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Tuesday
10th August, 1965

PARLIAMENTARY DEBATES

DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)

OFFICIAL REPORT

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DI-CHETAK DI-JABATAN CHETAK KERAJAAN
OLEH THOR BENG CHONG, A.M.N., PENCHETAK KERAJAAN
KUALA LUMPUR
1966

MALAYSIA

DEWAN RA'AYAT

(HOUSE OF REPRESENTATIVES)

Official Report

Vol. II | Second Session of the Second Dewan Ra'ayat | No. 9

Tuesday, 10th August, 1965

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

PRESENT:

The Honourable Mr Speaker, DATO' CHIK MOHAMED YUSUF BIN SHEIKH ABDUL RAHMAN, S.P.M.P., J.P., Dato' Bendahara, Perak.

" the Minister of Home Affairs and Minister of Justice, DATO' DR ISMAIL BIN DATO' HAJI ABDUL RAHMAN, P.M.N. (Johor Timor).

" the Minister of Finance, ENCHE' TAN SIEW SIN, J.P. (Melaka Tengah).

" the Minister of Works, Posts and Telecommunications, DATO' V. T. SAMBANTHAN, P.M.N. (Sungei Siput).

" the Minister of Transport, DATO' HAJI SARDON BIN HAJI JUBIR, P.M.N. (Pontian Utara).

" the Minister of Education, ENCHE' MOHAMED KHIR JOHARI (Kedah Tengah).

" the Minister of Health, ENCHE' BAHAMAN BIN SAMSUDIN (Kuala Pilah).

" the Minister of Commerce and Industry, DR LIM SWEE AUN, J.P. (Larut Selatan).

" the Minister for Welfare Services, CAPT. HAJI ABDUL HAMID KHAN BIN HAJI SAKHAWAT ALI KHAN, J.M.N., J.P. (Batang Padang).

" the Minister for Local Government and Housing, ENCHE' KHAW KAI-BOH, P.J.K. (Ulu Selangor).

" the Minister for Sarawak Affairs, DATO' TEMENGGONG JUGAH ANAK BARIENG, P.M.N., P.D.K. (Sarawak).

" the Minister of Labour, ENCHE' V. MANICKAVASAGAM, J.M.N., P.J.K. (Klang).

" the Minister of Information and Broadcasting, ENCHE' SENU BIN ABDUL RAHMAN (Kubang Pasu Barat).

" the Minister of Agriculture and Co-operatives, TUAN HAJI MOHD. GHAZALI BIN HAJI JAWI (Ulu Perak).

" the Minister for Sabah Affairs and Civil Defence, DATU DONALD STEPHENS, P.D.K. (Sabah).

" the Minister of Lands and Mines, ENCHE' ABDUL-RAHMAN BIN YA'KUB (Sarawak).

The Honourable the Assistant Minister of Commerce and Industry, TUAN HAJI ABDUL KHALID BIN AWANG OSMAN (Kota Star Utara).

„ the Assistant Minister of National and Rural Development, ENCHE' SULAIMAN BIN BULON (Bagan Datoh).

„ the Assistant Minister of Culture, Youth and Sports, ENGKU MUHSEIN BIN ABDUL KADIR, J.M.N., S.M.T., P.J.K. (Trengganu Tengah).

„ the Assistant Minister of Education, ENCHE' LEE SIOK YEW, A.M.N., P.J.K. (Sepang).

„ the Assistant Minister of Finance, DR NG KAM POH, J.P. (Teluk Anson).

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

„ ENCHE' ABDUL KARIM BIN ABU, A.M.N. (Melaka Selatan).

„ WAN ABDUL KADIR BIN ISMAIL, P.P.T. (Kuala Trengganu Utara).

„ ENCHE' ABDUL RAHMAN BIN HAJI TALIB, P.J.K. (Kuantan).

„ WAN ABDUL RAHMAN BIN DATU TUANKU BUJANG (Sarawak).

„ TUAN HAJI ABDUL RASHID BIN HAJI JAIS (Sabah).

„ ENCHE' ABDUL RAUF BIN A. RAHMAN, K.M.N., P.J.K. (Krian Laut).

„ ENCHE' ABDUL RAZAK BIN HAJI HUSSIN (Lipis).

„ ENCHE' ABDUL SAMAD BIN GUL AHMAD MIANJI (Pasir Mas Hulu).

„ Y.A.M. TUNKU ABDULLAH IBNI AL-MARHUM TUANKU ABDUL RAHMAN, P.P.T. (Rawang).

„ TUAN HAJI ABDULLAH BIN HAJI MOHD. SALLEH, A.M.N., S.M.J., P.I.S. (Segamat Utara).

„ ENCHE' ABU BAKAR BIN HAMZAH (Bachok).

„ TUAN HAJI AHMAD BIN ABDULLAH (Kelantan Hilir).

„ ENCHE' AHMAD BIN ARSHAD, A.M.N. (Muar Utara).

„ TUAN HAJI AHMAD BIN SAAID, J.P. (Seberang Utara).

„ CHE' AJIBAH BINTI ABOL (Sarawak).

„ ENCHE' ALI BIN HAJI AHMAD (Pontian Selatan).

„ O. K. K. DATU ALIUDDIN BIN DATU HARUN, P.D.K. (Sabah).

„ DR AWANG BIN HASSAN, S.M.J. (Muar Selatan).

„ ENCHE' AZIZ BIN ISHAK (Muar Dalam).

„ ENCHE' JONATHAN BANGAU ANAK RENANG, A.B.S. (Sarawak).

„ PENGARAH BANYANG ANAK JANTING, P.B.S. (Sarawak).

„ ENCHE' CHAN CHONG WEN, A.M.N. (Kluang Selatan).

„ ENCHE' CHAN SEONG YOON (Setapak).

„ ENCHE' CHAN SIANG SUN (Bentong).

„ ENCHE' CHEN WING SUM (Damansara).

„ ENCHE' CHIA CHIN SHIN, A.B.S. (Sarawak).

„ ENCHE' FRANCIS CHIA NYUK TONG (Sabah).

„ ENCHE' CHIN FOON (Ulu Kinta).

„ ENCHE' C. V. DEVAN NAIR (Bungsar).

The Honourable ENCHE' EDWIN ANAK TANGKUN (Sarawak).
„ TUAN SYED ESA BIN ALWEE, J.M.N., S.M.J., P.I.S. (Batu Pahat Dalam).
„ DATIN FATIMAH BINTI HAJI ABDUL MAJID (Johor Bahru Timor).
„ DATIN FATIMAH BINTI HAJI HASHIM, P.M.N. (Jitra-Padang Terap).
„ ENCHE' S. FAZUL RAHMAN, A.D.K. (Sabah).
„ ENCHE' GANING BIN JANGKAT (Sabah).
„ ENCHE' GEH CHONG KEAT, K.M.N. (Penang Utara).
„ ENCHE' HAMZAH BIN ALANG, A.M.N., P.J.K. (Kapar).
„ ENCHE' HANAFI BIN MOHD. YUNUS, A.M.N., J.P. (Kulim Utara).
„ ENCHE' HANAFIAH BIN HUSSAIN, A.M.N. (Jerai).
„ ENCHE' HARUN BIN ABDULLAH, A.M.N. (Baling).
„ WAN HASSAN BIN WAN DAUD (Tumpat).
„ ENCHE' STANLEY HO NYUN KHIU, A.D.K. (Sabah).
„ ENCHE' HUSSEIN BIN TO' MUDA HASSAN, A.M.N. (Raub).
„ ENCHE' HUSSEIN BIN MOHD. NOORDIN, A.M.N., P.J.K. (Parit).
„ ENCHE' HUSSEIN BIN SULAIMAN (Ulu Kelantan).
„ TUAN HAJI HUSSAIN RAHIMI BIN HAJI SAMAN (Kota Bharu Hulu).
„ ENCHE' IKHWAN ZAINI (Sarawak).
„ ENCHE' IBRAHIM BIN ABDUL RAHMAN (Seberang Tengah).
„ ENCHE' ISMAIL BIN IDRIS (Penang Selatan).
„ DATO' SYED JA'AFAR BIN HASAN ALBAR, P.M.N. (Johor Tenggara).
„ PENGHULU JINGGUT ANAK ATTAN, Q.M.C., A.B.S. (Sarawak).
„ ENCHE' KADAM ANAK KIAI (Sarawak).
„ ENCHE' KHOO PENG LOONG (Sarawak).
„ DATO' KHOO SIAK CHIEW, P.D.K. (Sabah).
„ ENCHE' LEE SAN CHOON, K.M.N. (Segamat Selatan).
„ ENCHE' LEE SECK FUN (Tanjong Malim).
„ ENCHE' AMADEUS MATHEW LEONG, A.D.K., J.P. (Sabah).
„ DATO' LING BENG SIEW, P.N.B.S. (Sarawak).
„ ENCHE' LIM KEAN SIEW (Dato Kramat).
„ ENCHE' LIM PEE HUNG, P.J.K. (Alor Star).
„ ENCHE' PETER LO SU YIN (Sabah).
„ DR MAHATHIR BIN MOHAMAD (Kota Star Selatan).
„ ENCHE' T. MAHIMA SINGH, J.P. (Port Dickson).
„ ENCHE' JOSEPH DAVID MANJAJI (Sabah).
„ DATO' DR HAJI MEGAT KHAS, D.P.M.P., J.P., P.J.K. (Kuala Kangsar).
„ ENCHE' MOHD. ARIF SALLEH, A.D.K. (Sabah).
„ ORANG TUA MOHAMMAD DARA BIN LANGPAD (Sabah).

The Honourable ENCHE' MOHD. DAUD BIN ABDUL SAMAD (Besut).
„ ENCHE' MOHAMED IDRIS BIN MATSIL, J.M.N., P.J.K., J.P. (Jelebu-Jempol).
„ ENCHE' MOHD. TAHIR BIN ABDUL MAJID, S.M.S., P.J.K. (Kuala Langat).
„ ENCHE' MOHAMED YUSOF BIN MAHMUD, A.M.N. (Temerloh).
„ ENCHE' MOHD. ZAHIR BIN HAJI ISMAIL, J.M.N. (Sungai Patani).
„ WAN MOKHTAR BIN AHMAD (Kemaman).
„ TUAN HAJI MOKHTAR BIN HAJI ISMAIL (Perlis Selatan).
„ ENCHE' MUHAMMAD FAKHRUDDIN BIN HAJI ABDULLAH (Pasir Mas Hilir).
„ TUAN HAJI MUHAMMAD SU'AUT BIN HAJI MUHD. TAHIR, A.B.S. (Sarawak).
„ DATO' HAJI MUSTAPHA BIN HAJI ABDUL JABAR, D.P.M.S., A.M.N., J.P. (Sabak Bernam).
„ ENCHE' MUSTAPHA BIN AHMAD (Tanah Merah).
„ DATO' NIK AHMAD KAMIL, D.K., S.P.M.K., S.J.M.K., P.M.N., P.Y.G.P., Dato' Sri Setia Raja (Kota Bharu Hilir).
„ ENCHE' NG FAH YAM (Batu Gajah).
„ TUAN HAJI OTHMAN BIN ABDULLAH (Hilir Perak).
„ ENCHE' OTHMAN BIN ABDULLAH, A.M.N. (Perlis Utara).
„ ABANG OTHMAN BIN HAJI MOASILI, P.B.S. (Sarawak).
„ TUAN HAJI RAHMAT BIN HAJI DAUD, A.M.N. (Johor Bahru Barat).
„ ENCHE' RAMLI BIN OMAR (Krian Darat).
„ TUAN HAJI REDZA BIN HAJI MOHD. SAID, P.J.K., J.P. (Rembau-Tampin).
„ RAJA ROME BIN RAJA MA'AMOR, P.J.K., J.P. (Kuala Selangor).
„ ENCHE' SEAH TENG NGIAB, P.I.S. (Muar Pantai).
„ ENCHE' S. P. SEENIVASAGAM (Menglembu).
„ ENCHE' SIM BOON LIANG (Sarawak).
„ ENCHE' SNAWI BIN ISMAIL, P.J.K. (Seberang Selatan).
„ ENCHE' SNG CHIN JOO (Sarawak).
„ ENCHE' SOH AH TECK (Batu Pahat).
„ ENCHE' SULEIMAN BIN ALI (Dungun).
„ PENGIRAN TAHIR PETRA (Sabah).
„ ENCHE' TAJUDIN BIN ALI, P.J.K. (Larut Utara).
„ ENCHE' TAI KUAN YANG (Kulim-Bandar Bharu).
„ ENCHE' TAMA WENG TINGGANG WAN (Sarawak).
„ ENCHE' TAN CHENG BEE, J.P. (Bagan).
„ ENCHE' TAN TOH HONG (Bukit Bintang).
„ ENCHE' TAN TSAK YU (Sarawak).
„ ENCHE' TIAH ENG BEE (Kluang Utara).
„ ENCHE' TOH THEAM HOCK (Kampar).
„ ENCHE' YEOH TAT BENG (Bruas).
„ TUAN HAJI ZAKARIA BIN HAJI MOHD. TAIB, P.J.K. (Langat).

ABSENT:

The Honourable the Prime Minister, Minister of External Affairs and Minister of Culture, Youth and Sports, Y.T.M. TUNKU ABDUL RAHMAN PUTRA AL-HAJ, K.O.M. (Kuala Kedah).

" the Deputy Prime Minister, Minister of Defence, Minister of National and Rural Development, TUN HAJI ABDUL RAZAK BIN DATO' HUSSAIN, S.M.N. (Pekan).

" DATO' ABDULLAH BIN ABDULRAHMAN, Dato' Bijaya di-Raja (Kuala Trengganu Selatan).

" DATU GANIE GILONG, P.D.K., J.P. (Sabah).

" ENCHE' KAM WOON WAH, J.P. (Sitiawan).

" ENCHE' EDMUND LANGGU ANAK SAGA (Sarawak).

" DR LIM CHONG EU (Tanjong).

" ENCHE' MOHAMED ASRI BIN HAJI MUDA, P.M.K. (Pasir Puteh).

" ENCHE' ONG KEE HUI (Sarawak).

" ENCHE' QUEK KAI DONG, J.P. (Seremban Timor).

" ENCHE' SANDOM ANAK NYUAK (Sarawak).

" ENCHE' D. R. SEENIVASAGAM (Ipoh).

" ENCHE' SIOW LOONG HIN, P.J.K. (Seremban Barat).

" DR TAN CHEE KHOON (Batu).

" ENCHE' TAN KEE GAK (Bandar Melaka).

" PENGHULU FRANCIS UMPAU ANAK EMPAM (Sarawak).

" ENCHE' YEH PAO TZE (Sabah).

" ENCHE' STEPHEN YONG KUET TZE (Sarawak).

PRAYERS

(Mr Speaker *in the Chair*)

ANNOUNCEMENTS BY MR SPEAKER

MESSAGE FROM THE SENATE

Mr Speaker: Saya hendak mema'alumkan ia-itu saya telah menerima satu perutusan bertarikh 9hb Ogos, 1965, daripada Tuan Yang di-Pertua, Dewan Negara, berkenaan dengan perkara[2] yang tertentu yang telah di-hantar oleh Majlis ini minta di-persetujui oleh Dewan Ra'ayat. Sekarang saya minta Setia-usaha membachakan perutusan itu kapada Majlis ini.

(*Whereupon the Clerk read the following message*).

"**Mr Speaker:** The Senate has agreed to the Bill to amend the Constitution and Malaysia (Singapore Amendment) Act.

(Sgd.) DATO' HAJI ABDUL RAHMAN,
President"

ASSENT TO BILL

Mr Speaker: Honourable Members, I wish to inform the House that His Majesty the Yang di-Pertuan Agong has assented to the Constitution and Malaysia (Singapore Amendment) Bill, 1965, which was passed recently by both Houses of Parliament.

ORAL ANSWERS TO QUESTIONS

ISSUE OF BIRTH CERTIFICATES IN RESPECT OF LATE REGISTRATION OF BIRTHS, SARAWAK

1. Dato' Ling Beng Siew (Sarawak) asks the Minister of Home Affairs if it is possible to simplify the procedure relating to the issue of Birth Certificates in Sarawak in respect of late registration of births.

The Minister of Home Affairs (Dato' Dr Ismail): Mr Speaker, Sir, at present as far as non-native persons are concerned, applications for late registration of birth in Sarawak requires that one

of the parents of the person whose birth is to be registered, or his close relative, should put up an affidavit in support of the application, and in addition to the affidavit, a certificate from the headman of the area concerned, or from the Chairman of the Community Association testifying to the birth, should also be submitted in support of the application. In the case of natives, only a certificate is necessary to establish the time and place of birth, and their applications are normally accepted if their *Ketua Kampong* or *Penghulu* confirms the birth.

The present procedure, strictly speaking, is not unnecessarily hard on the public. Most of the applications that are being received are in respect of the people who were born before 1951, and the procedure is designed to ensure that only genuine cases of birth in Sarawak, which have not been previously reported, do come up for late registration. But if the procedure is further simplified the possibility of the whole system of late registration of births becoming abused will be greater and this will not be to the interest of the country.

Dato' Ling Beng Siew: Mr Speaker, Sir, I understand from the people, who apply for these Birth Certificates, that before Malaysia, and immediately after Malaysia, the procedure had been to approach the area Headman, who would certify the applications and then the applicants would automatically get the Birth Certificates. This procedure has been changed since two or three months ago, and the authorities have required them to produce Marriage Certificates. In some cases the parents of the applicants had died long, long ago. As you know, many Chinese people cannot produce Marriage Certificates because they were married in the Chinese way. Sir, there are a lot of applicants who are involved in this. So, I would ask whether the Central Government will give an order to the State Government to simplify this matter and to go back to the same method which we had before.

Dato' Dr Ismail: We cannot go back to the days of the Colonial rule, but in regard to the question of having to produce a testimony of the marriage, I will look into this matter because, as I mentioned in my reply just now, there is no such condition being required. So, I will look into the matter of having to produce a Certificate of Marriage.

APPLICATIONS FOR MALAYSIAN CITIZENSHIP—BORNEO STATES

2. Dato' Ling Beng Siew asks the Minister of Home Affairs to state when will Government accelerate the completion of Malaysian Citizenship applications, as applicants have been kept anxiously waiting over a long period for their citizenship papers.

Dato' Dr Ismail: Mr Speaker, Sir, my Ministry has already taken the necessary steps to ensure that citizenship applications from the Borneo States are attended to as expeditiously as possible. The staff at the Registration Department Headquarters in Petaling Jaya as well as the staff in the Borneo States has been increased to cope with the additional work.

As far as Sarawak is concerned, out of a total of 16,295 applications which have been received at the Citizenship Central Registry at Petaling Jaya by the end of July 1965, 5,124 applications have already been cleared, i.e., 5,107 applications approved and issued with citizenship certificates and 17 applications rejected.

The rate at which these applications are being cleared is also being accelerated; e.g., in May this year, only 344 applications were cleared but in June and July, the rate of clearance rose to 1,021 applications and 3,107 applications per month respectively. The rate is expected to rise further this month.

However, it is not possible to say when all citizenship applications from Sarawak can be completed as this depends not only on how fast the applications can be cleared at the Citizenship Central Registry in Petaling Jaya, but also on the rate of flow of applications from Sarawak, but judging from the progress made at present it can be

assured that there will be no undue delay in dealing with the applications as they come in.

(*Oral Questions Nos. 3 to 8 by Singapore Members not called*).

REPRESENTATION BY INTERNATIONAL TRADE UNION ORGANISATIONS ON GOVERNMENT BAN ON STRIKES

9. Enche' C. V. Devan Nair (Bungsar) asks the Minister of Labour to give the names of international trade union organisations which have made representations by letter or cable on the Government's strike ban laws and the replies given.

The Minister of Labour (Enche' V. Manickavasagam): Mr Speaker, Sir, representations have been received from the Miners' International Federation, the International Federation of Petroleum and Chemical Workers, the Postal and Telegraph and Telephone International and the I.C.F.T.U. The replies to them have generally been to the effect that the restrictions on the use of the strike weapon apply only to certain specified essential services to prevent their destruction during the period of emergency, and that the regulations are temporary and are being kept under constant review.

Enche' C. V. Devan Nair: May I ask, Mr Speaker, Sir, whether the Minister has received any reactions to his explanation from these international organisations?

Enche' V. Manickavasagam: Sir, I think the Honourable Member has this in his second question. I have met a number of people while I was in Geneva, and I did explain to them the need and, I think, they appreciate very much the need for these regulations too.

Enche' C. V. Devan Nair: I must have confirmation from the Minister whether the International Trade Union Organisations are on record as appreciating the need for these laws.

Enche' V. Manickavasagam: That depends on how much whipping is being done by these local affiliates.

MALAYSIA'S IMAGE ABROAD AS A RESULT OF ANTI-STRIKE LAWS

10. Enche' C. V. Devan Nair asks the Minister of Labour whether he would care to give a categorical assurance that Malaysia's image abroad has not been seriously tarnished as a result of the adverse world-wide publicity given to the Malaysian Government's anti-strike laws.

Enche' V. Manickavasagam: Mr Speaker, Sir, the Honourable Member asks me for a categorical assurance that Malaysia's image abroad has not been seriously tarnished. All I can say is that I have no reason to doubt that friendly countries and democratic organisations within them have appreciated and will appreciate the seriousness of the national situation here and the need for the regulations that have been promulgated. What is needed is a full and proper explanation of this to them. I say this with confidence because of my discussions, as I said, with other delegates to the recent International Labour Conference in Geneva. Of course, Sir, as I have also said, the extent of support which local affiliates of international trade union bodies are able to whip out and the amount of publicity given to any matter both locally and overseas is one quite outside the hands of the Government. Distortion of the actual nature of the regulations and an inadequate appreciation of our problems are only too apparent in some of the representations that I have received from overseas.

RELAXATION OF MALAYSIAN GOVERNMENT STRIKE BAN LAWS

11. Enche' C. V. Devan Nair asks the Minister of Labour to state what forms of relaxation of the Government's strike ban laws he has under consideration and whether he would announce them as early as possible.

Enche' V. Manickavasagam: Mr Speaker, Sir, as I have already stated in this House yesterday, a committee is looking into these regulations. Sir, I am afraid that it is not possible for me at this stage to state the nature of the

review that is taking place of the relevant essential regulations, but I can assure the Honourable Member that this matter is being given every priority.

(*Oral Questions Nos. 12 to 14 by Singapore Members not called*).

UNDANG² PENGEMIS—BILANGAN PENGEMIS² DAN KUTU² RAYAU YANG DI-TANGKAP

15. Datin Fatimah binti Haji Hashim (Jitra-Padang Terap) bertanya kapada Menteri Kebajikan 'Am:

(*a*) Semenjak lulus-nya Undang² mengawal kutu rayau nyatakan berapa banyak kutu rayau dan peminta² sedekah yang telah di-tangkap dan di-tempatkan di-rumah tumpangan yang di-sediakan oleh Kerajaan;

(*b*) Apa-kah tindakan yang akan di-ambil terhadap kutu rayau dan peminta² sedekah yang maseh banyak lagi berselerak dalam bandar Kuala Lumpur.

The Minister for Welfare Services (Tuan Haji Abdul Hamid Khan bin Haji Sakhawat Ali Khan): Tuan Yang di-Pertua, semenjak Undang² Pengemis itu di-kuat-kuasakan dalam tahun 1965, bilangan pengemis² dan kutu² rayau yang di-tangkap dan di-masokkan ka-dalam yayasan ia-lah saperti berikut:

Bilangan yang di-tangkap	116
Bilangan yang telah di-masokkan dalam yayasan atas hukuman Mahkamah	79
Bilangan yang menanti pembicharaan	19
Bilangan yang telah lari	2
Bilangan yang di-beri amaran dan di-lepaskan	1
Bilangan yang di-kenakan ikat jamin	9

Daripada 116 yang di-tangkap itu 6 orang daripada-nya telah dengan sukarela-nya hendak diam dalam yayasan². Sa-bagai tambahan daripada itu, 66 pengemis dan kutu rayau yang lain telah di-masokkan ka-dalam beberapa yayasan dengan permintaan mereka sendiri.

