be, but, generally speaking, all knowledgeable opinion is of the view that so long as the country's revenue is sufficient or is adequate to pay for the cost of servicing the debt it should be acceptable. One should also bear in mind that if one wishes to accelerate the rate of economic growth it would be necessary in the case of almost every country in the world to do so by means of borrowing; to do otherwise would mean that the rate of economic growth will be very much slower, and so long as loans raised are used for projects which would increase the revenue of the country I think that additional loans incurred in this way would not seriously endanger the economic stability of any country. The Honourable Member also stated that it was too dangerous to rely too much on foreign capital, and in the same breath he also criticised the Government for following a policy which resulted in relying too heavily on rubber which, he suggested, was beyond our control in the matter of price. It is because the Government is aware that we are too dependent on rubber that it is, firstly, trying to diversify the agricultural economy, and secondly, trying to industrialise, in order that in the coming years we shall have to rely less and less on rubber. But in order to industrialise you have to welcome foreign capital, not only for the amount of money it brings in but also because foreign capital brings with money the technical know-how without which it could obviously not be possible to industrialise in a big way. The Government does realise that foreign capital has its disadvantages, but on the balance we must accept the fact that without foreign capital it would not be possible to industrialise as rapidly as we would wish to. So long as we have political power I think we can ensure that foreign capital performs the job it should perform without at the same time dominating the country either politically or economically. The Honourable Member has stated the problem and we are aware of this problem, but nowhere in his speech could we find a solution to the problem. The Government is trying hard

to find a solution and I think the courses we have suggested and adopted are the best possible under the circumstances.

The Honourable Senator also stated that our foreign policy should be neutral. He, I think, implied that we should not join the Western bloc and I think, judging from the cross fire which resulted afterwards, he did not suggest that we should join the Communist bloc either. So one is forced to come to the conclusion that he suggests that we should be neutral. One would think that recent events have proved very conclusively that the policy of neutrality does not ensure immunity from foreign attack. In fact, I think it is not too much to say that neutrality has been proved to be a disastrous failure as a matter of national policy. The Alliance Government certainly does not agree with that policy because we feel that in a world where we have got two major conflicting ideologies, neutrality buys neither safety nor is it an acceptable policy in the context of present circumstances.

The Honourable Senator also suggests that we should withdraw our forces from the Congo as there are signs that the trouble there is coming to an end. We are already reducing the Malayan Special Force in the Congo to one major unit, but bearing in mind that our Government supported the United Nations' action in the Congo and the United Nations in general we have no intention of withdrawing our forces completely from that troubled area at the moment. We naturally hope that peace will return to that country as soon as possible, but so long as our forces are needed there we will certainly keep the minimum of forces in that area.

He also suggested that we should expand our Armed Forces, but I think I have already dealt with that and so has my Honourable friend the Minister of Agriculture and Co-operatives. He should bear in mind that we have this treaty of mutual defence with the United Kingdom and that I think will help us to reduce our expenditure on defence commitments somewhat.

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 INSURANCE BILL

Second Reading

Tun Leong Yew Koh: Mr President, Sir, I beg to move that a Bill intituled, "An Act to provide for the regulation of insurance business in the Federation and for other purposes relating to or connected with insurance" be read a second time.

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

Enche' Tan Siew Sin: Mr President, Sir, the existing law on insurance in the Federation is drawn from legislation of the United Kingdom enacted in 1909. It was known to be inadequate and out-of-date. The Government began to move as far back as 1958 to remedy this unsatisfactory state of affairs. It was not until 1960, however, that the Caffin Report on this subject was received, and the present Bill is largely based on his recommendations, suitably modified in the light of subsequent experience.

The preparation of this Bill was delayed first by the necessity to obtain personnel for its administration, and later by the problem presented by the "mushroom" life insurance companies. They would not have come into being had our laws been adequate, and it was necessary to deal with them by special interim legislation. The activities of the "mushroom" companies undoubtedly harmed reputable insurers. The latter will welcome this legislation, not only because it will prevent the growth of similar companies in the future but also because it will impose restraints on any

other insurers who may be inclined to adopt dubious standard. Honourable Senators will understand that, when I speak of restraints and controls, I speak of measures designed to establish standards which are regarded as being in accordance with sound insurance practices, and which reputable insurers adhere to at present.

There are very few countries indeed in the world which have not enacted comprehensive legislation on insurance, because insurance impinges so vitally on the economic and social welfare of the community. There is a particular need for legislation in respect of life insurance in which the policy-owner's money may be controlled by the life insurance company for fifty or more years. Insurance legislation has two extremes. In North America it is very detailed, and sets up a close and intense supervision. At the other extreme is the legislation of the United Kingdom which gives a high degree of freedom, but provides for publicity for the affairs of insurance companies. This publicity depends for its effectiveness on the existence of a well-informed financial Press, which, with respect to our Press, we have not got in the Federation. The present Bill follows a middle course between these two extremes. It regulates insurance in a reasonable and orthodox manner, but it depends partly on publicity by requiring the Insurance Commissioner to prepare an annual report which is to be laid before each House of Parliament and is to be publicly available.

The Bill applies to the Malayan Co-operative Insurance Society and also to underwriters at Lloyd's. The benevolent societies registered under the Societies Ordinance are outside the scope of the Bill as also are private pension funds not conducted for profit, and where the arrangements concern only employer and employee. The Employees' Provident Fund, of course, does not carry on insurance and, therefore, is not affected.

The Primary control over insurance business in the Federation is established by requiring all insurers to register as such, quite separately from any other registration required of them. This

would bring them within the scope of the proposed Insurance Act. The penalty for an unregistered insurer carrying on insurance business in the Federation, and for an agent acting for an unregistered insurer should, therefore, be substantial. The Bill seeks to make it so.

Existing insurers are to be registered automatically on their application in the proper form. I make no implication, but if, for example, any one of them needs to be wound up, it is better to do that under the controls proposed than outside them. New insurers, i.e., those going into business after the date of the legislation will, however, be granted registration only if they can demonstrate that their businesses are likely to be conducted along sound lines. They must also have a surplus of assets over liabilities of \$1,000,000 or \$1,500,000, if they seek to carry on both life and general insurance.

All insurers, new and old, must deposit \$300,000 with the Accountant-General, if they are to carry on life insurance, and an additional \$300,000 if they wish to carry on general insurance as well. Where insurers have already made deposits under the present legislation, they are allowed two years in which to bring them up to the new levels. Many insurers operate in groups, and since it may be a hardship for all members of the group to make a deposit, provision is made in the Bill for the acceptance of bank guarantees in lieu of deposits.

The hub of the Bill is a requirement on insurers to keep a register (or list) of the policies of its business in the Federation, and to keep it separate from all other registers. Any policy may be placed on these registers, but those which are of a Malayan character, as laid down in the First Schedule, must be placed on them.