Jawapan bagi bahagian yang kedua, ia-itu sa-buah Jawatan-kuasa telah di-tubohkan mengandongi wakil² pehak Polis dan Jabatan Kebajikan Masharakat untok mengendalikan, di-antara lain², khas-nya kerja menangkap pengemis² dan kutu² rayau dalam Kuala Lumpur mengikut kuat-kuasa Undang² Kutu Rayau. Jawatan-kuasa ini akan mengkaji masaalah pengemis² dari sa-masa ka-samasa dan akan mengambil tindakan yang sesuai bagi mengatasi-nya. Pengemis² dan kutu² rayau yang telah di-terima masok dalam Rumah² Kebajikan akan di-beri latehan yang tertentu untok memulehkan mereka sa-mula kapada keadaan yang bermaruah, berkemampuan sendiri dan mempunyaï kechekapan bergaul yang memuaskan. Antara lain², mereka akan di-ajarkan satu² jenis kejuruan mengikut kebolehan masing² dan jika boleh, mereka akan di-charikan pekerjaan semua sa-masa di-bebaskan. Mereka yang tidak kuat anggota untok menchari nafkah hidup bersendirian oleh sebab umor yang telah lampau atau pun keuzoran akan di-pelihara dalam Rumah² Kebajikan.

Datin Fatimah binti Haji Hashim: Soalan tambahan. Berapa lama-kah Jawatan-kuasa yang mengkajikan hal ini telah dapat di-tubohkan?

Tuan Haji Abdul Hamid Khan: Jawatan-kuasa ini telah di-tubohkan daripada mula-nya berjalan kuat-kuasa undang² ini.

GAJI DAN SHARAT² PERKHIDMATAN YANG SAMA UNTOK KAKI-TANGAN KERAJAAN KAUM WANITA

16. Datin Fatimah binti Haji Hashim bertanya kapada Perdana Menteri bila tuntutan gaji dan sharat² perkhidmatan yang sama untok kaki-tangan Kerajaan Kaum Wanita akan di-laksanakan.

The Assistant Minister of Culture, Youth and Sports (Engku Muhsein bin Abdul Kadir): Tuan Yang di-Pertua, Kerajaan bersetuju pada dasar-nya memberikan pegawai² wanita tanggagaji yang sama saperti pegawai laki² mulaï daripada 1-1-1965 tetapi chara²—method of conversion—oleh Kerajaan itu tidak di-terima oleh Staff Side Whitley Council dan National Joint Council for Teachers yang telah pula mengangkat chadangan yang lain sabagai ganti-nya. Pehak Staff Side juga

telah minta tarikh perlaksanaan itu di-kebelakangkan pada 1-1-1963. Pehak Kerajaan sekarang ini sedang menimbangkan chadangan tersebut dan keputusan akan di-buat segera.

JAMBATAN SUNGAI TANJONG KARANG

17. Dato' Haji Mustapha bin Haji Abdul Jabar (Sabak Bernam) bertanya kapada Menteri Kerja Raya, Pos dan Talikom apa-kah sebab-nya jambatan Sungai Tanjong Karang yang mulaï di-bena oleh Jabatan Kerja Raya lebeh 10 tahun yang lalu, maseh lagi terbengkalai hingga hari ini.

The Minister of Works, Posts and Telecommunications (Dato' V. T. Sambanthan): Tuan Yang di-Pertua, jambatan itu telah di-bena di-kawasan tepi laut di-atas tanah liat. Tanah liat yang di-kawasan tepi laut itu ada-lah sangat ganjil tanah-nya dan gerak-gerinya ada-lah bergantong kapada keadaan tanah yang sentiasa basah. Pepereksaan menduga kekuatan lapis (deep sounding test) telah di-jalankan di-kawasan itu.

Memikirkan tentang ekonomi membena jambatan ini maka gasaran jurujok, di-dalam bahasa Inggeris di-panggil friction piles, tetapi bila pekerjaan ini telah siap dan oleh sebab keadaan tanah ini ganjil, maka tanah liat yang di-bawah kawasan ini telah berganjak menyebabkan keadaan ini menjadi luar biasa dan tidak di-sangka². Ini menyebabkan tembok landasan runtoh dan mengurangkan kekuatan dua tiang jambatan ini. Kedua² tembok landasan ini telah di-ganti dengan menambah dua lagi tiang rentangan. Tindakan telah di-ambil pada masa sekarang untok memperkuatkan lagi kedua tiang ini dengan mendalamkan lagi jurujok piles itu sa-jauh 90 kaki dalam-nya. Pekerjaan ini di-anggap akan siap di-bena pada bulan Julai, 1966.

JAMBATAN² KERJA RAYA DI-JALAN RAYA DARI PASIR PANJANG KA-SABAK BERNAM

18. Dato' Haji Mustafa bin Haji Abdul Jabar bertanya kapada Menteri Kerja Raya, Pos dan Talikom ada-kah beliau sedar bahawa jambatan² Kerja Raya di-jalan raya dari Pasir Panjang ka-Sabak Bernam sangat-lah sempit dan hanya boleh di-laluï kereta² sa-hala sahaja menyebabkan kemalangan jalan raya selalu berlaku di-situ, dan jika sedar, bila-kah jambatan² ini akan di-besarkan.

Dato' V. T. Sambanthan: Tuan Yang di-Pertua, wang sa-banyak $225,000 telah di-peruntokkan bagi menggantikan jambatan² kayu yang sempit di-sapanjang jalan di-antara Tanjong Karang, Pasir Panjang dan Sabak Bernam. Kerja² menggantikan jambatan kayu ini di-anggap akan siap pada akhir tahun ini.

PEMBAYARAN GANTI RUGI KA-PADA KAKI-TANGAN POLIS

19. Enche' Mohd. Arif Salleh (Sabah) bertanya kapada Menteri Hal Ehwal Dalam Negeri ada-kah had-nya pembayaran ganti rugi sa-saorang Polis yang terkorban yang sedang menjalankan tugas-nya.

Dato' V. T. Sambanthan: Tuan Yang di-Pertua, jawapan-nya ia-lah memang ada. Wang pembayaran mengganti rugi itu akan di-bayarkan mengikut Undang² Penchen Pasokan Polis tahun 1927, Police Force Pensions Rules, 1927, untok pegawai Polis pangkat rendah dan untok mata² biasa, dan mengikut Undang² Pension tahun 1951, Pension Ordinance, 1951, untok pegawai² Polis yang berwarta dan merinyu².

APPOINTMENT OF DATO' DR SATHIAH AS MEMBER OF ELECTIONS COMMISSION

20. Enche' Lim Kean Siew (Dato Kramat) (*Under Standing Order 24* (*2*)) asks the Prime Minister if he is aware that the appointment of Dato' Dr Sathiah has caused a great deal of concern regarding the independence and autonomy of the Elections Commission, and if so, to state:

(*a*) whether Dato' Dr Sathiah is still the Chairman of the M.I.C.,

Klang Branch, if not, when he stepped down from that office;

(*b*) whether Dato' Dr Sathiah is still a member of the M.I.C. and if he is still a member of the M.I.C., whether he considers advisable for a member of the Elections Commission to be a member of any political party.

The Assistant Minister of Culture, Youth and Sports (Engku Muhsein bin Abdul Kadir): Mr Speaker, Sir, Dato' Dr Sathiah resigned from the presidentship of the Klang Branch of the M.I.C., as well as the membership of the M.I.C. last year, long before his appointment as a member of the Elections Commission on 15th February, 1965.

The answer to the second part of the question is "No".

COST PER STUDENT AT THE COLLEGE OF AGRICULTURE, SERDANG

21. Enche' Lim Kean Siew (*Under S.O. 24* (*2*)) asks the Minister of Education if it is true that the cost per student in the College of Agriculture at Serdang is $7,000 per year whereas the cost per student in the Faculty of Agriculture, University of Malaya, is only $5,800 per year.

If it is true to state the reasons for such a state of affairs; and should not the cost per student be cheaper in the College of Agriculture, Serdang, than at the Faculty of Agriculture, University of Malaya.

The Minister of Education (Enche' Mohamed Khir Johari): No, Sir. It is not true.

Enche' Lim Kean Siew: What are the figures, Mr Speaker, Sir?

Enche' Mohamed Khir Johari: Taking 1964 as an example, the cost per student in the College of Agriculture was approximately $5,900, compared with $7,600 approximately for the University of Malaya.

Enche' Lim Kean Siew: Which University of Malaya?

BILL PRESENTED

THE ELECTRICITY (AMENDMENT) BILL

Bill to amend the Electricity Ordinance, 1949; presented by the Minister of Commerce and Industry; read the first time; to be read a second time at a subsequent sitting of this House.

BILLS

THE NATIONAL LAND CODE BILL

Second Reading

Order read for resumption of debate on Question,

"That the Bill be now read a second time." (9th August, 1965).

Enche' Hussein bin To' Muda Hassan (Raub): Tuan Yang di-Pertua, menyambong pandangan saya samalam terhadap Bill ini berkenaan dengan pertukaran sharat tanah lombong hendak di-jadikan tanah pertanian; saya suka menyebutkan tanah lombong yang ada di-tempat saya itu telah di-minta tukar sharat hendak di-jadikan tanah pertanian. Maka dengan ada-nya hal ini telah menggendalakan satu ranchangan rumah murah di-dalam daerah Raub. Saya berharap Kementerian ini tolong ambil perhatian sadikit atau nasihat kapada Kerajaan Negeri meminta segera meluluskan tanah ini untok kegunaan ranchangan rumah murah di-kawasan saya itu.

Yang akhir sa-kali, ia-lah pada pengertian saya di-dalam Bab penukaran (transfers) ia-itu fasal 214. Saya suka menarek perhatian Kementerian ini. Sharat² penukaran atau pun tukar nama hendak-lah di-perketatkan lagi kerana dari pengalaman saya, jikalau sa-keping tanah di-luluskan dengan A.A. (Approved Application) maka kalau tuan yang dapat kebenaran itu tidak ada mempunyaï kejujoran atau yang mementingkan diri-nya, dia akan pergi ka-Pejabat Tanah membuat tukaran nama ia-itu dengan di-panggil "Assignment of Rights", dengan membayar wang sa-banyak $10 sahaja kapada Pejabat Tanah. Di-sini saya

suka juga menarek perhatian Kementerian ini jikalau perkara ini di-biarkan berlanjutan, jadi tanah itu diluluskan pada pagi ini, pada petang sekarang sudah bertukar tangan lain. Dia hanya kena membayar sa-banyak $10 sahaja.

Saya berharap Kementerian ini tolong kajikan dan ketatkan sharat² kapada tiap² orang yang ada memileki tanah dengan A.A. terlebeh dahulu. Bagitu juga, saya berpendapat tanah A.A. ini jikalau tidak mendapat kelulusan daripada Pemungut Khazanah Tanah tidak boleh di-tukar nama, tetapi ada satu jalan sedang dibuat dengan menggunakan "power of attorney". Maka si-power of attorney ini akan menjayakan tanah itu dengan sa-daya upaya-nya dan di-beri pula "power of attorney" kapada orang lain hingga berpanjangan daripada satu tangan ka-satu tangan. Jadi mengikut fahaman saya, jikalau saya tidak silap, saya meminta Yang Berhormat Menteri membetulkan. Dahulu-nya "power of attorney" itu apabila di-buat, apabila sa-saorang itu di-beri "power of attorney" itu mati, maka mati-lah "power of attorney" itu. Maka mengikut fahaman saya di-dalam Bill ini, sa-saorang yang memileki tanah dengan jalan "power of attorney" ini tidak ada sekatan boleh-lah mereka itu berkuasa hingga sampai di-keluarkan geran kechil atau pun geran besar dan boleh menuntut hak di-atas tanah² itu dengan tidak ada apa susah lagi. Maka itu pandangan saya terhadap Bill ini.

Maka saya suka juga menarek perhatian Kementerian ini berkenaan soalan tanah. Di-dalam Pejabat² Tanah pada masa sekarang telah menjadi bertimbun² permohonan di-tiap² Pejabat Tanah. Maka saya sangat kasehan hati menengokkan kaki²-tangan Pejabat Tanah itu terlampau banyak kerja dan kaki²-tangan tidak chukup terutama sa-kali "Pegawai Penempatan"—Settlement Officer, yang tidak berapa chukup dan tidak boleh menjalankan kerja masing² dengan chekap. Jadi-nya saya meminta dengan jasa baik Menteri yang berkenaan tolong-lah timbangkan berkenaan kaki²-tangan yang menjalankan tugas di-dalam Pejabat² Tanah untok menyelesaikan permohonan tanah yang bertimbun² di-dalam Pejabat Tanah yang ada pada masa sekarang ini.

Enche' Mohd. Zahir bin Haji Ismail (Sungei Patani): Yang Berhormat Dato' Yang di-Pertua, saya menguchapkan tahniah kapada Kerajaan kerana telah berjaya membawa Rang Undang² National Land Code ini dalam Parlimen untok di-perkuat kuasakan. Kerana, bagaimana uchapan saya yang lepas², Undang² ini sangat²-lah mustahak untok menyatukan Undang² Tanah di-dalam negeri² di-Malaya ini.

Yang Berhormat Dato' Yang di-Pertua, saya hanya hendak mengeluarkan fikiran sadikit sa-banyak bersangkut paut dengan Undang² ini dan saya tidak mendapat masa yang banyak untok hendak mengkaji Undang² ini sa-dalam²-nya. Tetapi kalau sa-kira-nya ada benda² yang tersebut di-dalam Undang² ini yang tidak saya dapat kaji, saya harap-lah di-perbetulkan.

Yang pertama, di-bawah Section 43: orang² yang boleh memileki tanah. Di-katakan salah sa-orang daripada yang boleh memileki tanah—natural persons other than minors. Berkenaan dengan minors, Yang Berhormat Dato' Yang di-Pertua, tidak ada ta'arif-nya tentang ini. Pada fikiran saya, barangkali boleh jadi kesusahan kerana ada Undang² yang di-katakan Age Majority Act yang mengatakan orang² Islam sampai umor-nya atau chukup umor—(age of majority) 18 tahun tetapi bagi orang² yang bukan Islam hingga 21 tahun. Jadi, berma'ana-lah jika sa-kira-nya tidak ada ta'arif perkataan "minors," ma'ana-lah kita kira ikut Undang² Age of Majority Act itu bagi orang² Islam berumor 18 tahun dan bagi orang² yang bukan Islam berumor 21 tahun.

Dato' Yang di-Pertua, sekarang ini ada berchanggah sadikit dengan Undang² Probate and Administration Ordinance, yang menyebutkan tiap² orang yang chukup umor—age majority—ia-lah 21 tahun, tidak peduli sama ada orang itu orang Islam atau pun orang yang bukan Islam. Jadi, berchanggah di-antara dua Undang² ini dan jadi berchelaru, Undang² yang

mana-kah yang hendak di-pakai. Dan dalam masa menjalankan kerja mengambil kuasa di-dalam Mahkamah, maka Mahkamah tidak mahu mengi'tiraf orang² Islam yang berumor 18 tahun sa-bagai chukup umor. Dengan demikian segala hukuman² yang bersangkut paut dengan orang² yang berumor 18 tahun, 19 tahun atau pun 20 tahun bersangkutan dengan orang² Islam, maka hendak-lah di-adakan trust, dan apabila di-adakan trust di-bawa masok ka-Pejabat Tanah dan di-sana orang² Islam yang berumor 19 tahun telah menjadi orang yang chukup umor balek di-bawah Age of Majority. Jadi susah-lah, Dato' Yang di-Pertua, patut-lah pada fikiran saya dalam Undang² ini kita ta'arifkan ma'ana age of majority.

Sa-perkara lagi bersangkut dengan Corporation yang di-katakan, "(*b*) corporations having power under their constitutions to hold land;" ini pun tidak ada ta'arif-nya. Jadi, yang menjadikan ragu² bersangkut paut dengan sharikat² kerjasama. Kerana ada sa-tengah² orang memikirkan bahawa sa-nya sharikat² kerjasama bukan-lah corporation, yang di-ma'anakan di-bawah Section 43 dalam Company Act yang kita luluskan kelmarin. Sharikat² kerjasama bukan-lah ta'arif-nya sa-bagai corporation dalam Company's Act. Jika sharikat² kerjasama tidak di-ta'arifkan sa-bagai Corporation, maka susah-lah sharikat² kerjasama yang bertaboran dalam negeri kita ini hendak memileki tanah dan mengikut Undang² yang lama, sharikat² kerjasama ada-lah di-ta'arifkan sa-bagai Corporation. Yang demikian, pada fikiran saya, patut-lah kita menarohkan ta'arif Corporation supaya terkandong segala sharikat² kerjasama yang telah di-registerkan di-bawah sharikat² kerjasama.

Yang Berhormat Dato' Yang di-Pertua, di-bawah Section 4 (2) (*d*) mengatakan bahawa sa-nya Undang² Tanah ini tidak akan berjalan kuat-kuasa-nya jika sa-kira-nya berchanggah dengan Undang² yang di-sebutkan di-bawah 4 (2) (*g*)—the Padi Cultivators (Control of Rent and Security of Tenure) Ordinance, 1965. Dato' Yang di-Pertua, bersangkutan dengan perkara ini di-bawah Undang² Padi Cultivators Ordinance, 1955 di-benarkan tuan tanah menyewa tanah padi, dan orang yang menyewa tanah padi membuatkan perjanjian sa-lama sa-tahun. Jadi, yang demikian tidak-lah boleh kita mengikut di-bawah Undang² ini membuat perjanjian menanam padi lebeh daripada sa-tahun. Dan di-bawah Section 223 (3) "Nothing in this section shall authorise a landlord (as defined in the Padi Cultivators (Control of Rent and Security of Tenure) Ordinance, 1955) to let land for the cultivation of padi otherwise than in pursuance of that Ordinance".

Yang Berhormat Dato' Yang di-Pertua, jadi sekarang dalam negeri Kedah, umpama-nya, sa-belum di-kuat-kuasakan Undang² National Land Code, ini ada di-pajakkan tanah² padi di-bawah Undang² Tanah yang ada sekarang yang lebeh daripada sa-tahun, tiga tahun, empat tahun sa-hingga 10 tahun, dan sa-tengah²-nya sa-hingga 30 tahun. Undang² itu telah pun berjalan kuat-kuasa-nya tidak peduli ada-nya undang² Padi Cultivators' Ordinance 1955. Jika sa-kira-nya di-jalankan kuat-kuasa section 223 (3) ini berma-'ana-lah Dato' Yang di-Pertua, rights atau pun hak² yang telah di-buat mengikut undang² itu akan terbatal. Yang demikian Dato' Yang di-Pertua, susah-lah kedudokan di-antara tuan tanah dengan orang yang menyewa tanah itu. Pada fikiran saya elok-lah jikalau sa-kira-nya kita buat satu "saving clause" yang mengatakan tidak menjahanamkan atau pun tidak berchanggah dengan rights yang telah pun ada.

Yang Berhormat Dato' Yang di-Pertua, perkara satu lagi ia-lah bersangkut paut keluasan tanah², bagaimana saya sebutkan dahulu, entah-lah barangkali saya chari tidak berjumpa, ia-itu salah satu daripada kehendak², atau pun tujuan² supaya kita adakan Undang² Tanah yang satu ia-lah supaya kita tahu tanah ini luas-nya berapa ekar-kah, atau pun berapa relong-kah. Jadikan satu bagi seluroh negeri² Tanah Melayu ini. Saya ta' nampak-lah Undang² ini menetapkan relong-kah atau ekar-kah. Jika sa-kira-nya di-pakai relong juga di-dalam negeri Kedah, dan di-Perak di-pakai ekar, Pulau Pinang

di-pakai ekar, dan di-negeri Perlis di-pakaikan relong, maka tentu-lah tidak sesuai.

Jadi salah satu tujuan yang di-kehendaki di-bawah Undang² ini, ada-lah tidak terchapai. Oleh itu elok-lah, pada fikiran saya, pehak Kementerian memikirkan soal ini dengan kerana perkara keluasan tanah itu patut di-jadikan satu, jangan-lah sa-tengah negeri itu di-adakan ekar, sa-tengah negeri di-pakai relong pula.

Dato' Yang di-Pertua, sa-perkara lagi saya hendak berchakap, sa-bagai-mana yang telah saya chakapkan pada masa yang lepas: ia-itu tanah² yang di-pusakaï daripada dato' nenek. Mengikut (136F) (1) di-katakan jika sa-kira-nya tanah itu hendak di-sub-dividedkan atau pun di-partitionkan kurang daripada sa-relong, jika sa-kira-nya satu ekar, minta ma'af, jika sa-kira-nya tanah itu, tanah agricultural, yang demikian bukan-lah economic holding, ta' patut, di-benarkan tanah itu di-partitionkan. Atau pun di-sub-division-kan sa-hingga kurang daripada tanah yang mempunyaï economic holding. Jadi nampak-nya Undang² ini, dia menjagakan arah kapada partition dan sub-division sahaja, tetapi di-bawah transmission, ia-itu sa-orang itu mewarithi harta pusaka daripada bapa-nya, ia tidak jaga langsong, ia-itu transmission, umpama-nya, sa-bagai-mana saya uchapkan di-dalam Meshu-arat Parlimen yang dahulu ia-itu tanah yang ada depan saya ini sa-relong 367 jemba. Maka tanah ini di-bahagi-kan kapada 12 orang warith. Maka tanah itu di-bahagikan kapada 255,744 bahagian transmission. Yang demikian Dato' Yang di-Pertua tanah ini tidak ada economic holding atau economic value. Dengan kerana tiap² warith itu barangkali mendapat dua tiga jemba. Jadi undang² menyelamatkan soal ini hanya dari segi sub-division atau partition sahaja. Tetapi di-bawah partition atau transmission yang dari-pada kuasa daripada bapa, daripada chuchu, anak dan sa-umpama-nya, maka tidak ada satu chegahan di-bawah Undang² ini yang menahankan tanah² itu supaya jangan di-jadikan tanah kechil² yang bukan economic sa-hingga merugikan kapada tuan² tanah itu sendiri. Jadi dengan ini saya minta-lah pada . . . . . .

Wan Abdul Kadir bin Haji Ismail (Kuala Trengganu Utara): Berapa-kah ukoran satu jemba.

Enche' Mohd. Zahir bin Haji Ismail: Itu-lah yang saya katakan tadi, patut kita adakan satu macham ukoran tanah itu. Hendak saya sebutkan ekar, tidak faham-lah saya dengan kerana saya tidak biasa-lah dengan perkara itu. Tetapi satu jemba itu 64 kaki persegi. Jadi jikalau sa-kira-nya sa-orang itu ada 64 kaki persegi berma-'ana-lah tanah itu tidak berguna atau tidak menjadi economic holding dan ta' menjadi commercial value. Atau sa-bagaimana perkataan saya tadi, Undang² ini hanya menyelamatkan tanah² itu supaya jangan di-jadikan uneconomic holding di-segi partition atau sub-division sahaja, tetapi tidak dari segi transmission yang sangat² banyak pada masa sekarang ini. Dato' Yang di-Pertua, patut di-adakan jagaan di-dalam Undang² ini.

Dato' Yang di-Pertua, perkara yang penghabisan sa-kali yang saya hendak sebutkan ia-lah bersangkut dengan borang² atau pun form yang saya nampak semua-nya dalam bahasa Inggeris. Di-dalam negeri Kedah—Perlis saya tidak tahu—barangkali di-negeri Kelantan juga, dan juga negeri Trengganu, pada masa sekarang atau pun pada masa lepas² sa-hingga sekarang ini mereka² itu menggunakan borang² dalam bahasa kebangsaan. Dan ada negeri² yang menggunakan dalam tulisan Jawi, tetapi baru² ini dalam negeri Kedah telah pun menu-karkan daripada tulisan Jawi kapada tulisan Rumi. Sekarang jikalau sa-kira-nya Undang² National Land Code ini di-perkuat kuasakan dan borang²-nya hanya dalam bahasa Inggeris, pada fikiran saya di-segi undang² tidak boleh lagi kita hendak menggunakan bahasa kebangsaan. Kalau sa-kira-nya kita menggunakan bahasa kebangsaan dalam borang² itu dan borang² itu tidak di-sahkan dalam Dewan Ra'ayat ini, maka tolak, hebah, jual, pajak dan sa-umpama-nya mengikut borang² yang di-buat di-dalam bahasa kebangsaan

itu tidak menjadi sah. Bagitu juga bagaimana undang² Attestation Ordinance yang dahulu-nya di-buat dalam bahasa Inggeris sahaja kemudian lepas daripada itu hendak di-buatkan didalam bahasa kebangsaan kemudian terpaksa di-bawa di-dalam Parlimen meluluskan segala borang² atau pun form yang di-bawah undang² itu barulah boleh di-gunakan di-dalam pejabat².

Bagitu juga pada fikirkan saya jikalau sa-kira-nya tidak ada dalam bahasa kebangsaan ini di-luluskan didalam Dewan ini, maka apabila berjalan kuat-kuasa undang² ini maka tiap² Pejabat Tanah terpaksa menggunakan borang² dalam bahasa Inggeris. Dan jikalau sa-kira-nya demikian Yang Berhormat Dato' Yang di-Pertua, jadi tidak kena-lah dengan kerana sekarang ini negeri² yang saya sebutkan tadi telah menggunakan bahasa kebangsaan. Ada-kah kita hendak mundor ka-belakang dalam bahasa kebangsaan? Oleh itu saya pada fikiran saya, elok-lah kita adakan borang dalam bahasa kebangsaan, Dato' Yang di-Pertua. Jikalau sa-kira-nya ada borang² dalam bahasa kebangsaan, kita patut adakan satu sharat dalam undang² ini jikalau sa-kira-nya borang² dalam bahasa kebangsaan atau di-bawa ka-dalam mahkamah tidak di-kehendaki di-terjemahkan kapada bahasa Inggeris, dengan kerana pada fikiran saya sampai-lah masa-nya kita boleh membawakan segala kertas² document sa-umpama itu yang didalam bahasa kebangsaan masok kadalam mahkamah², dan tidak dikehendaki sa-bagaimana saperti undang² yang ada itu, terjemah dalam bahasa Inggeris. Patut-nya ada satu sharat dalam Undang² ini bahawa sanya tiap² borang yang dalam bahasa kebangsaan jikalau sa-kira-nya dibawa masok ka-dalam mahkamah tidak payah lagi di-kehendaki diterjemahkan kapada bahasa Inggeris untok pembicharaan di-dalam mahkamah itu. Sekian-lah, Yang Berhormat Dato' Yang di-Pertua.

Tuan Haji Mokhtar bin Haji Ismail (Perlis Selatan): Dato' Yang di-Pertua, saya bangun mengalu²kan Rang Undang² National Land Code ini dan saya menguchap berbanyak tahniah kapada Menteri yang berkenaan yang telah dapat, sa-kurang²-nya, menyenangkan beberapa perkara yang sedang di-hadapi oleh ra'ayat dalam tiap² buah negeri di-dalam Persekutuan Malaysia ini.

Di-dalam Rang Undang² ini, Dato' Yang di-Pertua, saya telah dapat mengkaji sa-chara yang tidak kemas dan saya dapati ada perkara yang maseh kuat bersangkut-paut dengan negeri saya, ia-itu Perlis, yang mana pada masa ini, juga pada masa yang telah lalu, sedang menghadapi satu masaalah di-dalam soal tanah ini. Masaalah itu, pada rasa saya, elok-lah saya kemukakan di-dalam Dewan ini supaya Menteri yang berkenaan dapat sama² memikirkan macham mana dapat supaya kita mengatasi masaalah itu demi kepentingan ra'ayat. Masaalah yang di-hadapi oleh sa-gulongan besar daripada pak² tani di-dalam negeri Perlis pada hari ini ia-lah masaalah jual janji.

Dato' Yang di-Pertua, masaalah jual janji ini saya pernah juga berchakap pada masa² yang telah lalu, umpama-nya, Dato' Yang di-Pertua, si-Amat, dia mempunyai sa-keping tanah yang luas-nya 10 ekar. Tanah itu jika ditaksirkan pada harga market value harga-nya $10,000. Akan tetapi oleh kerana si-Amat dia sayangkan kapada tanah itu, hendak di-jualkan dia sukalah, kalau boleh-nya, tanah itu di-jual dengan rupa janji ia-itu di-jual dengan harga $3,000-kah dengan harapan-nya $3,000 itu dapat dia menggunakan wang yang di-hajat $3,000 itu. Jadi daripada $3,000 itu di-alehkan geran nama kapada si-Hashim dengan jual putus. Tetapi ada surat perjanjian yang sa-lama 3 tahun bahawa si-Amat tadi akan mengambil balek tanah itu daripada si-Hashim dan si-Hashim pula akan memberikan tanah itu balek kapada si-Amat manakala dia membayar $3,000. Tetapi perkara yang sa-macham ini pernah juga berlaku apabila sampai masa si-Amat tadi hendak membayar balek tanah-nya kapada si-Hashim, si-Hashim pada masa itu pura² tidak ada di-negeri Perlis, dia pergi kamana² tempat, dalam masa sa-bulan-kah atau sa-minggu-kah, kemudian

dia balek. Bila si-Hashim balek si-Amat datang, dia berkata, "Sudah habis, sudah lepas janji, aku tidak dapat buat apa² lagi".

Jadi dengan chara yang demikian, Dato' Yang di-Pertua, banyak-lah pak² tani dalam negeri Perlis yang menderita atau mendapat aniaya dengan perbuatan yang sa-macham ini dan kadang² pula, macham saya kata tadi, si-Hashim tadi mati kemudian warith² dia pula tidak mahu kembalikan tanah itu kapada orang yang menggadai tadi. Dengan itu saya memikirkan ini ia-lah satu masaalah. Oleh kerana tujuan Rang Undang² ini kerana hendak memudahkan kapada ra'ayat, hendak memberikan satu pertolongan yang besar kapada ra'ayat inilah yang saya harap supaya Menteri yang berkenaan dapat memikirkan bagaimana dapat kita memechahkan masaalah ini supaya dengan kita memechahkan masaalah ini maka dapatlah kita memberi satu pertolongan yang besar kapada ra'ayat yang maseh menderita, kapada ra'ayat yang terkena bagaimana yang saya sebutkan tadi.

Jadi itu-lah sahaja, Dato' Yang di-Pertua, pandangan saya atas Rang Undang² ini dan saya meminta-lah kapada Menteri yang berkenaan, kerana saya sebutkan tadi supaya memikirkan bagaimana dapat memechahkan masaalah ini supaya memberi pertolongan yang besar kapada pak² tani terutama sa-kali dalam negeri saya.

Sekian-lah, terima kaseh.

Enche' Mohamed Yusof bin Mahmud (Temerloh): Tuan Yang di-Pertua, saya suka hendak berchakap sadikit atas Rang Undang² Tanah Kebangsaan ini. Di-dalam Bill yang ada di-depan kita ini, saya memandang ia-lah chuma hendak menyatukan chara² berkenaan tanah di-seluroh tanah ayer kita. Pada pendapat saya, Tuan Yang di-Pertua, patut juga di-fikirkan ia-itu chara² menyekat tanah² ini daripada orang² yang bukan ra'ayat negeri ini. Jadi terjamin tanah² kita yang ada di-tanah ayer ini supaya tidak di-kuasai oleh mereka² yang bukan ra'ayat negeri. Sunggoh pun akan timbul soal² kerana kita hendak memajukan chara² perusahaan pertanian dengan modal² luar negeri, tetapi rasa saya, masaalah ini boleh di-selenggarakan dengan tidak membolehkan sharikat² itu menguasai penoh kapada tanah² ini.

Yang lagi satu, Tuan Yang di-Pertua, kita di-tanah ayer ini, tanah satu masa ka-satu masa akan sadikit oleh sebab perkembangan tumboh banyak-nya manusia tiap² tahun yang lahir, sa-bagaimana mengikut banchi kita, tiap² tahun lebeh kurang 3% ia-itu 180,000 nyawa yang akan di-lahirkan, maka keadaan tanah kita makin lama akan menjadi sempit. Patut jika tanah² yang ada pada masa ini, satu dasar di-jalankan, dasar yang kita sedang jalankan pada masa ini ia-itu dasar menghadkan memileki tanah kapada kawasan² yang tertentu. Umpamanya di-hadkan boleh memileki tanah tidak lebeh daripada 8 ekar dan tidak kurang daripada 6 ekar kerana keadaan ekonomi.

Jadi ini, rasa saya, patut di-selenggarakan juga sebab kita takut ada pehak² yang berkemampuan ia-itu yang ada wang banyak chuba sekarang hendak memileki tanah yang besar dan akan menyebabkan pada masa hadapan ra'ayat kita yang ramai lagi berkehendakkan tanah akan tidak mendapat peluang mendapat tanah. Ini telah terjadi di-beberapa tempat dalam kawasan yang baharu saya lawati ia-itu saya tidak mahu namakan tempat itu, tetapi ada satu kawasan dalam satu bandar yang besar lebeh kurang 20 batu persegi yang tanah-nya di-mileki oleh 10 orang kaya² sahaja dan orang² miskin hendak tanah, terpaksa-lah menyewa tanah² itu sahaja. Jadi keadaan sa-macham ini, saya berharap, tidak akan timbul dalam negeri ini. Jadi rasa saya patut-lah di-fikirkan masaalah ini ia-itu kita adakan, sa-lain daripada Undang² memileki tanah² ini di-adakan Land Reform, supaya terjamin jangan tanah² ini di-beri kapada ra'ayat yang tidak berkehendakkan tanah untok kemajuan ekonomi-nya dalam negara ini.

Yang ketiga—satu lagi, Tuan Yang di-Pertua, patut juga di-adakan satu undang², tetapi saya tidak perhatikan dalam Undang² ini ia-itu tanah² yang sedang di-mileki oleh ra'ayat negeri ini tetapi tidak di-majukan. Kita

tengok tanah² hutan, tetapi bila kita tanya siapa punya tanah, "si-polan, si-polan." Ini juga satu chara yang di-gunakan oleh kebanyakan orang² yang ada wang, di-simpan tanah itu untok menchari satu masa hendak di-jualkan dengan harga yang mahal dan ini juga, rasa saya, tidak-lah elok kapada negeri kita. Kalau mereka² tidak boleh me-majukan tanah terpaksa—patut—Kerajaan mengambil tindakan, mengambil balek tanah itu di-jadikan milek negara. Jadi ini akan memberi keuntongan, tidak juga keuntongan besar kapada negara kita, banyak dalam tanah ayer kita ini tanah² nama sahaja di-mileki oleh sa-orang tetapi tidak di-majukan.

Ini-lah rasa saya tiga empat perkara yang saya pandang mustahak patut di-fikirkan oleh Kerajaan, sa-lain dari-pada peratoran², chara² memileki tanah yang hendak di-satu padukan atau sama ratakan dalam tanah ayer kita. Jadi Undang² ini baik dan elok, rasa saya, sa-lain daripada itu pandangan tiga perkara yang besar terutama sa-kali saya memandang berat kapada ra'ayat² yang bukan ra'ayat Persekutuan yang memileki tanah dalam tanah ayer kita ini. Sa-patut-nya pada masa ini kita sekat dan tidak di-bolehkan ra'ayat yang bukan ra'ayat Persekutuan memileki tanah. Sekian, terima kaseh.

Enche' Othman bin Abdullah (Perlis Utara): Tuan Yang di-Pertua, saya bangun menyokong dan mengalu²kan Rang Undang² Tanah Kebangsaan yang di-bentangkan oleh Menteri yang berkenaan kerana saya perchaya dengan ada-nya Undang² ini, maka akan dapat-lah kira-nya menyelesaikan masaalah tanah yang paling rumit di-negeri² yang ada di-dalam Tanah Melayu ini. Saya perchaya masaalah tanah ada-lah masaalah yang paling rumit sa-kali bagi tiap² buah negeri, tiap² jajahan, terutama sa-kali di-negeri² yang kechil dan ramai pendudok²-nya termasok pendudok² dalam pekan dan di-dalam bandar² yang besar². Sa-panjang yang saya ketahuï ada negeri² yang belum dapat menyelesaikan masaalah tanah se-menjak zaman sa-belum perang lagi yang menyebabkan pergadohan sen-tiasa berlaku antara satu sama lain, sebab²-nya di-antara lain ia-lah: per-tama permintaan tanah yang bertindeh² yang tidak dapat di-selesaikan atau pun tidak dapat di-jadikan geran, saperti di-dalam negeri saya selalu berlaku ia-itu di-sebabkan oleh tanah tidak bagitu luas dan permintaan-nya banyak, lebeh banyak, lebeh ramai peminta daripada tanah yang ada.

Umpama-nya di-negeri Perlis se-karang ini ada 100,000 permintaan tanah yang belum dapat di-selesaikan sedangkan tanah hampir² hanya ada 80,000 ekar sahaja. Akhir-nya sa-orang satu ekar pun tidak dapat. Apa-kah sebab-nya yang menjadi bagitu? Satu daripada-nya ia-lah permintaan tanah yang sa-bagitu bertindeh². Umpama-nya si-Hamid telah meminta tanah, tidak di-chatit dalam geran dan si-Musa pula meminta tanah di-tempat itu juga dengan register $1 dan si-Hamid tadi ini, telah berusaha dan si-Musa tadi sentiasa menyimpan receipt yang sa-ringgit tadi untok menanti jawapan daripada Kerajaan bila-kah masa-nya Kerajaan akan bagi di-atas tanah yang di-minta-nya tadi, pada hal tanah yang di-minta oleh si-Musa tadi telah di-usahakan, di-tanam chuchok oleh si-Hamid tadi. Ini masaalah ia-itu permintaan tanah bertindeh² tidak dapat di-selesaikan dan ada di-antara-nya tanah² di-negeri Perlis telah di-tanam dengan getah dan sekarang ini sudah hampir dapat di-potong dan sudah pun di-potong tetapi sedangkan geran tidak dapat keluar.

Perkara yang kedua dalam masaalah tanah ia-lah masaalah T.O.L. dan ada di-antara orang² yang mendapat hasil sementara ia-itu T.O.L. sudah ber-usaha berbuat chuchok dan meminta geran kemudian bila lama tidak dapat di-berikan geran, maka si-pemohon ini tadi ini telah meninggal dunia, tinggal-lah anak-nya yang dudok di-tanah itu—itu pun tidak dapat di-selesaikan lagi. Jadi dengan kerana itu ada satu orang yang lain yang meminta tanah itu maka itu pun dapat-lah tanah itu maka jadi pergadohan antara satu sama lain.

Perkara yang ketiga, permintaan yang tidak di-sukat dan di-selesaikan segera yang tiap² satu orang itu meminta-nya langsong tidak di-sukat dan tidak dapat di-selesaikan yang

menyebabkan banyak orang lain yang telah berusaha di-atas tanah itu dan memileki sa-orang sadikit menyebabkan terjadi pergadohan yang besar.

Perkara yang keempat, pengambilan tanah yang di-usahakan oleh ra'ayat. Kerajaan pada hari ini harus-lah mengadakan satu jangka panjang ranchangan atau pun "plan" mengadakan tiap² ranchangan pembenaan kemajuan yang Kerajaan ada pada masa ini. Kerana apa yang telah di-alami, apa yang saya ketahuï, bahawa tempat² tanah yang telah di-usahakan, yang telah di-tanam oleh ra'ayat² di-kampong² dengan serta merta di-jadikan ranchangan dan oleh sebab tanah itu tidak di-keluarkan geran ia-itu tanah Kerajaan maka Kerajaan boleh-lah mengambil dengan bagitu sahaja dengan tidak membayar sa-dikit pun ganti rugi di-atas tanah tanaman atau pun rumah² yang di-dirikan di-atas tanah ini. Hingga sebab itu dengan serta merta ra'ayat² akan kehilangan tanah.

Umpama-nya satu tempat yang berlaku di-tempat saya, di-kawasan saya, ia-itu satu keping tanah yang telah di-minta oleh ra'ayat dan ra'ayat telah pun berusaha hampir² tujoh lapan tahun dan bertanam chuchok getah², pokok² kekal dan pokok² sementara, termasok tanaman tembakau. Jadi dengan tidak sa-tahu bagaimana-kah ranchangan itu dapat di-jalankan dengan serta-merta, maka tanah yang beratus² relong itu telah di-jadikan suatu padang golf yang paling luas sa-kali melibatkan lebeh daripada 100 relong tanah² itu di-jadikan padang golf. Jadi oleh sebab tanah itu tanah Kerajaan yang tidak mendapat kebenaran langsong, maka terpaksa-lah orang² itu berpindah dengan menanggong kerugian yang banyak. Kerajaan tidak-lah dapat membayarkan sa-barang ganti-rugi apa², dan tidak-lah dapat Kerajaan menggantikan tempat lain sa-bagai sara hidup mereka itu menggantikan kerugian mereka yang bagitu banyak.

Perkara yang kelima ia-lah berkenaan dengan harta pusaka yang saya dapat tahu banyak tempat² yang tidak dapat di-selesaikan tetapi bagaimana pun, tidak dapat di-selesaikan, pada hal perkara itu telah berlalu berpuloh² tahun. Ada kawasan orang² di-tempat saya sa-hingga 60 tahun harta pusaka itu sa-bagai chichit piot belum lagi dapat di-selesaikan di-sebabkan oleh perkara² yang bagitu rumit. Tanah² di-negeri Perlis, sa-lain daripada apa yang saya katakan tadi, ada juga tempat yang di-jadikan tanah runtoh atau pun hilang dari sa-tahun ka-satahun, ia-itu di-tanah² yang hampir di-tepi laut. Kebanyakan tanah² itu sekarang ada geran² yang belum di-sukat, yang belum di-tanda dalam pelan, dalam peta negeri Perlis mengatakan tanah itu telah di-jadikan laut, dan banyak berlaku aniaya terhadap orang² yang membeli tanah itu. Orang² yang membeli tanah itu bukan-lah hendak tengok tanah sangat tetapi tengok geran itu sa-bagai geran itu boleh di-jual dan tanah pun ta' ada. Jadi hal ini patut-lah di-siasat dengan chepat supaya jangan teraniaya bagi orang² yang membeli tanah yang di-tepi² laut yang telah di-makan oleh hawa laut itu.

Lagi satu perkara yang saya hendak sebutkan ia-lah tanah simpanan Melayu. Di-dalam negeri Perlis dan di-mana² tempat juga ada tanah simpanan Melayu, tetapi tanah ini yang sa-benar-nya si-Hamid telah menjualkan kapada orang yang bukan Melayu dengan menggunakan orang Melayu sa-bagai orang perantaraan. Umpama-nya si-Ramasamy atau si-Ah Chong membeli tanah di-dalam simpanan Melayu dengan di-gunakan satu orang Melayu, anak bumiputra di-situ membeli-nya dan si-Hamid tadi telah membuat satu perjanjian kuat berhadapan dengan loyar dan sa-bagai-nya supaya tanah itu tidak dapat di-jual oleh si-Ahmad, tetapi sa-lama²-nya akan dapat kapada si-Ah Chong atau si-Ramasamy yang bukan Melayu. Jadi hal ini patut-lah pehak yang berkenaan menyiasat dengan teliti dan chekap supaya penjualan ini pun jangan-lah penjualan dengan chara Ali Baba.

Tuan Yang di-Pertua, apa yang saya sebutkan tadi ia-lah berhubongan dengan kerumitan² menyelesaikan masaalah tanah bukan sahaja bagi negeri Perlis tetapi seluroh negeri² yang ada di-dalam Tanah Melayu ini.

Tetapi bagi negeri Perlis satu daripada perkara yang rumit hendak dapat menyelesaikan hal bukan sahaja, saperti tidak ada pegawai² yang chekap, yang chergas, tetapi sa-benar-nya apa yang di-alami oleh negeri Perlis sebab pertukaran pegawai² tanah ia-itu pertukaran Commissioner Tanah, umpama-nya terlalu chepat, datang dua tahun naik pangkat, tukar, datang tiga tahun, naik pangkat, tukar. Jadi perkara² yang rumit yang harus di-selesaikan dari satu masa ka-satu masa, dari sa-tahun ka-satu tahun, terbengkalai bagitu sahaja.

Datang Commissioner yang baru, pegawai tanah yang baru menyelesai-kan perkara yang senang sahaja. Jadi saya berharap, tegas-nya supaya sa-tiap pegawai tanah, sa-tiap Commis-sioner yang di-tukarkan ka-Perlis, di-tempatkan di-negeri Perlis supaya dia dapat-lah tinggal lama sadikit supaya dapat menyelesaikan masaalah² yang paling rumit yang saya sebutkan tadi itu. Kalau sa-kira-nya Pegawai² Tanah yang ada pada hari ini sa-kejap sahaja datang ka-mari, di-tukar chepat, maka sampai bila pun masaalah tanah tidak dapat di-selesaikan. Hal ini saya ber-harap pehak yang berkenaan, Menteri yang berkenaan, mengambil perhatian yang berat supaya dapat menyelesai-kan masaalah tanah, terutama sa-kali di-negeri Perlis khas-nya dan negeri² lain 'am-nya. Sa-kian sahaja, terima kaseh.

Enche' Abdul Ghani bin Ishak (Melaka Utara): Tuan Yang di-Pertua, saya mengalu²kan Rang Undang² Tanah Kebangsaan yang di-hadapan kita ini, dan menguchapkan tahniah kapada satu langkah yang bijak untok keadaan atau pun untok hal² yang ber-sangkut paut dengan tanah pada masa² yang akan datang. Tetapi, oleh sebab tanah, satu atau pun salah satu dari-pada jalan-nya ra'ayat mendapatkan chara ekonomi yang lebeh baik, maka perkara² ini, walau pun perkara sharat² yang terkandong di-dalam tanah² yang ada di-tanah ayer kita ini di-bawah pentadbiran Negeri, saya berharap kapada pehak Menteri yang bersangkutan, kalau sa-kira-nya undang² yang kita bentangkan, yang ada di-hadapan kita pada hari ini, dapat kita adakan, maka satu langkah lagi saya merayu pada Menteri ini supaya dapat menolong dan membantu Kerajaan Negeri membinchangkan atau menchari jalan supaya tanah² yang sekarang ini tidak dapat meng-hasilkan atau pun tidak boleh di-kira sa-bagai tanah yang berhasil, dapat kita laksanakan dalam masa yang akan datang.

Saya terpaksa berchakap di-sini kerana salah satu daripada jalan hen-dak menaikkan ekonomi bumiputra tiada lain melainkan tergantong-lah pada tanah. Tetapi apa yang ada di-negeri² sekarang ini, dan harus di-antara satu negeri dengan satu negeri berasingan. Ada di-antara tuan² punya tanah, umpama-nya orang² Melayu yang ada mempunyaï tanah yang ber-title EMR, di-Melaka mithal-nya, saya rasa tiada langsong dapat hasil yang sa-patut-nya daripada tanah² yang mereka mileki. Mithal-nya, kalau-lah tanah itu ada berhampiran dengan pekan sama ada pekan besar atau pekan kechil, apabila telah di-gazet-kan menjadi pekan, maka tentu-lah tempat itu boleh di-dirikan rumah² kedai untok tempat perniagaan. Tetapi dukachita-lah, walau pun mereka telah mempunyaï tanah barangkali tiga atau empat keturunan yang telah lalu, mereka tidak boleh mendirikan rumah perniagaan, hanya di-bolehkan untok mendirikan rumah kediaman sahaja. Dan walau pun ada undang² yang membolehkan pemilek menukarkan title pada tanah² mereka, tetapi satu chontoh yang telah di-tinggalkan oleh orang² kita pada masa yang lalu yang susah juga barangkali hendak di-lepaskan kapada jalan pemikiran sa-tengah² mereka yang tidak mempunyaï barangkali fikiran atau pun pendapat atau chara yang bijak mentadbirkan harta.