The Bill then goes on to require separate accounts to be kept by insurers in respect of policies on Federation registers, that is, there will come into being for each insurer what is called an "insurance fund". The assets of that fund are to be held to secure the policies on its Federation register,

and only those policies. The existence of a separate insurance fund for Federation policies ensures that there are assets sufficient to meet liabilities under them, regardless of what the insurer's position may be elsewhere. The latter position is likely to be beyond our control. Further, since the amount of the assets held in respect of Federation policies now becomes known, it is possible to require that a proportion of them be invested in the Federation. This proportion commences at 25 per cent, and rises by 10 per cent per year until it reaches a maximum of 55 per cent. It is doubtful whether more than 55 per cent of the assets can be invested in the Federation in a balanced portfolio. Time will tell, and the position can be reviewed in the future if need be.

The requirement of investment in the Federation is in accordance with the sound insurance practice of having liabilities and assets in the same currency. In a world in which there is exchange control, amounting at times to a complete barrier to the transmission of funds, it is an elementary matter of prudence for a company with liabilities in the currency of the Federation to have assets in the Federation. It is only incidental to this that investment in the Federation will aid in its development. Nevertheless, it is quite reasonable that premiums paid in the Federation should aid the development of the Federation.

In the past, some insurers in the Federation have issued life policies in foreign currencies. Applying to these circumstances, the principle of matching liabilities and assets in the same currency, it is proper that insurers should be allowed to hold appropriate assets in foreign currencies. The Bill permits this, and also permits future life policies to be effected in foreign currencies and backed by assets in such currencies. However, this is permitted in the future only on the lives of persons who are not citizens of the Federation.

The circumstances in which an insurer can take a profit out of its business in the Federation are laid down. With a general insurance com-

pany this is simply an excess of income over expenditure, after provision has been made on a basis to be set out in the regulations for liabilities under unexpired policies. These policies are rarely for a longer period than a year and often cover shorter periods.

The position as to profit with a life insurance company is not as simple. Life policies may continue for many years, and the calculation as to what needs to be in hand on account of policy liabilities involves reducing future receipts and claims to their present value. However, when the calculation has been made, and if there is a surplus of assets over calculated liabilities, the insurer may take a profit out of the business.

As Honourable Members know, most policies of life insurance receive bonus additions, and up to a point provision for these bonuses are taken into account when premiums are calculated. Thus it would not be equitable to divert to shareholders the entire surplus of assets over liabilities arising from policies which are entitled to receive bonuses. The Bill provides that not less than 80 per cent of that surplus shall be given to policy owners, and not more than 20 per cent to shareholders. This minimum basis for sharing the surplus has had a status of about 150 years. The minimum basis is, in fact, exceeded by many insurers, including some operating in the Federation.

Underwriters at Lloyd's are a special case. They are individuals with unlimited liability who individually accept only a portion of a risk under any policy. No two policies necessarily bind the same underwriters. Lloyd's, by the nature of their case, cannot produce a revenue account and a balance sheet as can an insurance company. However, the Bill in respect of underwriters at Lloyd's makes arrangements which have the effect of putting them on the same footing as an insurance company. Whereas an insurance company itself maintains a fund with which to meet policy liabilities, an appropriate amount will be deposited with the Accountant-General on behalf of underwriters at Lloyd's. Brokers operating in the

Federation on behalf of underwriters at Lloyd's will deposit annually details of the business done by them.

A supervision of all other insurers is established by the requirements of accounts and statistics to be deposited annually. Additionally, life insurance companies must have an actuarial valuation of their liabilities made not less frequently than once every three years, and deposit details of their valuations. Any insurer may be asked for information regarding its business and may, subject to an appeal to the Court, be given directions regarding the conduct of its business. Life insurance companies may not issue policies except where the premium has been approved by an actuary.

The machinery of supervision extends to the Insurance Commissioner being able to inspect the business of an insurer and for him to petition the Court for a winding-up. The latter is particularly necessary in the case of a life insurance company. The debts of a life insurance company fall due in the future, and some much more in the distant future than at present. An insolvent life insurance company may have considerable money in the bank and be able to pay its present debts, but the average man cannot know that its assets are not sufficient to pay its future debts. It is necessary in these circumstances for the Insurance Commissioner to be able to step in and petition the Court. If this is not done, some policy owners will receive payment of all their claims on the company, but some will receive nothing at all. Clearly this is inequitable, and a winding-up is called for in the circumstances as soon as possible because it spreads the loss equally over all policy owners.

The interests of policy owners have been affected adversely in other places by an amalgamation of companies, or a transfer of business from one company to another. The company taking over the business of another insurer may not always be sound, and the business may not be taken over on equitable terms and with proper provision for the policy owners affected. Because of

these reasons some of the earliest legislation in the world concerning life insurance dealt with amalgamations and transfers. The Bill provides, therefore, that amalgamations and transfers shall not be made without the approval of the Court. Before it is submitted to the Court, the scheme for the amalgamation or transfer must be lodged with the Insurance Commissioner, and be available for public inspection. The Insurance Commissioner may have the scheme investigated by an independent actuary.

It is well-known that much of the business of the "mushroom" life insurance companies consisted of policies closely akin to gambling. People insured the lives even of beggars in the street in the hope that they would die at an early date. The passing of the Bill will end this sort of thing. If a person does not have a pecuniary interest (what is in law called an "insurable interest") in the life of another, any policy effected by him on the life of that other person shall be void. Exceptions to this are policies effected by a wife on the life of her husband, by a husband on the life of his wife, parents on the lives of their children and guardians on the lives of their wards.

The miscellaneous provisions of the Bill also include that a person who has paid life insurance premiums on a policy for three years, or six years with a home service policy, may have a cash surrender value at least on a minimum basis. Under both types of life insurance, if, after three years, the policy owner simply wishes to pay no more, he may have a paid-up policy free of future premiums, but for a reduced amount, again on a minimum basis.

The Bill also provides that after a insurance policy has been three years in force, and a cash value or paid-up policy is not taken and premiums are discontinued, the policy shall be continued in force for a period of time. The usual arrangement is for the unpaid premiums to be paid by way of a loan against the surrender value thus keeping the policy in force until such time as the surrender value is exhausted. There are, however, so many

reasonable arrangements used by insurers in the Federation, or capable of use, that it is not desirable to tie them all down by precise and rigid provisions in the Bill. It is, therefore, required that the system used by an insurer shall be approved by the Insurance Commissioner.

The proceeds of many life insurance policies are paid to widows who are in dire need, and the smaller the policy, the more likely is this to be the case. In such circumstances, the cost of proving a will, or of taking out letters of administration, can involve a heavy burden of legal costs. Legislation in other places gives relief from this burden by permitting payment to stated close relatives of the deceased without the necessity of proving a will, or of taking out letters of administration. Millions of small claims have been paid in this way in the United Kingdom alone. The Bill provides, therefore, that policies of \$10,000 or less may be paid without the legal formalities which have hitherto been required.

Speed in the payment of claims under life insurance policies is also important to a widow, and one matter which may delay the widow receiving her cheque is the necessity to obtain a certificate from the Collector of Estate Duty. A deceased estate does not attract duty unless it exceeds \$10,000, but it would not be prudent to allow an insurer to make payment in full without a certificate. The estate may include more than the policy or policies issued by the insurer on the life of the deceased. The Bill, therefore, provides that where the policies with an insurer do not exceed \$10,000, ninety per cent of the money due may be paid without a certificate from the Collector of Estate Duty, and the remaining ten per cent when a certificate is produced. Just in case the deceased had policies with several insurers, each insurer must give notice to the Collector of Estate Duty of its intention to make payment.