Umpama-nya kita boleh pandang sekarang Bandar Melaka. Tentu-lah kita tahu Bandar Melaka, tanah² yang ada berhampiran dengan Bandar Melayu itu di-punyaï asal-nya oleh orang Melayu. Tetapi dukachita-lah bagi pehak kita menyatakan di-sini oleh sebab tidak pandai mentadbir-kan atau pun dengan sharat² yang di-kenakan kapada tanah² ini, bahawa

akhir-nya anak chuchu daripada orang² yang mempunyaï tanah asal di-dalam bandar itu, sekarang ini telah tidak ada lagi. Jadi banyak-lah di-antara pemilek² tanah EMR ini susah hendak menimbangkan. Maka selamat atau tidak sa-kira-nya tanah ini di-tukar dengan grant besar yang mem-bolehkan mendirikan rumah per-niagaan. Jadi saya rasa pada hak istemewa yang kita agong²kan, yang kita nak beri pada bumiputra, saya rasa tanah yang di-punyaï oleh bumi-putra yang di-sharatkan tidak boleh di-jual kapada orang² yang bukan bumiputra, umpama title EMR yang saya nyatakan tadi, di-sini patut-lah ada condition atau sharat² di-dalam-nya patut di-bantu supaya di-bolehkan mereka² mendirikan rumah² perniagaan sa-bagai sharat² tanah yang lain juga. Jadi tidak ada ma'ana-nya kalau kita memberi, atau pun kita kata nak menaikkan taraf ekonomi bumiputra dengan tanah yang ada hendak di-hidupkan tanah² yang mati, tetapi sharat²-nya membolehkan mereka men-dapat jalan pencharian atau pun jalan penghidupan tidak di-benarkan dalam undang² ini. Saya faham perkara ini harus barangkali boleh di-buat dalam tiap² negeri.

Sa-kali lagi saya merayu, oleh sebab kemajuan negara kita tergantong ka-pada kebijaksanaan kita mengator dan menyusun salah satu daripada yang sangat mustahak ia-lah berkenaan dengan hal tanah ini. Tentu-lah bagi pehak Menteri yang bersangkutan tidak akan menyekat langkah atau pun tidak akan sa-takat ini sahaja, untok mementingkan dan memerhati sahaja atas perlaksanaan undang² ini di-jalankan, kalau tidak sama barangkali di-bantu Kerajaan² Negeri untok menyegerakan perkara ini di-buat atau di-kaji sa-mula supaya dapat menuntut atau pun dapat menaikkan taraf hidup ra'ayat negeri ini terutama sa-kali bagi pehak bumiputra. Sekian sahaja, terima kaseh.

The Minister of Lands and Mines (Enche' Abdul-Rahman bin Ya'kub): Mr Speaker, Sir, allow me first to speak in English because, I think, one or two members used the English language today.

First, Mr Speaker, Sir, I would like to stress here that the only power that we have in this Federal Parliament with regard to this land law is as expressly provided in Article 76 (4) of the Con-stitution. This says, "Parliament may, for the purpose only of ensuring uniformity of law and policy"—only of ensuring uniformity of law and policy—"make laws with respect to land tenure . . .". The powers of the State with respect to land matters are unaffected, still as provided in the Constitution—Ninth Schedule, State list.

Mr Speaker, Sir, in view of the common characteristics shared by many of the comments made by the Honour-able Members both yesterday and today, I think it would be very helpful if I, as a preface to my more particular replies to individual Members, make one general observation. This House has, on the whole, given a most generous reception to this Bill and for that the Government is very thankful. Except for a few matters on which I hope to satisfy Honourable Members later, criticism has for the most part been directed not against this Bill at all, but against alleged failures in land administration—applications have not been dealt with for months, survey has not been carried out for years, etc., etc. That is a matter of daily administration.

Now, Sir, I must remind this House that the actual administration of the present land laws, and equally the future implementation of this Bill once it becomes law—I hope it will become law very soon—rests entirely with the various State Governments. They and they alone have the legal power and the responsibility to administer land legislation. This is in accordance with the provisions of the Constitution. Therefore, when Honourable Members complain of slowness in dealing with applications, of mishandling, of con-flicting applications, of failure to apply existing laws and other failures in administration, they must understand that with the best will in the world, I am in no position to answer. It is not, Mr Speaker, that I shrink from admitting responsibility, or from accepting blame should cause for blame

exists. It is simply that I have no first-hand knowledge of these matters and, what is more important, I have no ministerial responsibility.

My good friends, the Menteri[2] Besar and the Chief Ministers would, I am sure, be justifiably annoyed, if by any word in this House, I should seem to accept blame where they consider no cause for reproach exist and should seem to promise improvement, where in fact the situation complained of has already been resolved by the State Governments concerned. Only in the matter of survey do I bear any direct responsibility, and since I am speaking of administrative matters, I will, for convenience, deal with survey now before I proceed to matters more connected with the Bill itself.

The Honourable Members for Tanjong and for Seberang Utara, I think, both advert to the need for the improvement in the survey position. But unless Members can be more specific, it is difficult for me to consider where blame lies. General remarks will not help the administration to correct any error, any deficiency, that may exist. I would welcome any criticism of any specific error, any specific improvement, that any Member would like to offer or suggest to the Government.

Mr Speaker, Sir, Honourable Members must remember that survey work is, to an ever increasing extent, being carried out by private licensed surveyors, and fragmentation of estates, survey of housing estates, and all other forms of sub-division, partition, or amalgamation, can be dealt with by them. It is only in the field of new alienation that Government survey is essential. If Honourable Members have cause for complaint in this field, perhaps, they will favour me with concrete instances. As I said earlier on, any criticism, any proposal, any suggestion would be most welcomed. In all cases, however, whether of sub-division or new alienation, the new system of qualified title is especially designed to relieve land owners by permitting them to go ahead with development even though surveys have not yet been completed.

Mr Speaker, Sir, I will now turn to other matters raised by individual Members. I think the Honourable Member for Tanjong is suffering from the so-called "Malaysian Malaysia"—UDP, PAP, SUPP and others—obsession, so much so that yesterday he attempted to show to the House this *Gazette:* he said, "Look! This Bill is a misnomer. It is called the National Land Code, but look at the Title of this, right under that crest, the word 'Malaysia' appears and yet the National Land Code only applies or will apply to the 11 States of Malaya and not to the Borneo States." Mr Speaker, Sir, this is a Federal Government *Gazette* and, therefore, it must bear the word Malaysia; it cannot be otherwise; the crest appears on top, and the word "Malaysia" must appear underneath that crest. I agree with him to a certain extent he has got a point when he says that this National Land Code is a misnomer, because it does not apply to Sarawak and Sabah. But, in all sincerity, Mr Speaker, Sir, we did not link this with what has already been happening—controversy regarding this Malaysian Malaysia concept. One must remember that the drafting of this Bill was started before even Malaysia was, perhaps, thought of. Mr Hickling, Mr Blacker, and others, who were engaged in this were at that time thinking in terms of Malaya, as they rightly did so. Be that as it may, the relevant clause, sub-clause 2, clearly shows here that this Code or this Act will only apply to the States of Malaya, and I do not think this Bill will affect the political, or the philosophical or whatever concept it is, to the so-called Malaysian Malaysia, which has been practised, not as the Honourable Member for Bachok suggested yesterday, "started by the PAP" but, rather it has been practised by the Alliance Government for years and years and years.

Mr Speaker, Sir, the Honourable Member for Tanjong complains that there are insufficient safeguards for proprietors whose land is forefeited for non-payment of rent, or for breach of condition. In particular, he asserts that there is no right of appeal. In this,

I fear, the Honourable Member is in error. I do not blame him for that, as he admitted that he might be mistaken. There is a right to appeal, and I would like to mention the specific sections here. They are Clauses 133, 134, and 418.

He also raised this question and I think it is a very good point: "very well integrated"—in his own words—"National Land Code may lead to unforeseen complexities". Mr Speaker, Sir, the architect of this Bill is a human being; he, as any one of us, can and do sometimes make mistakes; perhaps, very often makes mistakes; and I agree with him that there should be frequent review to see whether or not in the administration of this Land Bill any improvements need be made. I can assure him we will do that.

The Honourable Member from Sarawak, Mr Ong Kee Hui, I think, has attempted to link this National Land Code with the Sarawak crisis. Again he also is another Honourable Member, who is really under an obsession, dreaming everyday that the Federal Government is a repressive giant rather than a democratic government. It has got nothing to do whatsoever with the Sarawak crisis at all, because the Bill was drafted years and years ago.

I will now deal with the question raised by the Honourable Member for Penang Selatan. He inquires as to what is to happen to the 30,000 titles which at present pay no rent: will they be affected by Section 102? I cannot remember which gentleman is from Penang Selatan, whether he is a Malay or Chinese Member. I hope he will not mind my replying to him in English.

This is admittedly a very confusing point, Mr Speaker, Sir. If the Honourable Member will turn to Section 439 of the Bill, he will see that in its application to Penang and Malacca, the provisions of this Bill may be modified by Order. Such an Order already exists in draft and one of its clauses relate to Clause 102. The Government of Penang does not wish this provision to apply to lands now held under "fee simple" (this is an expression which is very difficult for non-lawyers to understand). These lands will therefore remain exempt from the payment of rent.

The Honourable Member also raised the question of what was intended to be done with respect to lots for which there were apparently no owners. Mr Speaker, Sir, I must admit that I am not sure that I really understand this question, but in any case it seems to be one which comes within the purview of the National Land Code (Penang and Malacca Titles) Act rather than this Bill. If the Honourable Member could see me and discuss with me the details, I may be in a position to satisfy him at a later date, tomorrow, or some time this week, when I move the National Land Code (Penang and Malacca Titles) (Amendment) Bill.

As I said earlier on, I will not attempt to reply to the various questions touching on administrative matters.

Tuan Yang di-Pertua, Ahli² Yang Berhormat pada keselurohan-nya, nampak-nya memberi sokongan yang penoh kapada Rang Undang² ini dan Kerajaan sangat² bersukachita atas tegoran mereka mengenaï pentadbiran Undang² Tanah di-negeri masing² sa-bagaimana telah saya nyatakan baru² ini tadi. Soalan pertadbiran tanah itu terpulanglah kapada Kerajaan Negeri. Saya tidak berkuasa, tidak mempunyaï tanggong-jawab sa-bagai sa-orang Menteri untok berbuat apa² dalam soalan itu. Kalau saya hendak sebutkan perkara² ini—itu saya kata ada kesalahan, tidak ada salah pada Kerajaan Negeri atau Ketua Menteri, Menteri Besar kata tidak ada salah, tidak ada kekurangan, nanti mereka marah kapada saya. Dengan demikian saya akan chuba jawab sa-berapa boleh-nya.

Pertama sa-kali mengenaï chukai tanah. Banyak ahli² telah memberi pandangan mengatakan ladang² besar itu chukai-nya 50 sen sahaja satu ekar. Bagi kita ada-lah dalam Rang Undang² ini, Fasal 102, yang membolehkan Kerajaan Negeri mengubahkan chukai² tanah. Tetapi sa-malam saya sudah nyatakan soalan menaikkan atau pun

mengurangkan chukai² tanah itu, sa-lain daripada Fasal 102, boleh di-buat tiap² 15 tahun bukan tiap² 30 tahun. Ahli daripada Bachok sa-malam ber-kata dia tidak ada nampak apa kebagusan di-dalam Rang Undang² ini (nasib baik dia sudah balek). Tuan Yang di-Pertua, elok-lah dia dengar jawapan saya pada dia, kerana dia kata kalau-lah untok menyelaraskan sahaja peratoran² itu tidak ada land reform, nampak-nya tidak ada-lah perubahan besar, jadi agak-nya ketika saya berchakap sa-malam barangkali dia mengantok sadikit fasal awal pagi itu ta' bagi kopi O sa-malam pada dia (*Ketawa*).

Saya pertama² kali sudah menyata-kan apa yang kita boleh chapaikan di-dalam Rang Undang² ini. Kejayaan yang besar yang mengadakan satu sistem yang sama dalam soalan ini daripada beberapa sistem² dalam negeri yang kuchar-kachir—itu satu perkara yang besar, kerana itu mengambil masa yang bertahun untok menyelesaikan peratoran² yang zaman datok nenek kita dahulu (60 tahun) yang tidak boleh kita gunakan pada masa ini. Kalau itu tidak kejayaan yang besar dalam negara kita ini, saya tidak tahu-lah apa yang boleh di-anggap sa-bagai satu kejayaan yang besar.

Sa-lain daripada itu ada perkara baru kita masokkan dalam perkara ini, mithal-nya "Qualified Title" dan juga perkara yang lain, soalan flat. Semua itu, sa-bagaimana Ahli daripada Tanjong menyatakan sa-malam, "ada-lah satu undang² yang sangat sesuai dengan keadaan di-dalam negeri pada masa ini".

Soalan Land Reform itu, Tuan Yang di-Pertua, ini satu perkara yang sangat rumit bukan senang. Sama ada patut, di-tingkat ini, kita mengadakan apa erti yang sa-benar-nya Land Reform ini belum-lah saya dapat mengambil keputusan lagi. Walau bagaimana pun kita sentiasa mengkaji daripada segi perkembangan, daripada segi pem-bangunan di-dalam negeri, sama ada dalam pentadbiran Undang² Tanah itu kita menchapai tujuan yang pertama sa-kali ya'ani memberi kehidupan yang sempurna pada ra'ayat. Jikalau tidak dapat kita chapai dengan Undang² yang ada ini, maka Kerajaan Perikatan tidak-lah akan berlengah lagi daripada mengkaji bagaimana chara-nya mem-baiki Undang² itu supaya boleh menchapai tujuan itu. Jadi saya rasa di-sini agak-nya Ahli Yang Berhormat itu dia bersetuju dengan saya dalam perkara ini. Sa-malam dia juga sebut-kan ia-itu dalam perbinchangan Undang² kita ini elok-lah, dia kata, sunggoh pun Singapura sudah keluar daripada Malaysia ini, bagaimana pun elok-lah kita ikut ia-itu Kerajaan Perikatan sambongkan, jalankan konsep PAP ini untok menchapai Malaysian Malaysia. Ini dia kata sa-malam.

Enche' Abu Bakar bin Hamzah: I want the Minister to understand me. Kita tidak mahu Singapura punya konsep. Saya tidak menyeru kita ikut. Saya kata Kerajaan Perikatan tahu ikut orang itu.

Enche' Abdul-Rahman bin Ya'kub: Tadi saya berchakap dalam bahasa kebangsaan, mengapa chakap bahasa Inggeris. Dia sebutkan apa spirit² baru hendak masok. Bila dia sebut spirit² saya ingatkan jin. Apa-kah yang hendak masok? Bagaimana pun konsep Malaysian Malaysia ini tidak ada kena mengena dengan Rang Undang² ini sama sa-kali. Jadi elok-lah kita ber-henti di-situ sahaja. Saya suka hendak terangkan kapada Ahli² Yang Ber-hormat bahawa Kerajaan Negeri Kelantan yang di-perentah oleh parti Ahli Yang Berhormat itu menyokong 100% Rang Undang² ini. Agak-nya Ahli Yang Berhormat itu tidak tahu apa yang di-buat oleh Kerajaan Negeri Kelantan.

Tuan Yang di-Pertua, mengenai soalan T.O.L. yang di-bangkitkan oleh saudara kita Ahli Yang Berhormat daripada Pahang dan lain² tadi sa-betul-nya memang benar. Banyak-lah saya menerima aduan² dalam perkara² ini. Tetapi bagaimana yang telah saya katakan tadi, ini sa-benar-nya Kerajaan Negeri-lah yang patut menguruskan dengan sa-berapa boleh-nya. Bagitu juga soalan tukar menukar, beli mem-beli, ini semua dalam kuasa Kerajaan Negeri. Chuma kuasa yang saya ada dalam undang² ini, kalau saya tidak

salah ingatan lagi, satu dua perkara kechil² sahaja. Clause 3 mengatakan:

This Act shall come into force in each State upon such date as the Minister may, with the approval of the National Land Council, appoint in relation to that State by a notification in the *Gazette* of the Federation.

Clause 7 pun ada sadikit sahaja, tetapi soal pentadbiran tanah dalam Negeri itu terpulang kapada Kerajaan Negeri sendiri.

Sekarang, Tuan Yang di-Pertua, saya suka-lah hendak menyentoh soalan yang di-bangkitkan oleh Ahli Yang Berhormat dari Sungai Patani, kalau saya tidak salah. Pertama sa-kali mengenaï Fasal 43. Ahli Yang Berhormat itu kata dalam Rang Undang² ini menerangkan—Fasal 43 (*a*)—tanah itu boleh di-beri kapada natural persons other than minors; tetapi perkataan minors itu tidak ada-lah pula ta'arif-nya dalam Rang Undang² ini. Itu betul-lah kita tidak ada ta'arifkan di-situ. Bagaimana pun ta'arif-nya ada-lah dalam undang² yang lain, Age of Minority Act, dan ta'arif itu-lah yang di-gunakan di-dalam Undang² ini. Ahli Yang Berhormat itu juga membangkitkan soalan perkataan corporation. Bagitu juga kata Ahli Yang Berhormat itu tidak ada ta'arif-nya dan beliau mengemukakan satu tauladan ya'ani di-bawah Undang² Sharikat Bekerjasama (co-operative society) itu di-anggap sa-bagai sa-buah *corporation*. Jadi, saya suka menerangkan undang² ini tidak-lah menyentoh ta'arif itu, jika undang² lain menganggap satu pertubohan sa-bagai satu *corporation*, Undang² ini mengaku pertubohan itu sa-bagai corporation tidak di-sentoh sama sa-kali ya'ani mengikut ta'arif undang² yang biasa. Ini nyata kalau kita tengok kapada (*b*) kalau pun soalan corporation, natural persons apa² lain tidak timbul, dia kata yang boleh lagi memegang tanah itu—"*Any bodies expressly empowered to hold land under any other written law.*" Jadi saya rasa perkara ini tidak-lah perlu sangat² Ahli² Yang Berhormat membimbangkan.

Mengenaï soalan *Padi Cultivators Ordinance* yang di-sebutkan oleh Ahli Yang Berhormat itu tadi, Fasal 223, Undang² yang tersebut benar-lah tidak di-sentoh oleh *Land Code* ini. Jadi kalau Singapura tidak keluar daripada Malaysia hari ini, saya hendak menjawab satu soalan daripada Ahli Yang Berhormat dari Singapura ya'ani Enche' Rahim Ishak mengenaï *Padi Cultivators Ordinance* ini. Jadi menurut Undang² itu mereka boleh membuat perjanjian sa-lama sa-tahun. Jadi yang saya hendak sebutkan di-sini, Tuan Yang di-Pertua, ia-lah Kerajaan tidak-lah bagitu puas hati dengan perjalanan *Padi Cultivators Ordinance* itu tadi. Dengan sebab itu-lah kita telah mengambil dua orang pakar mengkaji soalan perlaksanaan *Padi Cultivators Ordinance* dan perkara² lain yang berkaitan. Report-nya ada dalam tangan kita dan perkara itu sedang di-kaji oleh Kerajaan.

Mengenaï perkataan yang baharu pertama sa-kali saya dengar di-sini hari ini—relong—apa-kah relong dalam Kedah? Perkataan ini tidak lama lagi akan di-gantikan oleh Rang Undang² ini dengan ekar dan tidak-lah akan menggunakan sistem relong itu. Bagaimana pun in ada-lah satu soalan untok kemudahan dalam satu tempat itu saperti Kedah atau tempat yang lain yang menggunakan sistem itu. Dan saya tidak-lah setuju dengan Ahli Yang Berhormat itu bahawa perkara yang saperti ini ada-lah satu perkara yang besar menyentoh soalan perlarasan Undang² Tanah dalam negeri² Tanah Melayu ini.

Soalan *transmission* yang di-sebutkan oleh beliau tadi di-antara orang² Islam ya'ani tanah pusaka daripada ayah kapada anak atau pun daripada ibu kapada anak, ini memang satu perkara sangat² rumit, Tuan Yang di-Pertua, mengenaï Undang² Ugama dan juga Undang² Adat negeri kita. Bagaimana pun, pendaftaran warith² itu ada-lah berlainan daripada soalan memechah² ya'ani membahagi² tanah—sub-division—di-dalam bahasa Inggeris. Saya tertarek hati-lah kapada chadangan dan pandangan beliau mengenaï kalau tanah itu kechil sangat, kita bahagi² sangat lagi, itu akan mendatangkan uneconomic holding. Itu betul. Saya rasa bukan salah perkara itu. Jadi, soal *sub-division* ada-lah kita sebut di-dalam Rang Undang² ini.

Mengenaï form (borang) dalam bahasa kebangsaan, betul-lah Rang Undang² ini menggunakan bahasa Inggeris, borang dia pun menggunakan bahasa Inggeris, sedangkan kata Ahli Yang Berhormat itu di-Kedah pada masa ini dan di-negeri lain, borang² itu dalam bahasa kebangsaan. Janganlah Ahli Yang Berhormat itu bimbang, kerana di-dalam *National Language Act, 1963, Section 5* ada tersebut bagini:

"Save as otherwise expressly provided wherever a form in the English language is prescribed by any written law a translation thereof in the National Language by such person or authority as the Prime Minister may from time to time by order prescribe may be used for all the purposes for which such form may if the English language be used."

Erti-nya bila Undang² bahasa kebangsaan itu berjalan, Perdana Menteri kita boleh-lah dengan chara *order* menetapkan perkara itu. Jadi, apa sahaja borang yang di-gunakan dalam bahasa Melayu, walau pun terjemahan daripada bahasa Inggeris yang asal itu tadi, boleh di-gunakan untok maksud rasmi.

Sa-orang Ahli Yang Berhormat daripada Pahang tadi—dari Temerloh, kalau saya tidak salah menerangkan patut-lah ada dalam Rang Undang² ini menyekatkan supaya tanah² di-dalam negara kita ini tidak boleh di-bahagi kapada mereka yang bukan warga-negara Malaysia. Polisi kita pada masa ini bagitu juga polisi Kerajaan Negeri, Tuan Yang di-Pertua, tidak ada sekatan yang bagitu, tetapi jika mana satu Kerajaan Negeri yang berfikir keadaan di-dalam negeri itu memaksakan polisi itu di-jalankan mereka boleh buatkan dengan sa-chara pentadbiran biasa sa-bagai satu polisi Kerajaan Negeri, tetapi sa-bagaimana yang telah di-nyatakan oleh Ahli Yang Berhormat itu keadaan negeri kita ini maseh berkehendak kapada pembangunan lagi, kapada tanah itu di-gunakan untok kepentingan ra'ayat sakalian. Oleh kerana itu Kerajaan Negeri dan Kerajaan Pusat telah bersetuju dalam *National Land Council* menggunakan satu polisi yang baharu yang kita ikuti ya'ani kita pentingkan kapada mereka yang tidak mempunyaï tanah kita beri tanah dengan bantuan Kerajaan, jika boleh, saperti F.L.D.A. atau pun yang lain; tetapi di-sabalek itu, Kerajaan Negeri mesti menghendaki hasil² dan hasil² yang besar itu chuma dapat kapada Kerajaan Negeri jika ada kebenaran di-beri oleh Kerajaan Negeri untok kompeni² yang besar membuka tanah² tanam getah, tanam kelapa sawit dan lain², dan dalam keadaan yang ada, saya rasa di-tengkat ini belum-lah perlu yang kita mengubah lagi polisi yang ada pada masa ini.

Mengenaï soalan tanah² yang tidak di-usaha dan di-majukan, ini ada-lah satu Bill yang sangat baik. Apa-kah Kerajaan patut buat dalam perkara ini? Sa-malam saya sudah menyatakan perkara ini, Tuan Yang di-Pertua, dalam uchapan saya mengenaï "General Planning and Control." Saya telah menyatakan dua perkara yang besar dan kechil. Ini telah berlaku ya'ani Kerajaan ada berkuasa menerusi Rang Undang² ini, supaya tanah tidak salah di-gunakan yang di-namakan "Prevention of the use of the land for any purpose not appropriate to this category."