All specific insurance legislation, except the Life Assurance Companies (Compulsory Liquidation) Act, 1962, is

to be repealed because the proposed legislation will make the former unnecessary. Various references to insurance in other legislation require consequential alterations.

Finally, it should be stated that this proposed Act will facilitate the growth of a sound and healthy insurance business in the Federation. Such growth and soundness are matters of prime concern to the welfare of our society and to our economy.

Mr President: Meshuarat ini ditonggohkan sa-hingga pukul 2.30 petang ini.

Sitting suspended at 12.10 p.m.

Sitting resumed at 2.30 p.m.

(Mr President in the Chair)

BILLS

THE INSURANCE BILL

Second Reading

Debate resumed.

Mr President: Ahli² Yang Berhormat masaalah di-hadapan Majlis ini ia-lah Rang Undang² yang di-namakan "an Act to provide for the regulation of insurance business in the Federation, and for other purposes relating to or connected with insurance" di-bacha bagi kali yang kedua terbuka bagi dibahathkan.

Enche' Yeoh Kian Teik: Mr President, Sir, in welcoming this Bill I would, however, like to say something about the provisions of clause 5 and clause 20 of the Bill. As I read this Bill, the power under this Bill is vested in the Commissioner, who will act under the directions of the Minister. The Commissioner is appointed by the Yang di-Pertuan Agong, under clause 35, I believe. Under clause 5, if the Commissioner refuses registration of a company, then the applicant appeals to the Minister, who will then appoint a referee. Sir, to my legal mind, this does not work out fairly, or, shall I say, natural justice does not seem to arise.

The Commissioner acts on the instructions of the Minister and the referee is also appointed by the Minister. If there is a conflict of opinion between the Commissioner and the referee, it will place the Minister in a very awkward position to decide which opinion of his two advisers he should accept.

Similarly, under clause 20, provisions are set out for the individuals to comply with the requirements of the various sub-sections of clause 20. In spite of compliance the discretion is vested in the Commissioner. I would have thought, Mr President, Sir, that if there is due compliance with that section then the question of discretion does not arise. If there is non-compliance then the Commissioner would be entitled to refuse to issue any licence to these individuals.

Provision has also been made in this Bill for application to the High Court where it is intended to amalgamate two companies or transfer the business from one person to another. May I suggest, therefore, to the Minister that similar provisions should be made in the case of an appeal rather than the appointment of a referee.

Enche' Tan Siew Sin: Mr President, Sir, I appreciate the validity of the remarks made by my Honourable friend Enche' Yeoh Kian Teik, but I am afraid I am unable to accept his suggestion because, I think, it is very essential for the Government to retain the discretionary power to allow or disallow an application for registration. I do not quite agree with the Honourable Member when he suggests that the Minister will be put in an awkward position in case an appeal lodged in accordance with the provisions of clause 5 were to result in the referee and the Commissioner submitting conflicting reports. The fact that the referee is appointed by the Minister does not necessarily imply that the referee has to comply with the wishes of the Government. The intention is that the referee should be an independent person and, I think, he should be able to make up his own mind irrespective of what the Commissioner says. In such cases the Minister would have, I think,

a fair assessment of the position after getting the report of the referee.

I think the same remarks apply to clause 20 in the case of underwriters. Here again, I think the Government must retain some discretionary powers, because Lloyd's consist of very well-known firms. There may be other firms of underwriters which may not be so very well-known and whose integrity may not be entirely beyond question, and I think it is essential in the public interest that the Government should have the power then to refuse or to allow an application.

This is a new law and I suggest that it will be better to allow it a fair run and if any abuses were to be discovered, I think that is the time when the Government can probably review the position again.

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 48 inclusive ordered to stand part of the Bill.

First Schedule, Second Schedule, Third Schedule, Fourth Schedule and Fifth Schedule ordered to stand part of the Bill.

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

THE KIDNAPPING 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 make further provision for the choosing of assessors in trials under section 3 (2) of the Kidnapping Act, 1961" be read a second time.

Sir, under the Kidnapping Act of 1961 the trial of a person charged with an offence classified under sub-section

(2) of section 3 of that Act must be by the court of a judge with the aid of assessors conducted in accordance with the provision of Chapter XXI of the Criminal Procedure Code. The appointment of assessors for the purpose of the trial is provided for under Chapter XXIII. The amendment to the Code in 1956 enacted that Chapter XXIII is to be construed as if the word assessors were deleted. As a result it would therefore appear that no assessors can be appointed under Chapter XXIII. The amendment to sub-section (i) of section 187 of the Criminal Procedure Code is therefore necessary to enable assessors to be chosen from the list of persons to act as jurors.

Sir, I beg to move.

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

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, saya berdiri di-sini memberi sokongan di-atas Rang Undang² ini, tetapi satu perkara yang berkaitan dengan perkara ini yang ingin saya mendapat penerangan dari Yang Berhormat Menteri yang berkenaan ia-itu ada-kah satu hubungan mengadakan Rang Undang² Kidnapping seperti yang telah di-luluskan dahulu—saya ta' berapa ingat, kerana saya mendapat tahu, ada kejadian pencholekan yang berlaku di-Persekutuan Tanah Melayu ia-itu di-Kuala Lumpur ini sendiri, polis ta' dapat berbuat apa², tetapi orang itu di-bebaskan, orang itu di-bebaskan bukan dengan usaha polis, tetapi dengan tebusan yang di-bayar dari Singapura, melalui bank atau melalui kawan² dan sa-bagai-nya.

Tun Leong Yew Koh: Sir, the Bill has got nothing to do with the payment of ransom.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, saya pun faham perkara itu. Yang saya menyatakan dalam memberi sokongan Rang Undang² ini ia-lah saya meminta penjelasan perkara yang berkaitan dengan perkara ini.

Mr President: Itu soal lain yang tidak ada kena-mengena dengan fasal ini. Saya fikir, tentang perkara ini, kalau Yang Berhormat Enche' Amaluddin hendak tahu dengan jelas, tulis-lah surat dengan Menteri yang berkenaan dan dia akan beri apa² perkara berkenaan dengan perkara ini.

Enche' Yeoh Kian Teik: Mr President, Sir, with regard to the point raised by the Honourable Enche' Amaluddin bin Darus, if a person in Singapore wishes to pay ransom money in respect of a person kidnapped in the Federation of Malaya, the criminal law in this country has no jurisdiction outside the Federation. So if it is public knowledge that that money is paid in Singapore, the Federation Government has no power to exercise any jurisdiction over what is done outside its territory.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, saya ucapkan terima kasih, nampak-nya ta' ada Menteri yang hendak menjawab-nya, oleh itu saya harap perkara ini boleh di-jadikan ingatan, kerana perkara ini ada berkaitan-nya.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr President in the Chair)

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

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

THE ADVOCATES AND SOLICITORS (AMENDMENT) BILL

Second Reading

Tun Leong Yew Koh: Mr President, Sir, I beg to move that a Bill intituled "An Act to amend the Advocates and Solicitors Ordinance, 1947" be read a second time.