Jikalau kita telah sebutkan tanah itu untok di-gunakan bagi satu jenis tanaman sahaja, Kerajaan boleh-lah mengambil tindakan kapada tuan yang mempunyaï tanah itu yang menchuba hendak menanam yang lain, yang tidak sesuai dalam fahaman Kerajaan untok maksud itu. Dan sa-lain daripada itu Kerajaan berkuasa-lah untok menguatkan lagi memaksa penggunaan tanah itu untok tujuan asal, tatkala tanah itu di-berikan tadi. Jadi (agak-nya menyenangkan hati kapada Ahli² Yang Berhormat) kita bersetuju di-dalam keadaan pada masa ini ada-lah tanah² itu tadi yang di-biarkan macham itu sahaja, sunggoh pun Kerajaan memberi, mithal-nya, untok di-buka bagi satu maksud tetapi bertahun² ditinggalkan, tetapi mengikut Undang² yang baharu ini kita boleh paksa tanah itu di-gunakan untok maksud yang telah di-tetapkan oleh Kerajaan.

Satu perkara sahaja yang kechil yang saya hendak sebutkan yang di-panggil oleh Ahli² Yang Berhormat daripada Melaka Utara, jikalau saya tidak salah, ia-itu dalam soalan tanah² di-gelarkan "E.M.R. land." Tanah² ini, Tuan Yang

di-Pertua, ada-lah di-bawah satu Undang² "Malacca Land Customary Rights Ordinance," yang telah di-luluskan 70 tahun atau pun 80 tahun yang lalu. Jadi sa-bagaimana yang telah saya katakan tadi, ini terpulang-lah kapada Kerajaan Negeri. Kita dalam Dewan Ra'ayat ini, mengikut Perlembagaan, tidak boleh sentoh dalam perkara ini. Jadi, saya tidak hendak bagi apa² "comment" berkenaan dengan perkara ini lagi. Jikalau saya mempunyaï kuasa boleh-lah saya memberi "comment" tetapi kuasa ini tidak ada kapada saya. Jadi Menteri Besar atau *Chief Minister* yang berkenaan tidak-lah marah kapada saya.

Sa-lain daripada itu, Tuan Yang di-Pertua, tegoran² yang lain sa-bagaimana yang telah saya katakan tadi ada-lah tegoran yang membena, terhadap perkara² berkenaan pentadbiran tanah itu. Saya ambil perhatian, sunggoh pun agak-nya saya tidak berkuasa di-dalam beberapa perkara itu. Tetapi itu tidak-lah bererti bahawa oleh kerana Kerajaan Negeri atau pun Kerajaan Perikatan kita diam sahaja, kita sama² bekerjasama dan ada "co-operation" di-antara Kerajaan Negeri dengan Kerajaan Pusat. Sa-kali lagi saya suka hendak menyatakan dengan berterus terang dan saya berseru kapada Ahli² Yang Berhormat, terutama sa-kali Rang Undang² ini berjalan kuat kuasa-nya bagi permulaan-nya kelak, jika ada apa² chadangan² terutama sa-kali daripada Ahli Yang Berhormat daripada Bachok itu, jikalau ada apa² tegoran, jangan-lah tunggu sampai Parlimen sahaja, baharu hendak chakap. Kelam kabut-lah saya hendak chari itu dan hendak chari ini, sampai tidak tidor malam. Tolong-lah tulis surat, bagi-lah chadangan yang baik². Dan selalu-lah bacha bagus², Tuan Yang di-Pertua, saya sangat memuji beliau lagi dan kali ini saya hendak ajak dia minum kopi sa-bentar, terima kaseh.

Question put and agreed to.

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

House immediately resolved itself *into* a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

Clauses 1 to 4 inclusive ordered to stand part of the Bill.

Clause 5—

Enche' Abdul-Rahman bin Ya'kub: Mr Chairman, Sir, I beg to move the following amendments to Clause 5:

(1) To the definition of "alienate" add "or, when used in relation to the period before the commencement of this Act, to dispose of State land in perpetuity or for a term of years under a previous land law (not being a law relating to mining)".

(2) For the definition of "Survey Department" substitute—

"'Survey Department' means the Survey Department of the Government of the Federation operative in the States of Malaya;".

Amendments put, and agreed to.

Clause 5, as amended, ordered to stand part of the Bill.

Clauses 6 to 37 inclusive ordered to stand part of the Bill.

Clause 38—

Enche' Abdul-Rahman bin Ya'kub: Tuan Pengerusi, ada satu pindaan dalam Clause 38 yang berbunyi:

"After 'Costs' in line 4 insert 'in civil proceedings'."

Amendment put, and agreed to.

Clause 38, as amended, ordered to stand part of the Bill.

Clauses 39 to 43 inclusive ordered to stand part of the Bill.

Clause 44—

Enche' Abdul-Rahman bin Ya'kub: Tuan Pengerusi, ada satu pindaan berkenaan Clause 44 yang berbunyi:

"In sub-section (1), for 'to whom land is alienated under this Act, or to whom any reserved land is leased thereunder, or to whom a temporary occupation licence is granted', substitute 'to whom (under this Act or a previous land law) land has been alienated, reserved land has been leased or a temporary occupation licence (including a licence so styled under a previous land law) has been granted'."

Amendment put, and agreed to.

Clause 44, as amended, ordered to stand part of the Bill.

Clause 45—

Enche' Abdul-Rahman bin Ya'kub: Tuan Pengerusi, ada dua pindaan berkenaan Clause 45, yang berbunyi:

(1) In sub-section (1), for "is disposed" substitute "has been disposed".

(2) In sub-section (2), for "is disposed" substitute "has been disposed".

Amendments put, and agreed to.

Clause 45, as amended, ordered to stand part of the Bill.

Clauses 46 to 50 inclusive ordered to stand part of the Bill.

Clause 51—

Enche' Abdul-Rahman bin Ya'kub: Tuan Pengerusi, Clause 51 ada dua pindaan yang berbunyi:

(1) In sub-section (2) (*a*), for "439" substitute "442".

(2) In sub-section (2) (*b*), for "439" substitute "442".

Amendment put, and agreed to.

Clause 51, as amended, ordered to stand part of the Bill.

Clauses 52 to 101 inclusive ordered to stand part of the Bill.

Clause 102—

Enche' Abdul-Rahman bin Ya'kub: Tuan Pengerusi, Clause 102 (1) ada satu pindaan yang berbunyi:

"In sub-section (1), for 'a rate so specified' substitute 'the standard rate'."

Dan juga dalam Clause 102 lagi pindaan berbunyi:

Add the following sub-sections—

" '(5) The operation of this section shall not be affected by paragraph (*j*) of sub-section (2) of section 4'.

(6) In sub-section (1) 'the standard rate' means the standard rate prevailing in the State for lands of the class or description in question."

Amendments put, and agreed to.

Clause 102, as amended, ordered to stand part of the Bill.

Clauses 103 to 136 inclusive ordered to stand part of the Bill.

Clause 137—

Enche' Abdul-Rahman bin Ya'kub: Tuan Pengerusi, dalam Clause 137 ada satu pindaan yang berbunyi:

To sub-section (1) add the following proviso—

"Provided that, in case where paragraphs (*c*) and (*e*) of sub-section (1) of section 136 are not applicable and the land is held under Land Office title, the Collector may if he thinks fit accept an application in any form and dispense with or modify the requirements of paragraph (*b*) of this sub-section."

Amendment put, and agreed to.

Clause 137, as amended, ordered to stand part of the Bill.

Clauses 138 to 209 inclusive ordered to stand part of the Bill.

Clause 210—

Enche' Abdul-Rahman bin Ya'kub: Tuan Pengerusi, Clause 210 ada pindaan sa-bagai tersebut dalam selip yang berbunyi:

To the proviso to sub-section (3) add the following—

"shall, in favour of any purchaser, be deemed conclusively to have been duly executed by that corporation."

Amendment put, and agreed to.

Clause 210, as amended, ordered to stand part of the Bill.

Clauses 211 to 322 inclusive ordered to stand part of the Bill.

Clause 323—

Enche' Abdul-Rahman bin Ya'kub: Tuan Pengerusi, di-dalam Clause 323 ini ada pindaan yang berbunyi:

In sub-section (1), add the following words to paragraph (*a*)—

"or any right to such title or interest".

Amendment put, and agreed to.

Clause 323, as amended, ordered to stand part of the Bill.

Clauses 324 to 388 inclusive ordered to stand part of the Bill.

Clause 389—

Enche' Abdul-Rahman bin Ya'kub: Tuan Pengerusi, ada pindaan yang berbunyi:

In sub-section (5), for "or reserved" substitute "country".

Amendment put, and agreed to.

Clause 389, as amended, ordered to stand part of the Bill.

Clauses 390 to 396 inclusive ordered to stand part of the Bill.

Clause 397—

Enche' Abdul-Rahman bin Ya'kub: Tuan Pengerusi, ada pindaan yang berbunyi:

In sub-section (2), leave out "of the Federation".

Amendment put, and agreed to.

Clause 397, as amended, ordered to stand part of the Bill.

Clause 398 ordered to stand part of the Bill.

Clause 399—

Enche' Abdul-Rahman bin Ya'kub: Ada satu pindaan, Tuan Pengerusi, didalam Clause 399 yang berbunyi:

In sub-section (2), leave out "of the Federation".

Clause 399, as amended, ordered to stand part of the Bill.

Clauses 400 to 416 inclusive ordered to stand part of the Bill.

Clause 417—

Enche' Abdul-Rahman bin Ya'kub: Tuan Pengerusi, saya menchadangkan perubahan kapada Clause 417 saperti yang tersebut ini:

Add the following sub-section—

"(3) Where the Registrar or Collector takes action under this section in respect of any land or any share or interest therein, he shall cause notice of his action to be served upon any person or body having a claim protected by caveat affecting the land, share or interest."

Amendment put, and agreed to.

Clause 417, as amended, ordered to stand part of the Bill.

Clause 418 and 419 ordered to stand part of the Bill.

Clause 420—

Enche' Abdul-Rahman bin Ya'kub: Ada pindaan saperti yang tersebut ini:

Add the following sub-section—

"(4) Where the Registrar or Collector takes action this section in respect of any land or any share or interest therein, he shall cause notice of his action to be served upon any person or body having a claim protected by caveat affecting the land, share or interest."

Amendment put, and agreed to.

Clause 420, as amended, ordered to stand part of the Bill.

Clause 421 to 438 inclusive ordered to stand part of the Bill.

Clause 439—

Enche' Abdul-Rahman bin Ya'kub: Pindaan-nya saperti berikut:

Leave out the whole Clause, and substitute—

"Modifications for Penang Malacca.

439. (1) With the concurrence of the State Authority, the Yang di-Pertuan Agong may by order under this section provide for the application of this Act in the States of Penang and Malacca subject to such modifications as he may consider necessary or desirable.

(2) The power conferred by sub-section (1) may be exercised in such a way as to make different provision for the State of Penang and the State of Malacca."

Amendment put, and agreed to.

Clause 439, as amended, ordered to stand part of the Bill.

Clauses 440 to 447 inclusive ordered to stand part of the Bill.

First Schedule—

Enche' Abdul-Rahman bin Ya'kub: Tuan Pengerusi, saya berchadang dua pindaan kapada First Schedule saperti yang tersebut di-bawah ini:

(1) In the Schedule to Form 28A for "Town / Village / Mukim" substitute "Mukim".

(2) In the Schedule to Form 28C for "Town / Village / Mukim" substitute "Mukim".

Amendment put, and agreed to.

First Schedule, as amended, ordered to stand part of the Bill.

Second Schedule ordered to stand part of the Bill.

Third Schedule ordered to stand part of the Bill.

Fourth Schedule ordered to stand part of the Bill.

Fifth Schedule—

Enche' Abdul-Rahman bin Ya'kub: Tuan Pengerusi, saya menchadangkan

tiga pindaan kapada Fifth Schedule yang tersebut di-bawah ini:

(1) Dalam paragraph 3, tinggalkan (leave out) "and solicitor".
(2) Dalam paragraph 4, tinggalkan (leave out) "and solicitor".
(3) Dalam paragraph 5, tinggalkan (leave out) "and solicitor".

Amendment put, and agreed to.

Fifth Schedule, as amended, ordered to stand part of the Bill.

Sixth Schedule ordered to stand part of the Bill.

Seventh Schedule ordered to stand part of the Bill.

Eighth Schedule ordered to stand part of the Bill.

Ninth Schedule ordered to stand part of the Bill.

Tenth Schedule ordered to stand part of the Bill.

Eleventh Schedule ordered to stand part of the Bill.

Twelfth Schedule ordered to stand part of the Bill.

Thirteenth Schedule ordered to stand part of the Bill.

Preamble ordered to stand part of the Bill.

Bill reported with amendments: read the third time and passed.

THE FEDERAL STATUTE LAW REVISION (JOHORE) BILL, 1965

Second Reading

The Minister of Home Affairs and Minister of Justice (Dato' Dr Ismail): Mr Speaker, Sir, I beg to move that a Bill intituled "An Act to repeal certain enactments of the State of Johore relating to matters on the Federal List" be read a second time.

Sir, this House is being asked today to pass 15 Bills called "Statute Law Revision Bill", the object of which is to remove from the Statute books of Malaysia a vast amount of lumber which is no longer required. This is by way of preparation for the urgent and necessary task of revision of the "tortuous and ungodly jumble", to borrow Cromwell's comment on the English law of real property, which is the law of Malaysia today. A distinguished legal commentator once said, and I quote: "It is essential to the welfare of the community that in every State there should exist an authoritative body of law readily accessible, easily intelligible, and strictly and impartially enforced". One of the principal objects of the reprint of the Federal Laws Act, 1965, which was passed by Parliament last year, is to make the laws in force in Malaysia readily accessible to all. It would, however, be an obvious waste of public money simply to reprint whatever exists, regardless of whether it is required or not. The Reprint Commissioners appointed under the Act have examined the Statute books of the three components of Malaysia and the eleven States of Malaya, and in consultation with the law officers of the Borneo States and the Legal Advisers of the States of Malaya, have found 292 Acts, Ordinances, or Enactments, which are no longer required, plus another 19 which can soon be repealed when they have had their effect. These figures do not include the 41 repealed provided for in the National Land Code Bill. It is these obsolete or spent laws which the Government is asked to repeal today. The laws which it is proposed to repeal are all Federal laws, and the State law officers and Legal Advisers have agreed that this is so. Honourable Members may well ask, why the operation could not have been performed by a single Bill? The answer is that it was found to be administratively more expeditious and convenient to deal with individual States or individual topics such as financial legislation, so that one State could consider the proposals in respect of its own laws, while the draftsmen were preparing the Bills for other States. The Explanatory Statement accompanying each Bill sets out the reasons for the repeal and I do not propose to weary the House with detailed explanations. In general, the legislation which it is proposed to repeal may be divided into the following categories:

(1) Laws which although not expressly repealed have been superseded by more recent laws. For example, the Wireless Telegraphy

Enactments, 1933, of Kelantan, the Liquors Enactment, 1336, 1917 of Perlis.

(2) Laws which were passed for specific purposes that have ceased to exist. For example, the Malayan Collieries Railways Enactment of Selangor and special war-time legislation of both wars, such as the former Enemy Alien Admissions Enactment, 1919 of Perlis and the War Risks Goods Insurance Ordinance, 1941 of the F.M.S.

(3) Laws which, having achieved the objects for which they were passed, have become spent: for example, all laws repealing former laws—the repeal of the repealing law will not revive the law which it repealed; so there is no need to retain it in the statute books; all supply enactments, after the end of the year to which they relate; and enactments which create rights, for once the rights have accrued the repeal of the enactment creating them will not take them away—the Dindings Cessation Enactment of Perak Ordinance is an illustration. The many private ordinances incorporating missions and institutions and enabling them to hold specified land are another example.

(4) Laws which, owing to constitutional changes brought about in 1946, 1948, 1957 and 1963, are no longer applicable; for example, the Colonial Secretary, Straits Settlements, Incorporation Enactment of Johore, the Judges of Appeal Act, 1962, and a series, from 1949 to 1958, of Ordinances amending the Federation of Malaya Agreement, 1948.

To illustrate the need for a complete overhaul of the laws before deciding what should be reprinted, I should like to give a few examples of the archaic legislation, which is still to be found in the statute books.

I wonder how many Honourable Members here today realise that in the State of Perlis there still exists, in law, an arrangement known as debt-bondage whereby a debtor can liquidate his debt by working for the creditor under an agreement registered in Court before the 1st day of Muharam, 1910. It would be perfectly possible for a man (or woman) of 74 to be still working off a debt of $650 at the rate of $1 a month by compulsory labour on the land of the creditor. I do not suppose for a moment that this happens in practice, but it is high time that the law which provides for it was removed from the statute book.

The laws of the former Straits Settlements, which are still in force in Penang and Malacca, include ordinances for the administration of Labuan, Christmas and the Cocos Islands, the Singapore Traction Ordinance, which deals with trolley buses in Singapore, the Municipal Theatre Ordinances which establishes the Victoria Theatre of Singapore, the Raffles College Ordinances, and many other Ordinances dealing with institutions in Singapore. It would appear that in the 20 years since the war nobody thought of carrying out periodical statute law revisions and so the statute books had become cluttered up with deadwood. It is proposed for the future to introduce at the beginning of each year a Statute Law Revision Bill, which will avoid a repetition of the present state of affairs.

In order to allay any apprehension that may be felt on the Opposition benches, I would like to refer to item 2 in the Schedule to the Federal Statute Law Revision (Former Federated Malay States) Bill, and to say that although it is proposed to repeal the Plantation Produce Protection Enactment it is not the Government's intention to abolish the P.P.P.

With that assurance I will close.

Sir, I beg to move.

The Assistant Minister of National and Rural Development (Enche' Sulaiman bin Bulon): Sir, I beg to second the motion.

Enche' Abu Bakar bin Hamzah: Tuan Yang di-Pertua, saya juga turut

menyokong Bill ini yang di-kemukakan oleh pehak Kerajaan kerana memang-lah undang² yang lama di-dalam sa-sabuah negara itu patut di-pinda atau pun di-mansokhkan dari satu masa ka-satu masa supaya sesuai dengan perkembangan negara ini. Terutama apabila negara kita ini sudah menjadi Malaysia dan banyak-lah undang² negara atau pun undang² dalam Federal List atau yang di-selaraskan, sama ada kerana itu di-sebabkan dia itu superseded oleh undang² yang baru atau pun dia sudah menjadi tidak berjalan lagi, dan ber-bagai perkembangan proses.

Tetapi, Tuan Yang di-Pertua, di-dalam Bill ini, di-dalam statement ber-kenaan dengan penerangan ini di-bawa di-dalam perkara nombor (2) ia-itu ber-kenaan dengan uniform enactment di-dalam bereket ini di-kechualikan memakai uniform bagi military Johor, jadi sa-kali pun kita hendakkan undang² itu selaras, maseh timbul lagi kechua-lian section di-sini supaya negeri Johor itu boleh memakai uniform military-nya dengan sendiri. Tuan Yang di-Pertua, saya maseh ingat pada tahun 1947 saya berkhidmat di-dalam baha-gian senjata di-negeri Johor, saya dapati tentera atau pun askar negeri Johor kebolehan-nya tidak jauh perbezaan daripada Askar Melayu sendiri. Tetapi apabila di-pinda atau pun di-perbesar-kan Askar Melayu atau di-pindah-lah pegawai² daripada military Johor, te-tapi pangkat-nya daripada Major menjadi Lieutenant. Jadi Tuan Yang di-Pertua, erti-nya di-negeri Johor itu ada tenaga² yang merupakan military yang pada masa ini sa-patut-nya dia itu sudah terselit atau pun sudah di-gantikan dengan peratoran² yang ada. Tetapi maseh lagi benda itu di-pandang sa-bagai kechuali, ada-kah oleh kerana kebetulan Yang Berhormat Menteri kita daripada Johor maka dia hendak retain lagi keaskaran dia itu supaya parti pembangkang itu takut, jadi ini Tuan Yang di-Pertua, saya minta-lah Menteri kita memberi penerangan di-atas apa mustahak-nya kechemerlangan atau pun significant-nya yang sa-kechil ini maseh lagi di-hidupkan di-dalam undang² yang kita sudah nam-pak terselit dan ter-superseded.

Dato' Dr Ismail: Berkenaan dengan uniform yang di-pakai oleh Johor Military Force itu ya'ani chuma me-mang ada perjanjian dahulu bila di-tubohkan Federation of Malaya Agree-ment tahun 1948 bila negeri Johor masok dalam Federation supaya mem-beri kechualian kapada Johor ber-kenaan dengan hal ini.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

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

Schedule ordered to stand part of the Bill.

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

THE FEDERAL STATUTE LAW REVISION (KEDAH) BILL

Second Reading

Dato' Dr Ismail: Sir, I beg to move that the Bill intituled "An act to repeal certain enactments of the State of Kedah relating to matters on the Federal List" be read a second time.

Sir, as I have said when introducing the previous Bill, I do not intend to add further explanation than what is contained in the Explanatory State-ment.

Enche' Sulaiman bin Bulon: Sir, I beg to second the motion.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

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

Schedule ordered to stand part of the Bill.

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

THE FEDERAL STATUTE LAW REVISION (KELANTAN) BILL

Second Reading

Dato' Dr Ismail: Sir, I beg to move that a Bill intituled "An Act to repeal certain enactments of the State of Kelantan relating to matters on the Federal List" be read a second time.

Sir, I do not intend to add further to what is contained in the Explanatory Statement in the Bill.

Enche' Sulaiman bin Bulon: Sir, I beg to second the motion.

Enche' Abu Bakar bin Hamzah: Tuan Yang di-Pertua, di-dalam Bill ini ada di-bawah Schedule ini ia-itu perkara yang ketiga, Enactment berkenaan dengan kilang atau mesin padi. Nampak-nya Enactment ini sudah-lah hendak kena repeal. Tetapi, Tuan Yang di-Pertua, saya minta-lah jaminan daripada Yang Berhormat Menteri kita ia-itu jangan-lah kita mansokhkan Undang² ini dengan tidak ada satu Undang² yang lain yang boleh mengatasi masaalah² yang berbangkit daripada itu. Saya perchaya bahawa Enactment ini di-mansokhkan dengan di-ganti dengan peratoran² yang baharu. Tetapi yang menjadi masaalah-nya, Tuan Yang di-Pertua, saya perchaya Yang Berhormat Menteri kita pun ingin tahu sangat ia-itu masaalah Undang² Kilang Padi ini, pada masa ini, di-jalankan dengan satu peratoran yang saya pun tidak expert dalam itu, saya tidak tahu yang sa-benar-nya, tetapi yang saya tahu ia-lah di-beri di-bawah peratoran lesen engine² dan dia itu berkait pula dengan sharikat kerjasama. Jadi yang sa-tengah itu di-jalankan dengan sa-chara haram dari segi sharikat kerjasama tetapi dia mempunyai lesen untok memileki engine² itu. Maka di antara dua Undang² telah tidak dapat di-selesaikan maka banyak-lah kilang² yang sekarang ini di-buat dengan sa-chara haram dari segi sharikat kerjasama dan perkara ini amat-lah rumit untok di-selesaikan di-dalam negeri Kelantan itu. Saya perchaya di-negeri lain pun ada berlaku perkara² ini. Apa-kah Kerajaan di-ketika memansokhkan Undang² ini ia-itu Undang² tahun 1932 ini, sudah mengadakan ganti atau substitute yang lebeh berkesan untok mengatasi masaalah² itu.

Sekian-lah, Tuan Yang di-Pertua, terima kaseh.

Dato' Dr Ismail: Tuan Yang di-Pertua, tegoran yang di-buat oleh Ahli daripada Bachok itu akan di-ambil ingatan. Memang tidak ada-lah tujuan hendak memansokhkan satu Undang² itu dan di-gantikan dengan yang lain.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

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

Schedule ordered to stand part of the Bill.

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

THE FEDERAL STATUTE LAW REVISION (PERAK) BILL

Second Reading

Dato' Dr Ismail: Sir, I beg to move that a Bill intituled "An Act to repeal certain laws of the State of Perak relating to matters on the Federal List" be read a second time.

I have nothing to add to what is in the Explanatory Statement.

Tuan Haji Abdul Hamid Khan: Sir, I beg to second the motion.

Dato' Dr Haji Megat Khas (Kuala Kangsar): Tuan Yang di-Pertua, saya

perhatikan dalam Bill ini ia-itu ada-lah The Dindings Cessation Enactment, 1935 akan di-mansokhkan dengan ada-nya pindaan yang akan di-bawa di-dalam Bill yang di-hadapan kita pada pagi ini. Jadi rasa saya ini ia-lah satu Enactment yang bersejarah ia-itu tat-kala negeri Perak dahulu telah menyerahkan kawasan Dinding tatkala kawasan itu di-dudoki oleh lanun² dan perompak laut supaya dapat ketente-raman di-bawah jagaan penjajah. Jadi pada tahun 1935 jajahan ini telah di-pulangkan balek kapada negeri Perak dengan chara mengadakan agreement yang tersebut di-sini ia-itu The Din-dings Cessation Enactment, 1935 dan saya fikir tentu-lah kita sa-bagai bumi-putra di-sini suka memanjangkan sejarah itu di-dalam tawarikh² kita yang akan datang bagi kegunaan dan pelajaran anak² kita. Jadi saya minta-lah keterangan daripada Yang Ber-hormat Menteri, ada-kah dengan chara kita mengadakan repeal di-dalam Bill di-hadapan kita ini ia-itu tawarikh yang sa-macham itu akan di-hapuskan sama sa-kali.

Dato' Dr Ismail: Tuan Yang di-Pertua, untok menjawab Ahli daripada Kuala Kangsar untok hendak meng-hapuskan tawarikh, memang sudah menjadi tawarikh, ta'kan boleh di-hapuskan chuma hari ini hendak di-buat kerana mengikut Explanatory Statements ini. The Bill has had its effect.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

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

Schedule ordered to stand part of the Bill.

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

THE FEDERAL STATUTE LAW REVISION (PERLIS) BILL, 1965

Second Reading

Dato' Dr Ismail: Mr Speaker, Sir, I beg to move that a Bill intituled "An Act to repeal certain Enactments of the State of Perlis relating to matters on the Federal List" be read a second time. I have nothing further to add to what is contained in the Explanatory Statement.

Tuan Haji Abdul Hamid Khan: Sir, I beg to second the motion.

Dato' Dr Haji Megat Khas: Tuan Yang di-Pertua, sambil saya menyo-kong Bill di-hadapan kita ini di-segera di-sahkan, saya juga tertarek hati kapada perkataan Yang Ber-hormat Menteri tadi ia-itu di-dalam ruang dua di-dalam Bill ini ada Debt Bondage Enactment yang saya per-chaya di-dalam negeri² lain di-dalam Persekutuan Tanah Melayu atau pun Semenanjong Tanah Melayu tidak ada. Tetapi baru² ini saya telah membacha satu buku ia-itu "Egyptian Fellehin" ia-itu Egyptian yang juga dudok di-kampong² sa-chara ini-lah kehidupan mereka itu kerana apabila berhutang kapada satu orang itu sampai-lah ka-pada anak chuchu dia menjadi hamba dan menchurahkan tenaga-nya men-jayakan tanah² tuan-nya itu. Jadi saya suka sangat-lah perkara ini kita man-sokhkan di-dalam negara kita yang di-kasehi ini.

Enche' Abu Bakar Hamzah: Tuan Yang di-Pertua, saya juga sama-lah berperasaan dengan Ahli Yang Ber-hormat daripada Kuala Kangsar itu, sebab itu-lah saya berebut dengan beliau itu dalam menyokong Kerajaan menjalankan undang² ini.

Tuan Yang di-Pertua, saya dalam menyokong ini, berasa dukachita juga kapada Kerajaan ia-itu sa-patut-nya undang² ini, patut sudah kita mansokh-kan pada hari kita merdeka, pada hari ini sebab undang² yang memaksa orang² berhutang yang bekerja yang sa-macham ini dia berlawanan dengan peri kemanusiaan dan dasar manusia walau pun dia itu tidak ada berugama. Tetapi bagini-lah perkara² yang besar yang menyentoh Piagam Bangsa²

Bersatu berkenaan dengan hak asasi manusia. Kerajaan kita lambat sangat sa-hingga hari ini baru timbul.

Tuan Yang di-Pertua, saya daripada Perlis dan saya perchaya Menteri kita pun tahu sadikit sa-banyak hal Perlis itu, dengan ada-nya undang² sa-macham ini, banyak-lah tanah² di-negeri Perlis itu sudah tergadai dan banyak-lah orang² yang menjadi hamba yang tidak rasmi kapada tuan² hutang itu. Dan perkara ini sa-masa saya di-dalam UMNO lagi, sa-masa itu UMNO ini baik sadikit, sekarang saya sudah ta' mahu lagi dan saya mengaku-lah masa itu saya sa-orang UMNO ia-itu saya telah kemukakan perkara ini kapada Yang Amat Berhormat sekarang ini Tuan Sheikh Ahmad menjadi Menteri Besar sekarang ini dan termasok juga beberapa orang Menteri kita dan sahabat saya Menteri Pengangkutan ini, kalau dia tidak lupa tetapi dia mudah lupa oleh sebab saya lari di-sini.

Tuan Yang di-Pertua, perkara ini kita telah bahath dalam pergerakan Pemuda UMNO supaya benda ini di-mansokhkan dengan serta-merta sa-belum merdeka. Jadi erti-nya kita hendak menyambut kemerdekaan itu dengan mengishtiharkan undang² ini di-mansokhkan, tetapi sayang pada masa itu saya sudah di-kemukakan kapada pehak Polis dan di-kemukakan supaya saya ini patut di-tahan pada masa itu. Dan pada masa itu sahabat saya, Menteri Pengangkutan sekarang ini, menjadi Ketua Pemuda UMNO dan dia tidak rela pula malah dia mengatakan saya melampau dalam perkara ini. Jadi Tuan Yang di-Pertua, pada hari ini apa yang telah saya sebut-kan itu telah datang-lah ia-itu kebenaran mesti mengatasi kepalsuan.

Tuan Yang di-Pertua, saya amat-lah berterima kaseh kapada Kerajaan sekarang ini kalau-lah dasar asasi manusia yang sa-macham ini berani kita kemukakan dan banyak lagi perkara² yang ta' dapat lagi hendak di-sentoh termasok barangkali di-dalam apa yang di-katakan "prerogative" yang hak mempunyaï istana, saya rasa kalau benda² itu di-kajikan lagi banyak-lah perkara² yang termasok dalam jenis ini berlaku dalam negeri kita dan ini tidak akan dapat kita menjalankan dasar hak asasi manusia yang sa-benar di-dalam negara kita jika kita tidak mengkaji sa-lain daripada apa yang berlaku di-dalam negeri Perlis ini.

Tuan Yang di-Pertua, perkara ini yang berlaku di-negeri Perlis bukan-lah sebab ada hubongan-nya negeri itu di-perentah oleh keturunan falahin daripada negeri Mesir atau pun di-mana² sa-kali pun bahkan pemerentahan itu barangkali ka-Araban sadikit, tetapi ini sa-bagai satu sejarah manusia dalam mana apabila ra'ayat itu lemah timbul-nya perkara² yang sa-macham ini. Dan saya suka-lah membayangkan dengan sa-chara jauh kapada Yang Berhormat Menteri kita bahawa di-negeri² lain pun ada juga perkara² yang macham ini tetapi merupakan undang² yang bertulis sahaja tetapi hakikat-nya itu juga dalam spirit itu berjalan walau pun dia tidak dengan "letter" dan saya harap adakah Menteri itu sedar perkara ini berlaku di-negeri² yang lain dan apa-kah tindakan²-nya akan di-buat? Saya rasa saya memerlu jawapan itu.

Dato' Dr Ismail: Tuan Yang di-Pertua, saya menguchapkan terima kaseh kapada kedua² Ahli Yang Berhormat yang beruchap menyokong Bill ini. Atas tegoran Ahli daripada Bachok fasal terlambat sadikit saya mengaku-lah tetapi saya pun mengaku juga kita ini lebeh lekas lagi daripada Kerajaan PAS. Jadi atas maklumat yang di-beri tadi kalau saya ketahuï, ia-itu dengan ta' ada jalan undang² perkara yang tidak di-ingini di-jalankan itu saya ta' ketahuï-lah. Tetapi kalau Ahli Yang Berhormat itu memberi tahu kapada saya, saya beri jaminan—saya akan tangkap dia.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

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

Schedule ordered to stand part of the Bill.

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

Mr Speaker: Time is up. The sitting is now suspended till four this afternoon.

Sitting suspended at 1.00 p.m.

Sitting resumed at 4.00 p.m.

(Mr Speaker *in the Chair*)

BILL PRESENTED

THE MALAYSIA ACT (AMENDMENT) BILL, 1965

Bill to further amend the Malaysia Act; presented by Minister of Home Affairs; read the first time; to be read a second time to-morrow.

BILLS

THE FEDERAL STATUTE LAW REVISION (SELANGOR) BILL

Second Reading

The Minister of Home Affairs and Minister of Justice (Dato' Dr Ismail bin Dato' Haji Abdul Rahman): Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to repeal an Enactment of the State of Selangor relating to a matter on the Federal List" be read a second time.

Sir, I need not elaborate as the object of the Bill is contained in the Explanatory Statement.

The Minister of Welfare Services (Tuan Haji Abdul Hamid Khan): Sir, I beg to second the motion.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

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

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

THE FEDERAL STATUTE LAW REVISION (SABAH) BILL

Second Reading

Dato' Dr Ismail: Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to repeal certain laws of the State of Sabah relating to matters on the Federal List" be read a second time.

I have nothing further to add to what is contained in the Explanatory Statement, Sir.

Tuan Haji Abdul Hamid Khan: Sir, I beg to second the motion.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

(Mr Speaker *in the Chair*)

Clauses 1 and 2 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 FEDERAL STATUTE LAW REVISION (FORMER FEDERATED MALAY STATES) BILL

Second Reading

Dato' Dr Ismail: Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to repeal certain laws on matters on the Federal List enacted by the legislature of the former Federated Malay States" be read a second time. I have nothing further to add, Sir, to what is contained in the Explanatory Statement.

Tuan Haji Abdul Hamid Khan: Sir, I beg to second the motion.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

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

Schedule ordered to stand part of the Bill.

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

THE FEDERAL STATUTE LAW REVISION (FORMER STRAITS SETTLEMENTS) BILL

Second Reading

Dato' Dr Ismail: Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to repeal certain Ordinances of the former Straits Settlements" be read a second time. I have nothing further to add, Sir, to what is contained in the Explanatory Statement.

Tuan Haji Abdul Hamid Khan: Sir, I beg to second the motion.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

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

First Schedule ordered to stand part of the Bill.

Second Schedule ordered to stand part of the Bill.

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

THE FEDERAL STATUTE LAW REVISION (BRITISH MILITARY PROCLAMATION) BILL

Second Reading

Dato' Dr Ismail: Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to provide for the Repeal of Proclamations of the British Military Administration in force in Malaysia relating to matters on the Federal List" be read a second time. I have nothing further to add, Sir, to what is contained in the Explanatory Statement.

Tuan Haji Abdul Hamid Khan: Sir, I beg to second the motion.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

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

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

THE FEDERAL STATUTE LAW REVISION (FORMER MALAYAN UNION) BILL

Second Reading

Dato' Dr Ismail: Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to repeal certain laws on matters on the Federal List enacted by the legislature of the former Malayan Union" be read a second time. I have nothing further to add to what is contained in the Explanatory Statement.

Tuan Haji Abdul Hamid Khan: Sir, I beg to second the motion.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

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

Schedule ordered to stand part of the Bill.

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

THE FEDERAL STATUTE LAW REVISION (FORMER FEDERATION OF MALAYA ORDINANCES) BILL

Second Reading

Dato' Dr Ismail: Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to repeal certain Ordinances of the Federation of Malaya" be read a second time. I have nothing further to add to what is contained in the Explanatory Statement, Sir.

Tuan Haji Abdul Hamid Khan: Sir, I beg to second the motion.

Enche' Abu Bakar bin Hamzah (Bachok): Tuan Yang di-Pertua, dalam Bill ini ia-itu Dewan Ra'ayat No. 57, kalau saya tidak salah, saya pegang ini, sebab saya baharu sampai. Saya harap pegangan saya ini betul ia-itu di-dalam tujuan kita hendak memansokhkan beberapa Ordinance yang tertentu itu termasok-lah Item No. 4 ia-itu Banishment Ordinance tahun 48 ia-itu No. 48, No. 5 pada tahun 48. Jadi, Tuan Yang di-Pertua, Banishment Ordinance ini hendak repeal. Kita hendak buangkan langsong daripada Undangan Negeri kita ini. Tetapi perkara ini saya harap sudah ada gantinya untok menepati kuat-kuasa yang patut di-jalankan terhadap kesalahan² yang patut di-hukum dengan banishment. Kalau-lah sa-mata² kita hendak repeal dan membuang dengan tidak menggunakan dengan yang lebeh kuat lagi, saya perchaya dalam keadaan kita berpechah dengan Singapura sekarang ini banyak-lah perkara² yang berlaku yang tidak dapat kita menjalankan kuat-kuasa-nya. Dan saya harap-lah Menteri itu menunjokkan undang² mana-kah, amendment mana-kah yang menjadi perkara undang² yang kita hendak repeal ini.

Yang kedua, Tuan Yang di-Pertua, saya dapati banishment, sama ada undang² tersebut ini atau pun yang lain², tidak-lah di-jalankan oleh Kerajaan kita yang berkuasa dan saya tahu satu dua sahaja Undang² Banishment itu yang di-jalankan sa-lain daripada masa dharurat dahulu. Pada hal dalam hendak menjaga negeri kita terdapat konfrantasi di-luar negeri. Banishment ini sa-patut-nya ia-lah sa-bagai ubat yang kita hendak menghukumkan kapada orang buat salah bagitu. Ada pun kita hendak menchari orang itu satu tempat sa-bagai re-settlement yang kita hendak jaga pula, yang kita hendak bagi makan bagitu bagini. Patut-kah Undang² Banishment ini di-jalankan. Tetapi pehak Kerajaan nampak-nya memansokhkan Undang² Banishment itu dengan ganti undang² sekatan tempat dudok dan bagitu juga Camp Tahanan. Saya rasa Undang² Banishment ini kalau di-kekalkan ada lebeh baik lagi daripada undang² yang sekarang ini.

Dato' Dr Ismail: (*Reply not audible*).

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

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

Schedule ordered to stand part of the Bill.

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

THE FEDERAL STATUTE LAW REVISION (ACTS OF PARLIAMENT) BILL

Second Reading

Dato' Dr Ismail: Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to repeal certain Acts of Parliament which have had their effect" be read a second time. Sir, I have nothing further to add to what is contained in the Explanatory Statement.

Tuan Haji Abdul Hamid Khan: Sir, I beg to second the motion.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

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

Schedule ordered to stand part of the Bill.

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

THE FEDERAL STATUTE LAW REVISION (FINANCIAL LEGISLATION) (STATES OF MALAYA) BILL

Second Reading

Dato' Dr Ismail: Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to repeal certain laws on Financial and connected matters which have become spent or redundant" be read a second time. I have nothing further to add to what is contained in the Explanatory Statement, Sir.

Tuan Haji Abdul Hamid Khan: Sir, I beg to second the motion.

Enche' Abu Bakar bin Hamzah: Tuan Yang di-Pertua, saya pun bersetuju-lah dengan pehak Kerajaan supaya undang² yang tidak berjalan lagi atau pun sudah ada undang² lain baharu, kita mansokhkan dan dengan jalan ini dapat-lah kita membuat satu buku baharu, tetapi Tuan Yang di-Pertua, Yang Berhormat Menteri kita patut-lah ingat meski pun Bill ini bilangan 59 tahun 65 yang ada di-hadapan kita ini boleh di-luluskan sa-minit atau dua. Tetapi dalam Schedule itu pada berpuloh² amendment dan undang² yang saya dapat baharu kelmarin sahaja atau pun dua tiga hari itu waktu mana-lah ahli² pembangkang ini dapat hendak menyemak undang² yang banyak ini. Mana hendak jaga position. Kami susah Malaysia berpechah dengan Singapura. Mana di-timbun—ini dekat dua puloh lebeh. Jadi kalau-lah Bill yang sa-macham ini Menteri kita itu bagi dalam sa-minggu, dapat-lah kami masok di-dalam library itu tengok satu dua. Dapat-lah kami contribute kapada Menteri dalam tegoran² membena. Yang macham ini datang macham bulldozer. Kami ta' sokong pun perkara ini baik, hendak sokong sa-bagai Pak Yet sahaja. Jadi patut-lah Menteri kita ini ada timbang rasa memberi peluang kapada kami. Ini harapan saya pada Menteri ini.

Dato' Dr Ismail: Tuan Pengerusi, Bill ini chuma mengatakan ia-itu perkara² hendak di-tarek balek itu ia-lah yang sudah tidak berguna lagi. Jadi, kalau Ahli Yang Berhormat pergi masok Library tengok pun tidak berguna, kerana memang dia hendak tarek balek sahaja (*Ketawa*).

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

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

First Schedule ordered to stand part of the Bill.

Second Schedule ordered to stand part of the Bill.

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

THE REPRINT OF FEDERAL LAWS (AMENDMENT) BILL

Second Reading

Dato' Dr Ismail: Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to amend the Reprint of Federal Laws Act, 1965" be read a second time.

Sir, the Reprint of Federal Laws Act, 1965 was passed by Parliament in March this year. Its objects were to authorise the reprinting of Federal Laws and to confer certain powers upon the Reprint Commissioners, which was set out in Section 4 of the Act. Since the Reprint Commissioners have begun the preparation of the reprints they have found that they are sometimes handicapped by the English style of drafting which was introduced in this country in 1961 but which has now been abandoned as unsuitable for the amendment of our laws. When an English Parliamentary Draftsman is

instructed to amend an Act (which I will call the principal Act) he does not give effect to his instructions by verbal amendments to be incorporated in the text of the principal Act, but he drafts an entirely separate Act which has to be read along with the principal Act in order to ascertain its effect. When a number of these subsequent Acts affecting the principal Act have been passed a further Act is necessary to consolidate them all into one. In England they do not operate, as we do here, a system of reprints in which all subsequent amendments are incorporated.

Using the reprint system the only way, apart from special legislation in each case, of dealing with these English style Acts is to empower the Reprint Commissioners to consolidate them with the principal Acts.

The number of Acts involved in this exercise is small because the English style drafting was followed for only about two years.

Sir, I beg to move.

Tuan Haji Abdul Hamid Khan: Sir, I beg to second the motion.

Enche' Abu Bakar bin Hamzah (Bachok): Tuan Yang di-Pertua, saya bersetuju dalam perkara ini, tetapi saya minta ada-kah yang kita hendak chetak balek itu dalam bahasa Inggeris sahaja atau pun dalam bahasa kebangsaan sama, sebab kalau-lah bahasa kebangsaan itu hendak di-jalankan pada tahun 1967 dan kerja chetak-menchetak sa-mula itu hendak di-mulakan pada tahun 1966, memang sesuai pada masanya supaya di-jalankan terjemahan dalam bahasa kebangsaan itu dengan serta-merta, kechuali-lah kalau Kerajaan Perikatan tidak berniat bersunggoh[2] atau Parlimen ini tidak menentukan bahasa kebangsaan itu akan di-gunakan pada tahun 1967. Jadi, Tuan Yang di-Pertua, dengan di-chetakkan undang[2] ini sa-mula atau pun peratoran[2] dalam bahasa kebangsaan, ini sa-bagai satu proof yang bahawa Kerajaan Perikatan betul[2] hendak menjalankan bahasa kebangsaan pada tahun 1967. Jadi, kalau tidak, susah-lah orang[2] Perikatan sendiri hendak perchaya kapada Menteri mereka itu sendiri.

Dato' Dr Ismail: Niat Kerajaan Perikatan memang tidak mungkir pada janji, tetapi bagaimana dasar hendak reprintkan ini kita telah terangkan di-dalam Dewan ini beberapa lama dahulu.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

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

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

THE FEDERAL STATUTE LAW REVISION (GENERAL PROVISIONS) BILL

Second Reading

Dato' Dr Ismail: Sir, I beg to move that a Bill intituled "an Act to make certain general provisions in relation to the Statute Law Revision of Federal Laws and to repeal certain obsolete existing legislation on that subject" be read a second time.

Sir, the object of this Bill is set out in the Explanatory Statement and I would only add that Clause 2 is complementary to the Reprint of the Federal Laws Bill which has been passed by this House and on which I have given explanation.

Sir, I beg to move.

Tuan Haji Abdul Hamid Khan: Sir, I beg to second the motion.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

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

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

THE REGISTRATION OF GUESTS BILL

Second Reading

Dato' Dr Ismail: Sir, I beg to move that a Bill intituled "an Act to repeal certain laws relating to aliens and to make provisions regarding the obligation of keepers of residential accommodation in respect of registration of their guests and for matters connected therewith and ancillary thereto" be read a second time.

Sir, the object of this Bill is to repeal certain legislation enacted in pre-war days relating to aliens but to re-enact with certain modifications the provisions in those laws relating to obligations of hoteliers and boarding and lodging house keepers to keep a register of their guests. It is considered that the other provisions of the laws concerned can be safely repealed as it is felt that there is adequate power to control aliens in other more recent legislations, such as, the National Registration Act, 1959 and the Immigration Ordinance, 1959. For example, the requirement to register aliens, contained in the various States Enactments on registration of aliens which were passed as long ago as 1931, is also provided for under the National Registration Act, 1959, under which law all residents of Malaya above the age of 12, including non-citizens, are required to carry identity cards.

With regard to the need and object of this Bill, the Explanatory Statement to the Bill explains the position clearly, and I do not propose to enlarge upon what has already been stated therein.

I have only one more point to add, Mr Speaker, Sir. Since the State of Singapore has ceased to be part of Malaysia, references to Singapore in this Bill are no longer necessary. I shall, therefore, move an amendment to the text of the Bill during the Committee Stage.

Sir, I beg to move.

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

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

Clause 1 ordered to stand part of the Bill.

Clause 2—

Dato' Dr Ismail: Mr Chairman, Sir, I beg to move that Clause 2 be amended as in the amendment slip which has been circulated to Honourable Members, viz:

(*a*) In the definition of "registration officer" in Clause 2 substitute for "Sabah, Sarawak or Singapore", the words "Sabah or Sarawak".

Amendment put, and agreed to.

Clause 2, as amended, ordered to stand part of the Bill.

Clauses 3 to 6 inclusive ordered to stand part of the Bill.

First Schedule ordered to stand part of the Bill.

Second Schedule—

Dato' Dr Ismail: Mr Chairman, Sir, I beg to move that the Second Schedule be amended as is contained in the amendment slip circulated to Honourable Members, viz:

Delete items 3 and 12 and renumber the remaining items as 1 to 12.

Amendment put, and agreed to.

Second Schedule, as amended, ordered to stand part of the Bill.

Bill reported with amendments: read the third time and passed.

THE UNCLAIMED MONIES BILL

Second Reading

The Assistant Minister of Finance (Dr Ng Kam Poh): Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to make provision for the payment of unclaimed moneys into the Federal Consolidated Fund" be read a second time.

Mr Speaker: Will you hold on a minute? I think we have to take the Insurance (Amendment) Bill first?

Dr Ng Kam Poh: Sir, the Insurance (Amendment) Bill was read the first time yesterday and it is to be read the second time at a subsequent meeting, Sir, and not at a subsequent sitting!

Mr Speaker: Yes, you may continue!

Dr Ng Kam Poh: Mr Speaker, Sir, Honourable Members will recall that the Companies Bill, which was debated and approved by this House yesterday, makes provision in section 353 thereof for the disposal of shares of shareholders, whose whereabouts are unknown, in accordance with the law relating to unclaimed moneys; and the responsibility of this disposal falls on the Minister charged with the responsibility for finance. However, there has been no law in Malaysia pertaining to the disposal of unclaimed moneys as yet, and the passing of the Companies Bill into law makes it necessary for the passing of this Unclaimed Moneys Bill.

With the passing of this Bill, companies will be relieved of the responsibility of taking care of those unclaimed moneys, which they have no right to use and retain; and without an Unclaimed Moneys Law, companies might even be disinclined to make any attempt to locate the owners of the moneys. The Government, as representing the public, should have therefore the right to determine how these unclaimed moneys should be disposed of.