Sir, at present there is no provision for the keeping and auditing of accounts of clients' money in the hands of practitioners. The Honourable Chief Justice has expressed concern over the need of protecting the public against defalcations of clients' money, and this amendment is therefore to secure safeguards to the public.

This Bill will empower the Bar Council to make rules as to the keeping of proper accounts by practitioners of their clients' money, and every practitioner has once a year to submit to the Registrar a certificate signed by an accountant to the effect that he has examined the practitioner's books, accounts and documents and he is satisfied that the accounts are properly kept in accordance with the requirements of this Act.

Sir, I beg to move.

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

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr President *in the Chair*)

Clauses 1 and 2—

Dato' Dr Cheah Toon Lok: Mr Chairman, Sir, may I ask one question about Clause 2 which says:

"If a practitioner fails to comply with any rules made under this section, any person may make a complaint in respect of that failure to the appropriate local Bar Committee."

How can, Sir, a complainant know whether the practitioner keeps an accountant?

Enche' Yeoh Kian Teik: Mr Chairman, Sir, under the Amended Clause 45B (1) which says:

"Every practitioner shall once in each period of twelve months ending with the last day of December, unless he satisfies the Registrar that owing to the circumstances of his case it is unnecessary so to do, deliver

to the Registrar a certificate signed by an accountant"

So every practitioner has got to do this under this Amendment. If he fails to do so, then the Registrar, who keeps the record of all practitioners in the country, will be sitting at his doorstep and asking him for his accounts. However, in any case, if any client has any reason to doubt or suspect that any practitioner is not keeping accounts, he can always write to the Bar Council.

Dato' Dr Cheah Toon Lok: Mr Chairman, Sir, on a point of explanation, how could a person know about it before the end of twelve months? The practitioner might have used the money within eleven months and then replaced it during the twelfth month and then submit it to the Accountant for approval or to the Bar Committee!

Enche' Yeoh Kian Teik: On a point of clarification, Sir, it is just like the case of a doctor and his patient in that the patient does not ask the doctor whether he has a permit for the particular medicine or whether that medicine is legal or not. Similarly, unless the client has a reason to complain—for instance, when money is due to him, he is not paid or when the practitioner cannot account for his money—and unless he has a valid reason, he would not complain. Otherwise every day you will find clients complaining to the Bar Committee or the Bar Council that such and such a practitioner is not keeping his accounts. In that respect, I believe the medical profession or the legal profession shares the same complaint if too much room or laxity is given to clients or customers to complain.

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

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

THE CRIMINAL PROCEDURE CODE (AMENDMENT) BILL

Second Reading

Tun Leong Yew Koh: Mr President, Sir, I beg to move that a Bill intituled

"An Act to amend the Criminal Procedure Codes" be read a second time.

Sir, this Bill seeks to amend the provisions of the Criminal Procedure Codes of the Malay States and of the States of Penang and Malacca with a view to make evidence of identification parades conducted by Police admissible at the trial. This has been found necessary because of the recent decision of the Court of Appeal which held that matters pertaining to the identification of accused persons made to the Police fall within the terms of section 113 of the States Code and section 124 of the Penang and Malacca Code under which statements made to the Police in the course of an investigation are in admissible subject to limited exceptions.

Identification parades form part of the normal investigation both in England and in Malaya and such practice has not been the subject of adverse criticism prior to 1956.

The amendment proposed will not relieve the prosecution from satisfying the Court that the identification parade was conducted in a fair and impartial manner and host of authorities exist which go to show in what circumstances such evidence will be rejected by the Courts. It is considered that the interests of justice will best be served if such evidence is made admissible. It would mean that inability by complainants or witnesses to identify a person detained will secure immediate release from detention. At the same time, early identification will enable Police investigations to be made, channelled towards establishing the guilt of the persons accused. Adequate safeguards, as I mentioned earlier, exist which will ensure that the accused will not be prejudiced, and very strict rules govern the manner in which the Police should conduct an identification parade.

An assurance was given in the Lower House that a set of standing instructions would be issued to the Police for their guidance in the conduct of identification parades. The proposed standing instruc-

tions are under consideration by the Attorney-General and the Commissioner of Police and will be issued in the near future. They will be based substantially on the practice of the metropolitan police in the United Kingdom.

Criticisms were levelled at my Ministry for not submitting the Bill to the Bar Council for comments before bringing it to the Parliament. I am happy to say that my communication with the Chairman of the Bar Council has served to remove this misunderstanding, and a happy and cordial relationship always exists between my Ministry and the Bar Council. The Chairman of the Bar Council has expressed the view that the proposed standing instructions will be confined to the scope of this Bill and to statements made in connection with the identification parade and that the present amendment will not be utilised to enlarge this section to make all manners of otherwise inadmissible questions admissible.

Sir, I beg to move.

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

Enche' Yeoh Kian Teik: Mr President, Sir, section 113 of the Criminal Procedure Code is a section which is well-known to all practitioners in the legal profession. This section is not only used in the Federation but it is also part of the Indian Penal Code from which our own Penal Code or Criminal Procedure Code is adapted. To say that the identification made by a witness at an identification parade should be made admissible through or by a Police Officer is, in my opinion, not useful; it does not serve any useful purpose.

Mr President, Sir, I believe that in any criminal prosecution the complainant who makes the identification will be a material witness. He comes to the Court and tells the Court, "On such and such a date I attended an identification parade; at such and such a time I saw this person. He was the person who caused me such and such or did this to me." That is direct evidence. It is not a statement to the Police. But

what the Police saw or what the Police heard during that identification parade is a statement. Now, if we can have the evidence of the complainant, why should we have the evidence of a Police officer who merely corroborates or merely repeats what the complainant or witness is going to say in any case? In India, Sir, I believe a magistrate is asked to attend an identification parade to see that things are carried out properly. Here we have only a Police officer together with the complainant. I know of a recent case where a wrongful identification was made. The complainant did not say anything about it, the prosecuting officer did not say anything about it, but fortunately the officer who conducted the identification parade admitted that a wrongful identification was made. If that question had not been put to the investigating officer this fact would not have come out. Therefore, if we have an independent person in the person of a magistrate such incidents will not arise and identification parades would be very useful in a criminal case. Also, may I suggest to the Honourable Minister that advance warning should be given to the suspect, who is to be lined up in the identification parade, so that he can either be represented by his counsel or he can have some independent persons to attend, so that in case there is any wrongful identification his evidence can be corroborated. In this case, Sir, we do not know—this House, at least, do not know—what other rules and regulations are being circulated to the Chairman of the Bar Council, and I am glad that such action has been taken that there is liaison between the Ministry of Justice and the Bar Council. As we see in the previous Bill—An Act to amend the Advocates and Solicitors Ordinance, 1947—reference was made to the Bar Council.

While on the subject of amendment of the Criminal Procedure Code, perhaps the Minister of Justice could also take into consideration the provisions of section 117 where a citizen can be lawfully detained for a period of up to 15 days without being charged in Court. Now, in this country we believe in the principle that every person is

innocent until he is proved guilty; we are not going on the assumption that a person produced in Court is guilty unless he can prove his innocence. Sir, I believe this House and every law-abiding citizen in this country would like to see that principle maintained.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr President in the Chair)

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

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

THE POST OFFICE (AMENDMENT) BILL

Second Reading

Tun Leong Yew Koh: Mr President, Sir, I beg to move that a Bill intituled "an Act to amend the Post Office Ordinance, 1947", be read a second time.

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

Tuan Haji Abdul Khalid bin Awang Osman: Mr President, Sir, the present Section 54 (2) of the Post Office Ordinance, 1947, provides for two factors before the amount of an unpaid money order can be paid into the Consolidated Fund, viz.:

- (a) Neither the payee nor the remitter can be found; and
- (b) No claim is made within the period of one year from the date of issue.

These provisions are causing the Postal Services Department constant and increasing embarrassment in the number of unpaid money orders which lie in its accounting records, because of the inability or unwillingness of the remitters or payees to claim payment. Many of the cases concern disputes between

landlord and tenant in the payment of rent. The unwillingness of remitters to claim refundment of unpaid money orders in certain cases is fully appreciated, but from the departmental point of view, there is abuse of the service. In most of the outstanding cases in the accounting records, it cannot be stated that neither the payee nor the remitter can be found. Either may be traced, but cannot be persuaded or obliged to claim payment.

The present impasse can be overcome by repealing sub-section (2) of Section 54 of the Post Office Ordinance, 1947, and substituting therefor a new sub-section, as detailed in the proposed Bill. This proposed Bill will provide that the amount payable on a money order is to be paid into the Consolidated Fund where no claim is made or where a claim is made after the lapse of one year from the date of issue of the money order, and will also give the Postmaster-General a discretion to pay the amount of any claim, even though made after the period of one year, but not later than three years, if he is satisfied that the delay in making the claim is justified, or if hardship would result.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr President in the Chair)

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

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

THE FISHERIES BILL

Second Reading

Tun Leong Yew Koh: Mr President, Sir, I beg to move that a Bill intituled "an Act to consolidate and amend the law relating to fisheries and to make provisions for matters incidental thereto" be read a second time.

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

Tuan Haji Abdul Khalid bin Awang Osman: Mr President, Sir, the existing laws relating to fisheries in the Federation are contained in seven separate State Enactments. The existence of separate legislation poses additional problems in the control and regulation of the various aspects of fishing, particularly maritime and estuarine fishing. Each State may have a different set of rules and scale of licence fees. This lack of uniformity in the provisions of the existing enactments makes it difficult to cope with the present day developments and problems in fishing, in particular the control of fishing stakes. The need for exercising adequate supervision over the erection of fishing stakes both within territorial and outside territorial waters has been made obvious in recent years by the disputes in fishing communities along the West Coast, between fishing stake operators on the one hand and operators of fishing nets on the other. As a step towards consolidating the law and adoption of a single legislation, a draft Bill based on the Fisheries Enactment of the F.M.S. and the Fisheries Ordinance of the Straits Settlements was prepared. The Bill was originally drafted in 1955 after consultation with all the State Governments but was subsequently amended to keep in line with the constitutional changes resulting from Merdeka which, among other things, brings maritime and estuarine fishing under Federal jurisdiction and inland or riverine fishing under State jurisdiction.

Under clause 1 (2) of the Bill, it is provided that the provisions of the Act in so far as they relate to riverine fishing shall not come into operation in any of the States until they have been adopted by a law made by the Legislature of that State. Under clause 2 the Yang di-Pertuan Agong is empowered to make regulations relating to maritime and estuarine fishing and fisheries, while under clause 3 of the Bill the State authority is empowered to make rules for the control of riverine fishing in the State. For

the purpose of administration the Yang di-Pertuan Agong is empowered under clauses 7 and 8 to appoint a Director of Fisheries and Deputy Director of Fisheries and also Maritime Fishery Officers and Deputy Maritime Fishery Officers, while the State authority is empowered under clause 9 to appoint Inland Fishery Officers and Deputy Inland Fishery Officers.

With regard to the interpretation, among other things, "maritime waters" is defined as that part of the seas adjacent to the Federation, both within and outside territorial waters, within which citizens of the Federation have by international law the exclusive right of fishing; and where such part is defined by the terms of any convention, treaty or arrangement for the time being in force between the Federation and any State, includes the part so defined. "Estuarine waters" is defined as waters extending from the mouth of a river to the uppermost point upstream penetrated by sea water at highest tide of the year.

The Bill as a whole is considered to be adequate to cover the various important aspects of fishing and fisheries and to serve well as the Fisheries Act for the Federation.

Enche' Da Abdul Jalil bin Haji Awang: Tuan Yang di-Pertua, saya suka menarek perhatian Kementerian yang berkenaan tentang hal penderitaan yang di-tanggung oleh nelayan² di-Pantai Timor. Tuan Yang di-Pertua, pada masa dahulu kebanyakan nelayan² di-sana menggunakan sa-jenis pukot yang di-namakan Pukat Tarek, tetapi sekarang ini pula satu jenis pukot yang di-namakan Pukat Cherot telah di-gunakan. Walau pun Pukat Cherot ini merupakan satu kemajuan dalam pekerjaan nelayan² negeri ini, tetapi oleh kerana modal-nya terlampau besar maka nelayan² itu tidak-lah terdaya mengadakan-nya. Oleh itu, maka kaum modal-lah yang mengadakan Pukat Cherot itu untuk kaum nelayan² menangkap ikan. Maka dengan sebab menggunakan Pukat Cherot ini banyak-lah pengorbanan yang di-tanggung oleh nelayan² di-sana, kerana mereka tidak

dapat lagi menggunakan Pukat Tarek yang bererti Pukat² Tarek tinggal ber-lapok². Agak-nya Ahli² Yang Berhormat tidak mengerti apa-kah dia Pukat Tarek itu. Pukat Tarek itu ia-lah satu jenis pukot yang di-gunakan di-tepi pantai bagi menarek ikan² daripada tepi laut sampai ka-pantai, tetapi sekarang ini dengan penggunaan Pukat Cherot, ikan² ini belum sempat sampai ka-pantai telah pun di-tangkap oleh Pukat Cherot. Saya harap Kementerian yang berkenaan dapat memberi pertolongan kepada nelayan² itu.

Soal yang kedua, Tuan Yang di-Pertua, tentang ikan yang telah di-tangkap. Di-Trengganu pernah juga terjadi bahawa ikan yang di-tangkap itu terpaksa-lah di-churah balek ka-laut, sebab tidak ada pasaran, terutama kalau ikan itu dapat di-tangkap di-waktu petang sedikit, kerana apabila mereka hendak jual ikan itu kepada taukeh, mereka tidak mahu membelinya, jadi terpaksa-lah sama ada di-churahkan kembali ka-dalam laut atau di-jual dengan harga yang murah sekali, umpama-nya satu perahu ikan di-jual dengan harga \$10.00-\$20.00. Maka untuk mengatasi perkara ini patut-lah di-adakan satu pasaran kepada nelayan² itu. Saya tahu sekarang ini ada pasar yang di-buat oleh sharikat kerjasama² nelayan, tetapi sayang-nya pasaran ini tidak menchukupi. Oleh itu, Kementerian harus-lah mengambil perhatian di-atas perkara ini supaya tidak-lah penderitaan nelayan² itu bertambah dari sa-hari ka-sahari. Sa-kian-lah, Tuan Yang di-Pertua.