In the Bill, the opportunity is also taken to include provisions for the disposal of moneys which have been in deposit with the Court for more than fifteen years. The procedure for the disposal of the unclaimed moneys is explained in the Explanatory Statement at the end of the Bill.

Part I of the Bill provides that if the money under the control of the Court remains unclaimed for a period of fifteen years from the date of the payment into Court, the proper officer of the Court must pay such moneys into the Federal Consolidated Fund and they will be accounted into the Consolidated Revenue Account; and if, thereafter a claim is filed in respect of such moneys, the Court may make an order for payment of such moneys to the person who files the claim, and a refund must be made to such a person. The refund of such moneys will be a charge on the Consolidated Fund and paid out of the Consolidated Revenue Account.

Part II of the Bill deals with the unclaimed moneys under the control of a company or a firm. In such cases, the company or firm is required to prepare a register of unclaimed moneys and publish the entries in such register in the *Gazette* annually. If such unclaimed moneys are not paid out to the rightful owners within one year of the publication of the *Gazette*, the company must pay the moneys within fourteen days into the Federal Consolidated Fund; and they will be accounted in the Consolidated Trust Account; and if after six years no further claims are made, the moneys will be transferred to the Consolidated Revenue Account as Government revenue. Should any claim be received after the transfer of the money to the Consolidated Revenue Account, the Minister may, if satisfied with such claims, order payment of such claims from the Consolidated Fund.

Sir, I beg to move.

Enche' Chen Wing Sum: Sir, I beg to second the motion.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

Clauses 1 to 15 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 INCOME TAX LAW (MALAYSIA) (AMENDMENT) BILL

Second Reading

Dr Ng Kam Poh: Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to further amend the laws relating to the Income Tax in Sabah, Sarawak, Singapore and the States of Malaya" be read a second time.

Enche' Chen Wing Sum: Sir, I beg to second the motion.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

Long title—

Dr Ng Kam Poh: Mr Chairman, Sir, I beg to move that the word "Singapore" be deleted.

Amendment put, and agreed to.

Long title, as amended, agreed to.

Clause 1 ordered to stand part of the Bill.

Clause 2—

Dr Ng Kam Poh: Sir, I beg to move the following amendments to Clause 2:

Clause 2 (b)—Insert the word "and" at the end.

Clause 2 (c)—Delete.

Clause 2 (d)—Re-number as 2 (*c*).

Amendments put, and agreed to.

Clause 2, as amended, ordered to stand part of the Bill.

Clause 3:

Dr Ng Kam Poh: Sir, I beg to move the following amendment to Clause 3:

For a comma after the word "Second" substitute "and", and delete the words "and Fourth".

Amendment put, and agreed to.

Clause 3, as amended, ordered to stand part of the Bill.

First Schedule—

Dr Ng Kam Poh: Sir, I beg to move that the First Schedule be amended as stated in the amendment slip, viz.:

Paragraph 1—Delete.

Paragraphs 2 to 20—Re-number as paragraphs 1 to 19, respectively.

(*a*) In the new section 4 (4), delete "property tax."

(*b*) In the new section 4 (7), delete "Singapore."

Amendments put, and agreed to.

First Schedule, as amended, ordered to stand part of the Bill.

Second Schedule—

Dr Ng Kam Poh: Sir, I beg to move that the Second Schedule be amended as stated in the amendment slip, viz.:

Paragraph 1—Delete.

Paragraphs 2 to 16—Re-number as paragraphs 1 to 15, respectively.

(*a*) In the new section 4 (4), delete "property tax."

(*b*) In the new section 4 (7), delete "Singapore."

Amendments put, and agreed to.

Second Schedule, as amended, ordered to stand part of the Bill.

Third Schedule—

Dr Ng Kam Poh: Sir, I beg to move that the Third Schedule be amended as stated in the amendment slip, viz.:

Third Schedule—Delete.

Amendment put, and agreed to.

Third Schedule, ordered to be deleted from the Bill.

Fourth Schedule—

Dr Ng Kam Poh: Sir, I beg to move that the Fourth Schedule be amended as stated in the amendment slip, viz.:

For "Fourth Schedule" substitute "Third Schedule".

Paragraph 1—Delete.

Paragraphs 2 to 21—Re-number as paragraphs 1 to 20, respectively.

(*a*) In the new section 6 (4), delete "property tax."

(*b*) In the new section 6 (7), delete "Singapore."

Provisions as to commencement—For "paragraph 5" appearing in Items A and B, substitute "paragraph 4".

Amendments put, and agreed to.

Fourth Schedule, as amended, ordered to stand part of the Bill.

Bill reported with amendments: read the third time and passed.

THE ESTATE DUTY LAWS OF SABAH, SINGAPORE AND THE STATES OF MALAYA (AMENDMENT) BILL

Second Reading

Dr Ng Kam Poh: Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to amend the laws relating to the Estate Duty of Sabah, Singapore and the States of Malaya", be read a second time.

The object of this Bill is to amend the Estate Duty Ordinances of Sabah and the States of Malaya to give wider discretionary powers to the officers responsible for the collection of estate duty in the respective components of Malaysia. Under the existing laws, probate or letters of administration in respect of an estate may not be issued until payment of estate duty has been made or postponement thereof has been allowed. In practice, it has been found that the Collectors of Estate Duty have not been afforded a reasonable degree of latitude in the exercise of their discretion to allow postponement of payment of part or the whole of the estate duty payable, in consequence of which there has been delay in the collection of the full duty, or undue hardship has been unnecessarily inflicted on the representatives of the estate. A new section has now been added to the Ordinances spelling out in detail the various circumstances under which the Commissioner or Collector may allow payment of the whole or part of the estate duty to be postponed until after the issue of probate or letters of administration. The new provision thus helps to remove the existing anomalies and the opportunity is taken to harmonise this in respect of Ordinances of Sabah and the States of Malaya.

There are two other minor amendments to the Ordinances in the States of Malaya. One is to correct the marginal notes to the amended sections and the other is purely technical and does not affect the substance of the Ordinances. No amendment is, however, made to the Sarawak Ordinance as it is already provided in section 5 of the Finance (Estate Duty) Act, 1965 (29 of 1965) that the Ordinance will be replaced at an early date by extending to Sarawak the Estate Duty Ordinance of one of the three other components.

The final draft of the Bill has been sent to the other components for study and has already been fully discussed with them, and I must thank those concerned for their co-operation in suggesting ways and means to improve the administration of the estate duty.

Sir, I beg to move.

Enche' Chen Wing Sum: Sir, I beg to second the motion.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

Long title, and Clauses 1 to 3 inclusive—

Enche' Abdul-Rahman bin Ya'kub: Mr Chairman, Sir, I beg to move the following amendments to the Bill:

Long title—

First, in the long title, the word "Singapore" should be deleted.

Amendments put, and agreed to.

Long title, as amended, ordered to stand part of the Bill.

Second, in Clause 1, again the word "Singapore" should be deleted.

In Clause 2 (*a*) the amendment should be by inserting the word "and" at the end thereof. Clause 2 (*b*) should be deleted. Clause 2 (*c*) should be re-numbered as Clause 2 (*b*).

In Clause 3 for the "comma" after the word "First" there should be substituted the word "and", and also in Clause 3 the words "and third" should be deleted therefrom.

Amendments put, and agreed to.

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

First Schedule ordered to stand part of the Bill.

Second Schedule—

Enche' Abdul-Rahman bin Ya'kub: Mr Chairman, Sir, the Second Schedule should be deleted.

Amendment put, and agreed to.

Second Schedule ordered to be deleted.

Third Schedule—

Enche' Abdul-Rahman bin Ya'kub: Mr Chairman, Sir, I beg to move that the Third Schedule shall be amended as stated in the amendment slip, viz.:

that the "Third Schedule" be re-numbered "Second Schedule".

Amendment put, and agreed to.

Third Schedule, as amended, ordered to stand part of the Bill.

THE CONSOLIDATED FUND (EXPENDITURE ON ACCOUNT) BILL, 1965

Second Reading

Dr Ng Kam Poh: Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to apply a sum out of the Consolidated Fund to the service of the year ending on the 31st day of December, 1966" be read a second time.

In accordance with the practice which has been followed for the past few years, this Bill is proposed in order to provide transitional authority for Government expenditure for the first four months of 1966, as it is possible that the annual Supply Bill will not have passed through both Houses and received the Royal Assent by the beginning of the new financial year. This arrangement is in accordance with Article 102 (*a*) of the Constitution.

The Bill which is now before the House, therefore, provides for the issue from the Consolidated Fund of a sum of $502,555,400 which is calculated to provide for the service of Government for the first four months of the new year, as it is anticipated that the Supply Bill will have become law by then. The Schedule to the Bill sets out the appropriations for the various individual services for this period.

Sir, I beg to move.

Enche' Chen Wing Sum: Sir, I beg to second the motion.

Enche' Abu Bakar bin Hamzah: Tuan Yang di-Pertua, Bill ini meminta wang tambahan atau pun pendahuluan untok membelanjakan bagi 4 bulan yang pertama pada tahun 1966. Dan perkara ini ada-lah satu perkara yang routine yang merupakan formal sahaja; kita menurut Artical² Perlembagaan kita.

Tetapi Tuan Yang di-Pertua, barangkali di-sini saya chari tidak jumpa kalau-lah ada dan ada-nya report² berkenaan dengan chara² yang hendak dibelanjakan itu dapat-lah menegor sadikit sa-banyak.

Enche' Tan Siew Sin: Mr Speaker, Sir, may I rise on a point of order.

The Honourable Member, I think, is out of order. Standing Order 68A. (1) reads as follows:

"On the second reading of a Bill introduced (under paragraph (*a*) of Article 102 of the Constitution) to authorise expenditure for part of the year, the debate shall not extend to matters of Government policy and administration nor to the purposes for which the sums included in the Bill are required to be expended."

It is, therefore, clear that no debate on this Bill is to take place on the matters which are enumerated in the Schedule.

Mr Speaker: I am afraid the Honourable Minister is right.

Enche' Abu Bakar bin Hamzah: Kalau bagitu, tidak apa-lah (*Ketawa*).

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

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

Schedule ordered to stand part of the Bill.

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

THE FEDERAL HOUSING BILL

Second Reading

The Minister of Local Government and Housing (Enche' Khaw Kai-Boh): Mr Speaker, Sir, I beg to move that a Bill intituled "the Federal Housing Act, 1955" be read a second time.

Sir, the object of this Bill is to empower the Commissioner of the Federal Capital to carry out Federal Housing projects on lands and with money made available by the Federal Government. This would in effect enable the Commissioner to undertake housing projects outside the Municipal limits of the Federal Capital. Under the Municipal Ordinance, the Commissioner can only undertake housing projects within the limits of the Federal Capital. In view of the limited supply of suitable building land in Kuala Lumpur, it is clearly obvious that the Federal Capital should be in a position to undertake housing projects outside the limits of the Capital to relieve the housing shortage and the squatters problem. It is the intention in future to form a Federal Housing and Development Authority to undertake all housing operations, but in view of the pressing need to build low-cost housing in Kuala Lumpur, the personnel resources of the Commissioner of the Federal Capital must be used for the present to the fullest possible extent within and without the Capital. In this connection, it is perhaps pertinent for me to state that within the Federal Capital, work is about to commence on one project in Jalan Perkeliling involving 2,884 units, and plans are well in hand for another two projects in Jalan Cheras and Kampong Kerinchi involving some seven thousand units. Realising that these projects, although substantial, will not be able to meet fully the housing requirements of the Capital, action is being taken to develop land acquired outside the Federal Capital at Wardieburn, Ulu Klang, as a well planned self-contained low-cost housing estate, which is expected to yield some 42 thousand housing units within the next decade. Three other areas outside the Federal Capital have been gazetted for acquisition and detailed layout plans are being drawn up for consideration.

The objective to be achieved under this Bill can be regarded as an interim measure until such time the Federal Housing and Development Authority is established. The latter Authority would take over all housing operations in future. The reason for the delay in forming this Authority is the need for making it as comprehensive as possible and equipping it with wide powers to deal with not only house design and construction but also to undertake other functions, such as housing, finance and urban renewal. The formation of this Authority is under close study.

Coming back to this Bill, Sir, Section 4 enables the Commissioner of

the Federal Capital to carry out housing schemes outside the Capital with all the powers vested in him under the Municipal Ordinance (S.S. Chapter 133). Section 5 vests in the Commissioner the lands and buildings thereof which will enable the Commissioner to sell, let, lease, rent or deal with such schemes on the direction of the Minister and, subject to such terms and conditions that may be imposed by the Commissioner.

I wish to point out this Act is merely an *ad hoc* piece of legislation to enable the Federal Government for the time being to forthwith implement housing schemes through the Commissioner of the Federal Capital and it will be repealed when permanent legislation on Federal Housing is passed at some future date.

Sir, I beg to move.

Enche' Chen Wing Sum: Sir, I beg to second the motion.

Enche' Abu Bakar bin Hamzah: Tuan Yang di-Pertua, saya sukachita sangat-lah mendengar usaha² yang akan di-jalankan oleh Kementerian Perumahan ini. Tetapi ada satu perkara ia-itu di-dalam keterangan yang di-beri oleh Yang Berhormat Menteri baharu² ini, Bill ini atau Rang Undang² ini bila di-luluskan akan memberi kuasa atau membolehkan Pesurohjaya Ibu Kota itu membena rumah² bagi pehak Kerajaan Pusat di-luar kawasan capital. Betulkan kalau saya tidak betul. Jadi ini, Tuan Yang di-Pertua, erti-nya meluaskan lagi kawasan capital kita itu sendiri. Jadi sa-balek kita hendak membuat rumah², sama ada rumah murah atau tidak murah, di-samping itu Kerajaan Pusat ini meluaskan lagi capital ini dan dengan demikian kawasan ini tidak akan ada pilehan raya kerana capital kita tidak ada pilehan raya. Kalau bagitu rumah² ini di-jauhkan—di-extend—sampai-lah kawasan Bungsar ini dan sahabat saya yang di-tepi ini tidak ada peluang hendak masok pilehan raya tahun 1969 ini. Ini, Tuan Yang di-Pertua, mungkin, boleh jadi, sebab apabila di-beri peluang kapada Kerajaan memberi kuasa kapada Pesurohjaya Ibu Kota ini dia akan melakukan perkara itu. Kalau-lah for the time being sa-bagaimana Menteri kita kata, mengapa Kerajaan sendiri tidak ada membuat atas nama Kementerian dan mengapa power itu di-delegatekan kapada Pesurohjaya Ibu Kota, kalau-lah tidak dengan niat sa-bagaimana yang saya rasa itu. Jadi saya minta-lah Menteri itu memberi keterangan dan mengaku-lah kalau perkara itu benar.

Enche' Khaw Kai-Boh: Sir, in answer to the accusation of the Honourable Member for Bachok, I would like to assure him that there is no sinister design behind this Bill (*Laughter*). Of course, I cannot prevent people with dirty minds to think dirty things of good intentions. There is no question of widening the boundaries of the Federal Capital, and probably the Honourable Member may not be aware of the procedure before any local authorities' boundaries can be extended. It must first obtain the agreement of the State Government. At any rate, there is no question of the Federal Capital's boundary being extended in this case. What happens is we merely want to carry out our housing schemes as quickly as possible and because the Federal Capital has all the technical officers—architects, engineers, valuers, managers and a housing section—that we want to carry out this scheme as quickly as possible, pending the formation of the Federal Housing and Development Authority. I hope with that assurance the Honourable Member would be satisfied. There is no question of trying to eject the Honourable Member for Bungsar with a trick of this nature (*Laughter*).

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

Clauses 1 to 5 inclusive ordered to stand part of the Bill.

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

THE NATIONAL LAND CODE (PENANG AND MALACCA TITLES) (AMENDMENT) BILL

Second Reading

The Minister of Lands and Mines (Enche' Abdul-Rahman bin Ya'kub): Mr Speaker, Sir, I beg to move that a Bill intituled, "an Act to amend the National Land Code (Penang and Malacca Titles) Act, 1963" be read a second time. Mr Speaker, Sir, those Honourable Members who feel that this meeting of Parliament is overloaded with very thick land legislation, very thick companies legislation, and various other legislations may take some comfort from the brevity of this particular measure—brief at least by comparison with its big brother—the National Land Code.

Alas, Mr Speaker, Sir, brevity is not in this instance wedded to simplicity. The Penang and Malacca Titles Act itself is of a highly technical nature and this amending Bill inevitably shares the same characteristics. However bland and innocent any individual amendment may appear, it is likely to be rooted in a complex situation not always easy to comprehend.

Mr Speaker, Sir, fortunately, this House will not expect me to lead them through a maze of complicated details. Those Honourable Members, who have a special knowledge of the peculiar conditions in Penang and Malacca and a direct interest in this legislation, will no doubt have already mastered the detailed Explanatory Statement appended to this Bill. If they later seek further information, I will endeavour to enlighten them but, at this stage and for the benefit of the House in general, I will confine myself to a more limited field. I will try, Mr Speaker, Sir, to make clear to Members of this House the kinds of circumstances which have made these amendments necessary and the nature of the results which our present remedies are intended to produce.

Before I proceed to this demonstration, however, there are one or two preliminary points which may be causing misgivings and which, I believe, would be better cleared out of our way here and now. To many people, both inside this House and out, it may appear perplexing that an Act passed so recently as 1963 and containing only 124 sections should, barely two years later, require far-reaching amendments affecting no fewer than 73 of those sections. People may perhaps be asking "What possible excuse is there for such a change of front? Could not the need for these changes have been foreseen?"

Mr Speaker, Sir, the short answer is that the need for change was foreseen. In his speech introducing the original Penang and Malacca Bill, the Honourable the Minister of Rural Development, the Minister then responsible for land matters, stressed the highly original character of the Bill and the complete absence of any precedents which could be followed. In such circumstances, although Government had no doubt as to the correctness of the principles adopted, the possibility of later changes of detail were not ruled out.

With your permission, Mr Speaker, Sir, I will read a short passage from the speech to which I have just referred—I omit a phrase irrelevant to the present issue:

> "In so complex a measure, exactly how all the changes proposed will operate cannot be foreseen at this stage, and I would therefore like to assure the Bar that the Bill will be amended as necessary in the light of experience gained in its administration."

Now, Sir, to those words I must add two supplementary observations. The passage comes from a paragraph in which the Honourable Minister was expressing his appreciation of the help and co-operation given by the members of the Bar, who had been fully informed of Government's proposals. Because of the need to correlate this present Bill with the passing of the National Land Code it has not been possible beforehand to consult the Bar on the question of these amendments. For this I must express regret but, at the same time, I am confident that the somewhat novel step we have taken of publishing these proposed amendments in the *Gazette* for public information, before introducing as formal Bill in this House, will have afforded members of the Bar, I hope, full opportunity for studying our proposals.

Secondly, Mr Speaker, Sir, I would observe that when the Honourable Minister spoke of amendments to be made "in the light of experience gained in its administration", he was, of course, thinking in terms of active administration after the Penang and Malacca Titles Act was brought into force on the "appointed day". How then, those same critical persons might ask, "is it possible for us to propose these amendments before the Act has been brought into force?" The answer to that question is that the intervening two years have not been a period of stagnation. The Commissioner-designate of Land Titles has already been appointed and he, and others before him, have carried out an enormous amount of the preliminary work necessary to smooth the way for the introduction on the appointed day of the original and drastic measures of the Act. These two years have been years of active thought and experiment, and the experience gained has been profound even though this activity has not been in the public eye.

The Honourable Minister, Mr Speaker, Sir, I am referring to is the Minister for National and Rural Development, my predecessor in this responsibility, in the same speech emphasised the cardinal position of the Interim Register. This register is vital to the whole scheme of action provided in the Act, and it is the preparation of this Interim Register upon which the Commissioner-designate has, among other things, been engaged. No activity is more calculated to search out possible weaknesses in the law than this vital work and we may claim, therefore, to have sufficient experience on which to base these amendments.

So, Mr Speaker, Sir, after a somewhat circuitous part I come back to my original engagement to demonstrate the kinds of circumstances which have made these amendments necessary.

Here then is the first of these circumstances, namely, the discovery by hard experience that the original draft did not provide for every conceivable detail that has subsequently been proved significant. As has been stressed earlier, we did not—because we could not—foresee every issue that might arise.

Members would possibly like to have a concrete illustration of such a circumstance and, in view of its central position to the whole scheme, I cannot do better than cite the case of the Interim Register itself. This was, Mr Speaker, Sir, from the start envisaged as a summary record of all the incidence of title relating to every piece of land within the State concerned. Consideration of space, availability of staff, and the need for the elimination of unnecessary work all dictated that such incidents should be recorded in an abbreviated form and, specifically for this reason, a series of standard conditions were carefully drafted in the Third Schedule to the Act and given labels or index letters A, B and C. This was done with the intention that a title could be described as subject to condition A, or B, or C—or a combination of them—and there was no other conceivable reason why these index letters should have been provided. Unfortunately, presumably by sheer inadvertence, the text of the Bill was drafted without any clear indication of this intention and I am advised that the relevant section 45 dealing with the preparation of the Interim Register would, if strictly interpreted, require each and every one of these conditions to be endorsed verbatim instead of by its index letter. This may appear a triviality but to rectify completely this and other similar trivial defects it has been necessary to redraft completely the whole of sections 43 and 45 and the Third Schedule itself.

A second circumstance which has dictated other revisions is the need to correct factual errors or omissions which have been discovered as a result of the experience gained in the last two years. The most obvious example of these is the need to abandon the term "free grant" and to substitute for it the term "grant (first grade)". Until research uncovered actual examples to the contrary, it was believed that land held on fee simple estate did not in any circumstances bear rent. This has proved to be a fallacy since a number of cases have been discovered where rent is charged on fee simple land. This

discovery has necessitated the above change in nomenclature.

Finally, as a third example of circumstances leading to revision, I will cite the one which probably is responsible for more changes than any other. The whole purpose of the 1963 Act was to convert the lands system in Penang and Malacca to the system to be followed under the National Land Code. However, as the Explanatory Statement to this Bill points out, the 1963 Act was necessarily completed before the National Land Code had been drafted—or, indeed, begun,—and in the event various provisions have been introduced in the National Land Code which could not be foreseen in 1963. As a consequence, much that has been written then has either needed to be deleted or modified. Full deletions, for example, have been made in the cases of the old sections 72 to 76, 87 (4), 107, 117, 118 (2) thereof and 120 since what was dealt with therein is more satisfactorily covered by the Land Code itself. Examples of amendment for a similar reason are sections 51 and 52 and the new section 71. The respective reasons for these three amendments are that restrictive covenants are not recognised by the Code, that rent charges are absorbed within the general definition of charge, and that full provision for easements is now made. The special references to these three subjects in the 1963 Act are, therefore, not required.

I trust these facts and explanations have satisfied all Honourable Members of the need for this Amendment Bill. If I may sum up the position in a few words, it is this:

Of the intentions of this House at the time when the 1963 Act became law there can be no doubt. The principles underlying the Act were very carefully explained in the speech introducing the Bill and were further clearly expressed in the Explanatory Statement accompanying it. It was those principles which were accepted by this House as good reason for the passing of the Act, and it is those principles which we must maintain today. Owing to the passage of time and of other legislation, or owing to inadvertence or excusable human error, the written text of that Act is found not to accord fully with the principles on which it was based. In short, the Act has got out of line: it is the purpose of the present Bill to get it back.

Mr Speaker, Sir, I beg to move.

Enche' V. Manickavasagam: Sir, I beg to second.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

Clauses 1 and 2 ordered to stand of the Bill.

Schedule ordered to stand part of the Bill.

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

THE PENANG AND PROVINCE WELLESLEY JUBILEE FUND BILL

Second Reading

Tuan Haji Abdul Hamid Khan: Tuan Yang di-Pertua, dengan hormat-nya saya menchadangkan supaya Rang Undang² yang di-namakan sa-buah Rang Undang² membaiki keadaan Kumpulan Wang Jubilee Perak bagi Pulau Pinang dan Province Wellesley, di-bacha buat kali kedua-nya.