Enche' Yeoh Kian Teik: Mr President, Sir, the heading in the second paragraph of this Bill, which reads as "Provisions for the Protection of Fisheries", should, in my opinion, be enlarged to read "Provisions for the Protection of Fisheries and the Promotion of the Fishing Industry."

Sir, first of all, I would like to refer to Clause 2 (a) which says:

"The Yang di-Pertuan Agong may make regulations relating to maritime and estuarine fishing and fisheries—

(a) to regulate or prohibit the erection, maintenance, working, repair and lighting of fishing stakes in maritime and estuarine waters;"

The Honourable Assistant Minister has also referred to the Constitution. Under the Constitution vested rights should not be taken away. Now, there are numerous fishing stakes not only on the East Coast but also on the West Coast. Fishing stakes, by their nature, require maintenance, repairs and lighting. These repairs were required ever since the stakes were erected, not merely now because of this Bill. Every month new polls have to be replaced, platforms have to be replaced and lights have to be lit during nights. This provision here, to my mind, seeks to take away the right of these fishing stakes' owners to repair. Every time they want to change a poll on the fishing stake they will have to request or write to the Fisheries Department for permission. Such a thing, to my mind, is onerous and unfair to the owners of fishing stakes. To prohibit the erection of new fishing stakes is a valid reason because of the improvements, as Yang Berhormat Enche' Da Abdul Jalil has said, and in Trengganu, where they have started a Pukat Jerut, the fishing stakes tend to interfere with the operation of these old stakes. Prohibition of new fishing stakes is in order, but to place further obstacles in the ways of old fishing stakes is a burden which most fishing stakes owners will find difficult to bear.

Coming to the question of promotion of the fishing industry, the Director of Fisheries, Dr Soong Min Kong, and the officers in the Department of Fisheries are doing a wonderful service to the people of this country. When I was in Kuala Trengganu some time this year, a fishing boat with some fishermen was lost at sea. Immediately, the Fisheries Department boat went out, found them and brought them back to Kuala Trengganu. They have offered very good services and advice to the fishermen throughout the Federation.

Sir, this Government should take all steps to send our young men overseas for the purpose of training them in the fisheries. Not only young men to staff the Department but also the sons of the fishermen and fishermen themselves should be sent to overseas so that they

can learn the technic, the new improvements which have been made in various countries. For instance, they can be sent to Japan. Then let them come back, not to join the Fisheries Department, but let them go back to their own people so that they can show the fishermen what improvements can be made in the fisheries, how to progress and raise the standard of living. This Bill, Sir, should make a provision for such scholarships; scholarships to the children of the fishermen.

Dato' Dr Cheah Toon Lok: Mr President, Sir, I agree with all the remarks made by my Honourable friend, Enche' Yeoh Kian Teik, regarding the provisions on the promotion of fisheries and also with his comments on Clause 2 about regulating or prohibiting the erection, maintenance, working, repair and lighting of fishing stakes in maritime or estuarine waters. Trouble has arisen in Kedah due to the fact that fishing nets were entangled in old stakes, because we in the Federation of Malaya have not got that ability to pick up the old stakes that were in the sea that interfered with the nets of the fishermen. I believe we can have a new method of doing it. I have explained the method to many of the fishermen in Kedah, especially to those who are operating stakes in Kuala Kedah. It is so easy to take out the stakes without having recourse of getting expensive machinery from Japan or getting experts down to the sea to pick out those stakes. Although the provision in our old Enactment requires a deposit to be made to the Fisheries Department to have the stakes removed, yet it could not be done, although at one time the Department promised us that it could get experts to take out old stakes. The new method is this—and I hope the Ministry will do experiments and find out whether it could be done, but I believe it can be done—you put a stick into the water and you have got to remove it out. Sometimes barnacles catch on it and certain parts get rotten and get stucked into the mud. Fishing stakes use lots of rattan to bind up and this rattan in the sea does not rot. So the only way is to bind one rattan

right down to the bottom of the stick and another right in the centre leaving the ends of the rattan on the top so that when the time comes, you can pull up the rattan and the whole stick comes up. However, I believe this requires experiment by the Department concerned to see as to how long the rattan lasts in the water. I believe it could last up to five years. I hope if an experiment is done, the trouble with the fishing nets and the stakes can be removed so that there will be no trouble between these two types of people earning their living by fishing. I hope the Department will do the experiment.

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 23 inclusive ordered to stand part of the Bill.

Schedule ordered to stand part of the Bill.

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

THE NATIONAL LAND CODE (PENANG AND MALACCA TITLES) BILL

Second Reading

Tun Leong Yew Koh: Sir, I beg to move that a Bill intituled "an Act to provide for the introduction of a system of registration of title to land in the States of Penang and Malacca, for the issue of replacement titles, for the assimilation of such system to the provisions of the National Land Code, and for matters incidental thereto" be read a second time.

Mr President, Sir, this Bill applies to the States of Penang and Malacca alone and at first sight it might be considered to deal with domestic matters which could quite well be left

to the Legislatures of the States concerned. Indeed even though it may be enacted federally this Bill will still need to be approved by those Legislatures before coming into operation. However the Governments of both States have agreed to the introduction of the Bill into this House not merely because it is a measure which will promote uniformity in the land law of those two States but also because ultimately it is designed to enable that law to be assimilated into a single national system applicable to all eleven States.

Honourable Members will no doubt have observed that this Bill is of considerable length and complexity. This complexity results from the intricacies of the existing land laws in this country.

Within the Federation there are at present two separate land systems entirely different in form and conflicting in effect. These I trust I may be allowed, for simplicity of reference, to call the Federated Malay States or "F.M.S. system" and the Straits Settlements or "S.S. system" since it is from these two vanished political units that the systems derive.

A majority of Members will, I expect, have some acquaintance with the F.M.S. system since substantially it is followed in all nine Malay States. The F.M.S. Land Code is a clear and concise statement, in a convenient form, of the entire law relating to land, that is:

the law relating to land tenure—the conditions on which title is held from Government;

the law relating to dealing in land—the transactions which can be effected, leases, charges, etc.; and finally

the law relating to registration—both of the title and of the dealings.

The last item from the public standpoint, is perhaps the most important of the three; it provides:

- (i) that a document of title clearly defining the land is filed in the Registry; and

- (ii) that upon that title all subsequent sales and other transactions in the land are registered.

At any moment therefore inspection in the Registry shows not only every detail of the terms and conditions of the original title but the names of the present proprietor and of all other persons who have interests in the land such as leases or charges.

By contrast the S.S. system—still current in Penang and Malacca—is lacking in clarity and definition and is not embodied in any single statute—nor indeed completely embodied even in the existing series of statutes. It derives partly from the English common law—and to that extent is unwritten—and partly from statutes and practices which have been enacted or have grown up over the centuries in England.

Admittedly the “Straits Settlements” have never copied the latest English statutes of the year 1926 by which the law there was radically revised but the advantage of doing so would in any case have been doubtful. The fact remains that, whether amended or not, the peculiarities of the English Law of Property do not make it a body of law at all suitable for application to Malayan conditions. Its weaknesses—and correspondingly the weaknesses of the S.S. system—are particularly marked in the very fields in which the F.M.S. system is strong viz., simplicity of dealing and clarity of record.

A clear running record of title and of interests in land, such as exists in the F.M.S. may seem so obvious a requirement that Honourable Members may be surprised to learn that there is absolutely no corresponding method of registration in Penang and Malacca.

Although, in the S.S. as in the F.M.S., the basis of land title is a grant by the State, in the S.S. the document of title has never been used as a register of subsequent dealings and the only information to be obtained from it is the name of the original owner—who may, by now, have been dead for a century-and-a-half!

Further, in the S.S. system, the process of conveyancing, by which change of ownership—or other dealing in land—is effected, is the reverse of simple. At the time of a sale the purchaser receives from the vendor a deed of conveyance which is in fact the only record that a sale has taken place and the only proof that the new purchaser is now the owner. For every subsequent sale the same process is repeated so that, after a number of transactions, there will be a whole chain of such conveyances—or title deeds as they are called—by which successive owners have received title from their immediate predecessors. To be sure that a current owner of land has a good title every link in this chain must be checked: a search back from vendor to vendor—which in law must be taken back 30 years or more—requires the services of a qualified conveyancing lawyer but only after it is done is there satisfactory proof that any owner has a good title.

In short, in Penang and Malacca, all connection between present ownership and the original title issued by the State has been completely obscured and, currently, proof of title rests, neither in a document of title issued by the State nor in an official register of dealings but solely on the evidence of a series of private documents. Further, before any purchaser can be satisfied that he is buying a good title, this series of private documents requires expert scrutiny, and since this scrutiny must be repeated for each successive transaction the practice of conveyancing entails a formidable expenditure of time, labour and money. The whole S.S. system must be regarded as outmoded and cumbersome.

These defects being agreed, what is now to be done? To convert the S.S. system to one of F.M.S. type we need to do two things:

- (i) To restore the basic value of the State Document of title.
- (ii) To use that document as a register for subsequent transactions.

To restore the value of the original documents of title in Penang and Malacca is however not a simple matter. In the past two centuries the forms of title issued have been many and varied—in Dutch and in English, printed and manuscript, legible and illegible. Many of the oldest titles are lost, many more are, badly preserved, stained and decayed, many more, again, do not correspond with any present-day boundaries. As I have already said, the original State documents bear little relation to present-day realities.

Since we are faced with the position that:

- (i) it is impossible to adopt the original State documents of title as the basis of a Register; and that
- (ii) true legal title is proved not by such State document but by a packet of private conveyances—the title deeds,

it has been decided that the only reasonable way to proceed now is to extinguish the original State documents of title and to replace them by brand new documents embodying the legal titles as proved by those title deeds. These new documents will confirm not only the legal title of the land-owner but also all other rights or interests, e.g., leases, charges, etc., appearing in the deeds. The title deeds themselves will thus become redundant in their turn and they also will be extinguished.

I would add that the new replacement documents of title will not relate to the original land boundaries but will be issued with respect to the parcels of land as now surveyed, since it is according to these parcels or holdings that dealings in lands have been effected by conveyance over the last 30 years or more. Subsequent dealings, according to normal F.M.S. practice, will be registered on the replacement titles.

This then is the guiding principle of the Bill. All that is old or dubious or redundant is extinguished and, in replacement, new, clear and simple documents and procedures are brought

into being. This double process will take place automatically by operation of the provisions of the Bill on the day it is brought into forces.

Accordingly, on that appointed day:—

- (a) new “replacement” titles will come into existence confirming to present land-owners the rights they enjoyed under their title deeds immediately before that day; and
- (b) from the appointed day onwards all further transactions in such land will be done not by conveyances but by memoranda of dealing substantially in the F.M.S. form.

In one respect only do I wish to enlarge upon a specific provision of the Bill and that because it relates to an entirely original measure for which I consider it only right that we should claim credit. This measure is the actual procedure by which the problem of introducing a system of registration of title has been solved.

Registration of title in some form has been introduced into almost all countries in which the land system, as in Penang and Malacca, is derived from the English law—for example, the Australian States, New Zealand and other Commonwealth countries. In all these countries, however, conversion to the system of registration of title has been on a piecemeal basis—title by title—and lands which the Registrar has not yet investigated remain unregistered and continue to be conveyed according to the old system. Such a method of conversion has two great disadvantages—

- (i) It is extremely slow—in some countries even after 70 years’ work conversion is still far from being completed; and
- (ii) It is necessary to retain two entirely different land systems side by side; a cause of inconvenience, confusion and expense.

For these reasons we have, in this Bill, ignored all precedent and, instead,

have devised a method of conversion which is entirely new and original. The new and original feature of this conversion lies in the form which the replacement titles will take. Obviously, it is not possible to issue overnight brand new documents of title for a hundred thousand holdings but it is possible to compile—indeed we are already compiling—a special register of known “title” to land. This special register, created by the Bill, is to be known as the Interim Register and in it, folio by folio, there will be entered details of the ownership of every piece of land and all known interests therein as these appeared in official records and in title deeds immediately prior to the appointed day. Each folio of the Interim Register will be the statutory replacement title to the piece of land entered thereon and on it will be registered all dealings with the land after the appointed day.

This Interim Register is indeed the cardinal feature of the whole Bill. Not only will it provide a permanent record of the state of title on the appointed day—a photograph, as it were, of the situation established by the old system of conveyancing immediately before that system was extinguished—and a record of subsequent dealings, but it will also be the foundation on which the brand new documents of title will ultimately be issued. The initial entries in the Interim Register will evidence a title no better and no worse than that appearing in the title deeds but the final documents, issued after investigation, will be guaranteed by Government and will be indefeasible to the same extent as are all National Land Code titles.

Since investigation of title requires meticulous care and may well prove a slow process we have further made the novel provision that entries in the Interim Register, if not investigated earlier, become indefeasible by operation of this Bill on the expiration of 12 years—the period after which the making of adverse claims is barred by the Limitations Ordinance. In other words the conversion from old title to new will be completed in 12 years, a

most notable reduction of the period of 70 or 80 years found necessary elsewhere.

However, in one case investigation is to be mandatory. Where sub-division is proposed it is considered desirable in the public interest that title should be proved before, for example a developer sub-divides into a hundred small parcels. Prior investigation is required not only to reduce administrative work—it is clearly easier to examine one original title than hundreds of sub-divisional titles arising from it—but to facilitate the whole process of sale and purchase. It is considered that the “small man” making his first entry into landownership in order, probably, to build a small family house should from the first receive a guaranteed title.

I can only sum up by saying that the method to be adopted is not only original and without precedent but is, I claim, imaginative and simple. It is also most convenient for the land owners affected since it calls for no action on their part unless they themselves conceive that their titles are dubious. No man will need to make any formal application for a new title and no man will need to postpone even for a day the normal processes of purchase and sale, leasing and mortgaging. To this general rule there is only one exception—that of mandatory investigation of title in cases of sub-division. I have already explained that the reason for this provision is to facilitate development, not obstruct it, and I assure this House that in implementing that provision we shall hold firmly to its spirit and intention.

Uniformity as secured by this Bill will bring many solid advantages to everyone owning or dealing in land in Penang and Malacca. First, once the work of conversion to the new system is completed, every man owning land will hold a single clear document of title, guaranteed by Government, setting out both for his information and the information of all people concerned all the conditions and other interests affecting the land.

Secondly, every person will be able to deal in land by a simple registration of stereotyped memoranda without the need for complicated and expensive search through prior documents.

Thirdly, the title to the land and the rights of all persons holding leases or charges will be indefeasible.

Finally, and this is a matter of major importance, registration and all administration with regard to rural smallholdings will ultimately be decentralised to the districts and the people will no longer require to travel to the State Capital and engage legal assistance before they can effect any dealing.

However, I must stress that these full benefits cannot be achieved in a day. To convert, after approximately a century-and-a-half of separate life, the titles and the system of tenure and of dealing found in Penang and Malacca to those current in the remainder of the Federation is clearly a formidable task and the introduction of the Interim Register takes us only half-way to the final goal.

However, immediately upon the appointed day, notable advances are made. Although prior title will still need to be examined before dealings are effected the method of dealing will henceforth be by simple registration of memoranda. Further, although a final guaranteed document of title cannot be issued at once, nevertheless, every landowner, by being recorded in the Interim Register, will from the appointed day be protected against the loss of his land by adverse possession.

Finally, the ultimate goal of complete conversion must inevitably be reached in twelve years and no more.

This Bill, as its title implies, anticipates the enacting of a National Land Code and, indeed, in the whole form of its drafting, it is implicit that its provisions need to be complemented by those of such a Code: Honourable Members will have noted the various references made to the National Code in the text of the Bill. Nevertheless, if necessary, it would still be possible to implement this Bill independently by

means of the special provisions that if the National Land Code has not been enacted, then the F.M.S. Land Code, modified as may be necessary, may be substituted for it.

Now, Sir, in conclusion, I wish to thank, on behalf of the Minister of Rural Development, the Bar Committees of the two States of Penang and Malacca and, in particular, their respective Chairmen, Mr Lim Huck Aik and Mr Goh Tiow Wan, for their assistance in the preparation of this Bill. As I have explained, this measure makes radical changes in the existing law, and also deals with the problem posed by the introduction of the system of registration of title in a novel and original manner. In so complex a measure, exactly how all the changes proposed will operate cannot necessarily be foreseen at this stage, and the Honourable Minister of Rural Development would therefor like to assure the Bar Council that full weight will be accorded to their views in the detailed transitional arrangements contemplated by the Bill and that, if found necessary, the Bill will be amended in the light of experience gained in its administration:

As Honourable Members will observe, clauses 117 and 119 of the Bill enable the Minister, in consultation with the Governor, to make orders dealing with these transitional provisions, and the Honourable Minister of Rural Development has asked me to convey his assurance to this House that he will certainly not exercise these powers, except after consultation with the respective Bar Committees. That so many of the members of these Bar Committees have been prepared to study and to accept the principles of the Bill, and shown a willingness to carry out its principles into practice is, I think, a tribute to the vitality and public spirit of the Bar Council.

Last but not least, the Honourable Minister of Rural Development has asked me to say that he wishes to pay a tribute to certain residents in the neighbouring State of Singapore—I refer to the Registrar of Titles and to the Members of the University Faculty

of Law of that State. Their comments and suggestions on the draft Bill have been most helpful and stimulating—a fitting demonstration of the close and increasingly co-operative relations which exist between our two States.

Sir, I beg to move.

Che' Aishah binti Abdul Ghani: Tuan Yang di-Pertua, saya menyokong.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr President in the Chair)

Clauses 1 to 124 inclusive ordered to stand part of the Bill.

Schedules 1 to 7 inclusive ordered to stand part of the Bill.

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

THE RUBBER INDUSTRY (ANTI-INFLATIONARY CESS) FUND (WINDING-UP) BILL

Second Reading

Tun Leong Yew Koh: Sir, I beg to move that a Bill intituled "an Act to make provisions for the dissolution of the Rubber Industry (Anti-Inflationary Cess) Board, the payment of claims made to the Rubber Industry (Anti-Inflationary Cess) Fund Ordinance, 1956, and the disposal of the monies remaining in the Fund after the payments of such claims and for matters connected therewith" be read a second time.

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

Tuan Haji Abdul Khalid bin Awang Osman: Mr President, Sir, as explained in the Explanatory Note to the Bill, the purpose of the Bill is to provide for the winding-up of the Rubber Industry (Anti-Inflationary Cess) Fund. The anti-inflationary cess was levied on exports of rubber when the price

of rubber went above \$1.00 per lb. The monies so collected were paid into the Anti-Inflationary Cess Fund, which was then refunded to the industry, when the price of rubber fell below \$1.00 per lb for a period of eight successive weeks. Since the scheme came into operation, there were five periods when the cess became leviable and the total cess collected during these five collection periods amounted to about \$115.5 million. As at 31st December, 1961, all the monies collected from estates of 100 acres and over have been refunded with the exception of \$542,211.67 which could not be refunded for technical reasons, viz., non-production of letters of administration or probate or clean titles. The whole of the smallholders' share of the fund was paid direct to Fund "B" of the Rubber Industry (Re-planting) Board to augment the funds available for smallholders replanting. As from 1st January, 1961, any further anti-inflationary cess collected when the price of rubber went above \$1.00 per lb would be paid direct into the general revenues of the Federation. As this cess is no longer refundable to the industry it is necessary to wind up the Fund and dissolve the Board.

The Bill provides that on or before the 30th day of October, 1964, the Anti-Inflationary Cess Fund Board will have to write to all persons whose claims are payable under the Ordinance but have not yet been paid, to submit their claims before the 30th April, 1965, on which date, the Fund would be wound up and no further claims will be met.

The Fund is to be audited by the Auditor-General as soon as possible after the 30th day of April, 1965, and the balance standing in the Fund on this date will be divided into two parts. One part consists of the claimed fund, i.e. the balance of the Fund on which claims have been made but payments have not been possible because of legal and other technical difficulties. This money will be transferred to the Public Trustee who will until the 30th day of April, 1985, be responsible for the settlement of such claims to the participants of the Fund.

Any monies remaining in the hands of the Public Trustee after 30th April, 1985, will be disposed of in accordance with the direction of the Minister of Commerce and Industry then. The other part consists of the remainder of the Fund, which is the unclaimed fund will be paid into Fund "A" of the Rubber Industry (Replanting) Board to be applied for the purpose of the said Fund "A" as the Administrators of that Fund think fit. This is because the money remaining in the hands of the Board is that share of the cess belonging to estates of 100 acres and over.

The Rubber Industry (Anti-Inflationary Cess) Fund Board is to be dissolved as soon as the auditing of the Fund is completed.

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 10 inclusive ordered to stand part of the Bill.

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

ADJOURNMENT *SINE DIE*

(Motion)

Tun Leong Yew Koh: Mr President, Sir, I beg to move that the Senate do now stand adjourned *sine die*.

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

Question put, and agreed to.

Adjourned sine die at 4.15 p.m.