Tuan Yang di-Pertua, Undang² Kumpulan Wang Jubilee Perak bagi negeri Pulau Pinang dan Province Wellesley bilangan 39, tahun 1935, telah di-ishtiharkan untok menuboh dan mentadbirkan satu Kumpulan Wang yang di-kutip dari orang ramai untok mendirikan sa-buah tugu kekal mengingati Jubilee Perak mendiang King George Kelima. Orang² yang menderma kapada kumpulan wang itu bersetuju bahawa wang kumpulan itu hendak-lah di-gunakan untok menolong orang² fakir miskin dan untok mendirikan dan mentadbirkan sa-buah rumah, atau kawasan bagi orang² miskin di-Pulau Pinang.

Di-bawah undang² tersebut Resident Councillor pada waktu itu ada-lah menjadi ahli ex-officio dan Pengerusi Kumpulan Wang itu, dan sa-orang daripada pemegang amanah. Terkemudian dari itu apabila Ordinance Tafsiran dan Pindahan Kuasa Pengishtiharan tahun 1948, Ordinance Persekutuan Tanah Melayu bilangan 2 tahun 1948, Resident Commissioner Pulau Pinang telah menggantikan Resident Councillor dan akhir-nya mengikut Perlembagaan Persekutuan Perubahan Undang² Perentah Ordinance dan Perishtiharan 1958, L.N. 332 tahun 1958, Governor telah menggantikan Resident Commissioner sa-bagai pemegang amanah Kumpulan Wang itu. Kerajaan negeri Pulau Pinang memikirkan bahawa sa-bagai Ketua Kerajaan Negeri, Governor tidak-lah sa-patut-nya di-kehendaki oleh undang² menjadi pemegang amanah dan mengeshorkan bahawa Ketua Menteri patut menjadi pemegang amanah Kumpulan Wang tersebut sa-bagai ganti Governor. Oleh kerana amanah ia-lah perkara Persekutuan di-bawah perenggan 4E di-dalam Senarai 1 Jadual 9 dalam Perlembagaan, maka pertukaran ini boleh di-laksanakan oleh undang² Persekutuan.

Maka pertukaran ini chuma boleh di-laksanakan oleh Undang² Persekutuan. Rang Undang² ini menggantikan Undang² Kumpulan Wang Jubilee Pulau Pinang dan Province Wellesley Bilangan 39 tahun 1935 dan mewujudkan semua sharat² di-dalam undang² asal dengan pindaan² yang di-kehendaki dan dengan menghapuskan semua sharat² yang tidak di-kehendaki.

Tuan Yang di-Pertua, dengan hormat-nya saya mengemukakan chadangan ini.

Enche' Khaw Kai-Boh: Tuan Yang di-Pertua, saya sokong.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

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

Clauses 7 to 13 ordered to stand part of the Bill.

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

THE TRADE UNIONS BILL

Second Reading

The Minister of Labour (Enche' V. Manickavasagam): Mr Speaker, Sir, I beg to move that a Bill intituled "The Trade Union Act, 1965" be read a second time.

The Explanatory Statement attached to the Bill provides sufficient background to understand the process of the amendment contained in the Bill. The main purpose of this Bill is to further consolidate the law relating to trade unions. Broadly speaking, the amendments fall into two parts. One part is concerned with the organisation of trade unions and the other part seeks to rectify an omission in the existing law. With regard to the first part, that is Clauses 2, 3, and 4, I would draw the attention of Honourable Members that under the existing law, any 7 persons may form a trade union. This has been interpreted literally with the result that a number of small and ineffective trade unions have been formed either as new unions or by dissenting groups within an existing trade union. It has always been the Government's policy to promote the growth of strong and responsible national unions and of late some success has been achieved in this respect. But a look at the trade union membership at the end of last year would reveal that more than 49% of the trade union membership of all unions is covered by a total of 287 trade unions. Three large trade unions alone account for the balance of 51% of total union membership. There are 96 trade unions in the country with less than 100 members and a further 160 with less than 500 members each. This alone is sufficient to impress upon Honourable Members the need for the amendments proposed in this Bill, as too many trade unions in a single trade, occupation or industry,

merely reduces the effectiveness of the trade union movement and this is not in the interest of either the members themselves or the community as a whole.

The amendments proposed in Clauses 2 and 3 of the Bill empower the Registrar to refuse to register or cancel the registration of any trade union where he is satisfied that there is in existence in the particular trade or occupation or industry an established trade union.

Clause 4 of the Bill provides for an appeal to the Minister where any person is aggrieved by the decision of the Registrar.

Regarding Clause 5 of the Bill, Sir, the present Trade Union Ordinance provides for the registration of federations of trade unions under the Ordinance. Some trade unions, however, might wish to form and, indeed, have formed loose-knit organisations, such as consultative or similar bodies, which would be outside the Trade Unions Ordinance. It is felt that such bodies which are, in effect, quasi federations, should also, like trade unions or federation of trade unions, have approval of the Registrar of Trade Unions. Clause 5 of the Bill makes the necessary provisions in this regard.

Clause 6 of the Bill is designed to ensure that only citizens who are resident in the States of Malaya hold office in trade unions in the States of Malaya. It is also designed to ensure that officers or employees of trade unions do not hold office in more than one trade union at any one time. The Trade Union Ordinance at present only provides that the Secretary of a trade union may not be employed by or hold office in any other trade union. Clause 6 seeks generally to extend this provision to employees of trade unions. This Clause will serve to ensure that the management of trade unions in the States of Malaya is vested in the hands of persons who have their roots in the particular unions and in the country.

Clause 7 of the Bill, Sir, seeks to rectify an omission in Section 27 of the Trade Unions Ordinance which is, in fact, a re-enactment of Section 25 of the old Trade Unions Enactment of 1940. In drafting that new Section, however, the power of the Yang di-Pertuan Agong to impose the conditions under which public officers could be declared to be workmen under the Ordinance for the purpose of trade union organisations was inadvertently omitted. This omission is clear from the fact that while Section 27 (1) of the Ordinance prohibits public officers from joining or being members of any trade union subject to the provisions of the subsequent sub-section, Section 27 (2) does not provide for the exemption from the prohibition contained in sub-section (1): it merely empowers His Majesty to declare public officers or any category of public officers to be workmen under the Ordinance. The proposed Clause 7 is designed to rectify this omission.

I might also mention, Sir, that copies of this Bill were transmitted to both the Malayan Council of Employers' Organisations and the Malaysian Trade Union Congress, both of which have signified their general agreement with the provisions of this Bill.

Sir, I beg to move.

Tuan Haji Abdul Hamid Khan: Sir, I beg to second the motion.

Encheʼ C. V. Devan Nair (Bungsar): Mr Speaker, Sir, we might safely assume that if I had not been present during the debate on this particular Bill, then probably this Bill would have been passed in a matter of five minutes. One of the depressing things about this House, Sir, is that when it comes to labour matters the fight is really an unequal one. There is on the Government side a brute majority and in the circumstances, Sir, I hope you will bear with me as the one-man labour voice in this House. The Bill will be passed, I expect, in any case, but it is part of my duty at least to ensure that instead of allowing it to be passed in five minutes it should take at least half-an-hour before it gets through this House.

Sir, I would appeal to the Minister to take what I have to say as constructive criticism, intended to do justice to the interests of labour in this country, and I will take my observations on the Bill on a high key.

Mr Speaker, Sir, the relationship of trade unionism with the State is one of the fundamental problems of our society and of democratic societies anywhere, with far-reaching implications for constitutional law and for industrial law and industrial relations; and it is also a problem, Sir, which lies at the heart of the ideological conflict which has split international society asunder. It was this consideration which led to the promulgation of the following Convention by the International Labour Conference—the Convention known as the Freedom of Association and the Protection of the Right to Organise Convention, 1948. Sir, this Convention provides that workers' and employers' organisation shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organise their administration and activities, and to formulate their programmes; and that the public authorities shall restrain from any interference which would restrict this right, or impede the lawful exercise thereof.

Sir, the Convention also provides that workers' and employers' organisations shall have the right to establish and join federation and confederations, and that any such organisations, confederation, and federation shall have the right to affiliate with international organisations of workers and employers, as the case may be.

The first guarantee that this Convention gives to workers and employers, without any distinction whatsoever, is the right to establish and to join organisations of their own choosing without previous authorisation, and the words "without previous authorisation" require emphasis, and I would call the attention of the Honourable Minister in particular to the words in this guarantee. By it the I.L.O. proclaimed the fact that the right to organise was an absolute right, which must be respected by everybody, including the State itself. This is the background, Sir. These are all relevant and fundamental rights accorded by the I.L.O. Convention against which I hope to comment on the Bill; and the principles incorporated in this Convention had in fact already been endorsed by the United Nations General Assembly, I believe, in 1948 in a Resolution passed at its November/December session of that year as follows:

"The General Assembly considers that the inalienable right of trade union freedom of association is, as well as other social safeguards, essential to the improvement of the standard of living of workers and to their economic wellbeing. The General Assembly declares that it endorses the principles proclaimed by the International Labour Conference in respect of trade union rights as well as the principles, the importance of which to labour has already been recognised and which are mentioned in the Constitution of the International Labour Organisation and in the declaration of Philadelphia."

Sir, this United Nations endorsement is worth recalling for the following reasons:

(1) Malaysia is a member both of the United Nations and of the I.L.O.

(2) It emphasises the importance attached by all international organisation to guaranteeing freedom of association.

Sir, I hope that we will not be fobbed off by claims that some of the curbs on trade unions envisaged in this Bill are justified on the grounds of national security and so on. Sir, the I.L.O. recognises—this House recognises—that the preservation of national security must be the paramount consideration of any Government and on that there is no quarrel, and that considerations of security can temporarily inhibit, or suspend basic and fundamental rights. But what I would like to ask the Honourable Minister concerned is this: are considerations of national security really relevant here. Our trade unions, by and large, are patriotic organisations, passing patriotic resolutions once a fortnight, run on democratic lines and they have earned encomiums both nationally from Government leaders as well as internationally, and there is no justification then, Sir, for a clause like Clause 5 of this Bill which provides that—

"No trade union registered under the Ordinance shall form with any other trade union (whether registered under the Ordinance or not) a joint consultative or other body except with the prior permission in writing of the Registrar . . . . ."—a very powerful individual—"and subject to such conditions as he may"—in his infinite arbitrary wisdom—"impose".

Sir, here, I am putting to the Honourable Minister, is a clear violation of the I.L.O. Convention on Freedom of Association and the Right to Organise. It means in effect, Sir, that before trade unions on certain common issue—trade unions belonging to some particular industries, perhaps, or particular trades or professions—can even consult with each other, they must get the permission, the go-ahead, not from any divinity, but from the Registrar. If this kind of logic is pursued, Sir, we might come to a stage where one trade unionist cannot discuss anything with another trade unionist without the Registrar's permission.

Sir, I have referred to the first guarantee of the I.L.O. Convention, which provides the freedom and the right of association without any previous authorisation.

Sir, Trade Unions are registered in this country and this registration gives them what is called a legal personality. However, Sir, our Government appears to consider that the granting of a legal personality to a trade union is a privilege to which State can attach any conditions it wishes, and hedge around the formation and operation of the trade union organisations with a whole series of restrictions on their procedure, activities and, in this particular case, on even having consultative bodies with other trade unions. This is, in effect, a direct violation of the I.L.O. Convention and I hope, Sir, that if the Minister accepts this observation and criticism of mine, he will see the needlessness, the complete needlessness, or lack of justification, of such a provision; and if, unfortunately, the Honourable Minister will not concede to what I say, then I must tell him that I will advise the trade unions here to lodge formal written complaints with the International Labour Office. (AN HONOURABLE MEMBER: Threatening) No, we are not threatening. I am just pointing out the kind of responsibility which I have to undertake on behalf of the trade unions. I must advise them. A clause in a Bill which violates an I.L.O. Convention and, mind you, Sir, the I.L.O. Conventions are brought about and passed by representatives of governments, trade unions, and employers' meeting in Geneva from time to time and coming from all over the world; I think the workers will have a legitimate grievance to take this to the I.L.O. next year. What surprises me in this connection, Sir, is that the Minister, in the course of his address, told us that the Malayan Trades Union Congress has assented to this Bill—and I am really surprised because I do not want to cast any aspersion on the Minister, but I found it very difficult to believe it, and if it is so then I am afraid I must direct some very pertinent enquiries to the Malayan Trades Union Congress as to how they could have given assent to a provision which violates the fundamental right of the trade unions in this country.

Sir, I will now turn to Clause 4 of the Bill which gives the Registrar power as follows: "The provisions of subsections 1 to 3 of section 17 of the Ordinance shall apply".—No, Sir, it is not Clause 4. It is Clause 3 which reads:

> "Where one or more trade unions registered in respect of a particular trade, occupation or industry exist, the Registrar may if he is satisfied that it is in the interests of the workmen of the said trade, occupation or industry so to do, allow only that trade union as has the greatest number of workmen in the said trade, occupation or industry and its members to continue to be registered; and he shall cancel the certificate of registration of the other trade union or trade unions aforesaid".

Sir, may I preface my remarks on that by saying that no trade unionist in possession of his senses will quarrel with the need to avoid splinter trade unions—I am in complete agreement with that—and a large number of unions: the Minister gave a figure of 287 trade unions in this country, and that is far too large a number of trade unions for our country to represent the trades, occupations and industries in this country. But let me say this, Sir: what I will quarrel about here is the enormous discretion with which this clause vests the Registrar of Trade Unions, and let me explain this.

Sir, this clause will make sense and I submit this to the Honourable Minister with all respect, if the Government

can indicate whether it has any idea of the method and basis on which trade unions ought to be classified. How many national trade unions ought there to be representing workers in the separate trades, occupations and industries? What kind of classification has the Government got in mind? What kind of categories—16 categories, 17 categories, 25, 30, whatever the figure may be, but of national union representing workers in the various separate industries, professions, occupations and so forth? Nobody appears to have given any thought to this and again, no provision exists to ensure that the Registrar exercises his power in a just and proper manner. There is no provision for a secret ballot to determine which trade union in fact represents the majority of workers in a particular trade, occupation or industry. Will there be secret ballots to determine which particular trade union in any particular trade or industry represents the majority? Are we to assume that no secret ballot will be necessary as the Registrar of Trade Unions is a clairvoyant person with telepathic powers, and he will know, without any secret ballot or any procedure of that kind, which union in fact represents the majority?

Sir, in the absence of such safeguards there is every possibility that the Registrar might abuse his powers. The Honourable Minister, Sir, will no doubt hold his Registrar in high regard, but as far as the rank and file trade unionist is concerned, the Minister's regard for his Registrar need not be repeated among the trade unionists themselves; and if the Registrar is given this enormous discretion and power—and no procedure for secret ballot and other procedures are laid down—then the chances, Sir, are that trade unions might find their certificates of registration cancelled purely on the basis of the whims and the prejudices of the Registrar. I would ask the Honourable Minister to provide for these safeguards, perhaps by way of regulations to this Ordinance, when it becomes an Ordinance, so that trade unions may rest confident in the knowledge that, although they have to be subject to the law like everybody else, they will not be subject to arbitrary action based on whims or prejudices, perhaps political in character, or, perhaps completely political and arbitrary in character—if these safeguards can be introduced, Sir, I for one shall support the intention behind that clause in order to eliminate needless fragmentation, which weakens the trade union movement itself in this country. Let us have safeguards.

Before I conclude, Sir, I would again appeal to the Honourable Minister to consider Clause 5. What I have said on Clause 5 that the right to consult and to have consultative bodies is a basic right. There is no reason for the requirement that the trade unions, before they set up a consultative body, have to get the Registrar's permission. There is no security reason whatsoever as the trade union leaders are not communists—their organisations are patriotic organisations. There is no reason whatsoever for the prohibition of the right to consult and to have consultative bodies in pursuit of common aims, common aspirations.

Enche' Abu Bakar bin Hamzah: Tuan Yang di-Pertua, saya akan turut berchakap sadikit dalam perkara ini, ia-itu kedudokan sekarang ini yang rasa saya ia-lah akibat daripada konfrontasi Indonesia terhadap negara kita.

Saya pun bersetuju dengan perkara itu kerana perkara itu untok sementara waktu sahaja. Tetapi, Tuan Yang di-Pertua, kalau kita asaskan Bill ini di-atas spirit atau pun jiwa yang berkehendakkan supaya "Internal Security Act," itu betul[2] berkesan, maka di-kemukakan Rang Undang[2] ini, saya nampak, sama juga dengan Ahli dari Bungsar ini nampak-nya, ia-itu belum sampai lagi kapada mertabat itu, kerana Rang Undang[2] ini, sa-lain daripada hendak melawan saperti tujuan yang asal, mengadakan beberapa sekatan yang menyentoh sachara langsong kapada hak asasi manusia.

Mithal-nya, Tuan Yang di-Pertua, paragraph yang kelima sa-bagaimana yang di-katakan oleh Ahli daripada Bungsar tadi. Ini ada-lah satu perkara

yang sangat mengejutkan, ia-itu perundingan² antara satu pehak dengan satu pehak yang lain, yang pada asal-nya menjadi hak asasi manusia, telah terlibat dan terchabul sa-chara tidak langsong, dengan sa-mata² kita mengemukakan Rang Undang² ini. Ada-kah pehak Kerajaan sampai bagitu merasa perlu bahawa hak² asasi manusia dalam negara kita ini, patut di-sekat², kalau tidak ada pula di-chabulkan dengan sa-mata² hendak menggalakkan konfrantasi daripada luar negeri. Dan konfrantasi itu ia-lah satu tindakan antara sa-buah negeri dengan sa-buah negeri yang boleh di-selesaikan di-meja perundingan atau pun dengan jalan² yang lain dengan tidak payah kita menyentoh hak asasi manusia bagini.

Tuan Yang di-Pertua, walau pun Ahli Yang Berhormat dari Bungsar itu menitek beratkan Trade Union kapada "workers" atau pekerja², tetapi kalau tidak salah faham saya, ia-itu Trade Union ini tidak mesti kalau workers atau pun "workmen"—pekerja—juga termasok kaum² guru dan kaum² lain yang termasok di-dalam ini. Ini, Tuan Yang di-Pertua, kalau-lah Bill ini di-luluskan jadi "Ordinance", undang² yang untok di-jalankan di-negeri kita ini, maka hak asasi manusia yang ada pada kaum pekerja dan guru dan lain² lagi yang masok di-bawah Trade Union itu akan terlibat sama dan terchabul. Jadi saya perchaya, Yang Berhormat Menteri kita sendiri pun tidak akan dapat menunjokkan di-mana-kah sa-buah negara yang boleh membuat sa-suatu keadaan undang² sekatan, atau pun mengawas Trade Union sa-hingga mewujudkan paragraph sa-bagaimana paragraph yang kelima ini. Ini ada-lah satu perkara yang, saya fikir, bukan sahaja berlawanan dengan spirit atau peratoran yang ada di-dalam keputusan "Convention" yang di-buat oleh I.L.O. atau pun International Labour Organisation dalam badan pertubohan kita, tetapi juga tidak kena di-amalkan di-negara² yang lain. Saya katakan bagitu, ia-itu Yang Berhormat Menteri kita di-dalam mengemukakan Bill ini kalau-lah dia dapati mana² negara yang pernah mengamalkan, sudah tentu-lah sa-bagai hujah² Menteri kita itu akan menggunakan negara² itu sa-bagai chontoh, tetapi dia tidak mengemukakan. Ini bererti dia pun sendiri di-suroh membawa Bill yang sa-macham ini dengan perentah Kabinet-nya.

Jadi, Tuan Yang di-Pertua, saya mengaku-lah bahawa Menteri kita, saya mengaku, patut-lah mengikut Kabinet-nya jikalau tidak, tidak-lah dapat negara itu berjalan dengan sa-chara Kabinet. Tetapi sa-bagai Menteri yang bertanggong-jawab di-dalam satu portfolio, sa-lain daripada mengikut Kabinet, dia juga-lah yang bertanggong-jawab, orang yang "the very person"—orang yang betul² itu, patut-lah yang dia sendiri juga mempunyaï share atau pun mempunyaï kebebasan berfikir di-dalam perkara itu, supaya kerja yang di-kemukakan itu bukan sahaja dia dapat menjawab tentang kelulusan, tetapi juga dia tidak menganiaya ra'ayat.

Tuan Yang di-Pertua, kita tahu di-mana² negara sa-kali pun, pertubohan yang dapat membela satu² kaum itu dengan tegas, dapat memperchakapkan daripada hak² asasi manusia ia-lah Trade Union. Jadi pada pagi tadi kita telah lihat bahawa, satu Undang² sudah pun di-mansokhkan atau pun "repealed" di-negeri Perlis, ia-itu menghilangkan satu Undang² yang orang berhutang itu akan menjadi pekerja yang di-paksa mengikut kehendak si-piutang itu. Dan ini, Tuan Yang di-Pertua, kalau-lah pertubohan Trade Union di-negeri kita ini di-berikan hak yang betul², saya perchaya Undang² itu sudah lama di-kemukakan oleh Trade Union kita kapada Menteri Buroh supaya kerja itu tidak berlaku.

Tetapi, Tuan Yang di-Pertua, oleh kerana Ahli daripada Bungsar ini orang Singapura, dia berfikir sa-chara Singapura, dia datang ka-Bungsar ini dia chuba hendak mempelajari kedudokan mainland ini. Maka dia langsong tidak mahu berusaha menengok Undang² negeri di-lain negeri. Jadi dia sa-mata² "concentrate" atau memikirkan kawasan Bungsar untok menjadi tapak P.A.P. sahaja, sedang dia di-dalam mengeritik atau pun mengulas Rang Undang² ini, menimbul²kan bahawa dia hendak membela hak asasi

manusia—"human rights"—bagi satu kaum yang tertentu sahaja. Di-situ, Tuan Yang di-Pertua, sama juga buat Ahli dari Bungsar kita membuat kesalahan dan tidak kurang dosa-nya daripada Menteri yang tidak mengambil peduli hal itu. Saya menyeru kapada Menteri kita, ia-itu supaya dia menegaskan segala "restriction"—sekatan²—kapada kebebasan yang berchorak hak asasi manusia ini betul² sudah patut di-jalankan di-negara kita ini dengan sa-mata² menurut kehendak Undang² Internal Security Act.

Yang kedua, Tuan Yang di-Pertua, saya maseh ingat lagi bahawa Menteri Yang Berhormat itu mengatakan Bill ini terpaksa di-buat oleh kerana menjaga suasana dalam negeri, dan bererti Bill ini tidak-lah sa-panjang² masa,— "for the time being". Jadi perkataan "for the time being" ini, Tuan Yang di-Pertua, kalau dia masokkan saya ka-dalam jail, perkataan "for the time being", tunggu sa-bulan tidak bagi keluar, tunggu sa-tahun pun "for the time being" lagi. Jadi Rang Undang² ini saperti ini "for the time being" bila-kah agak yang Menteri itu akan mengubah balek dan kembalikan balek hak Trade Union kerana itu hak-nya yang asal. Kalau-lah datang-nya Rang Undang² ini kerana konfrantasi Indonesia maka kalau Kerajaan kita lemah menghadapi konfrantasi Indonesia itu, maka Undang² itu apabila sudah menjadi Ordinance akan berjalan sa-panjang masa atas sa-mata² berlindong di-sebalek perkataan "for the time being". Kerajaan kita menghadapi konfrantasi itu mengemukakan Undang² menekan ra'ayat sendiri ketika Kerajaan lemah menghadapi seteru. Ini, Tuan Yang di-Pertua, saya perchaya-lah perkara ini akan sampai kapada I.L.O. tidak lama lagi dan saya perchaya negeri² luar akan menudoh bahawa bukan sahaja Menteri kita yang berkenaan ini tidak bagitu chermat di-dalam mengemukakan Bill ini, tetapi terlibat juga negara kita di-dalam negara Malaysia kita sendiri.

Tuan Yang di-Pertua, untok mengakhiri pendapat saya ini, saya suka-lah mengingatkan Menteri Yang Berhormat ini bahawa dengan pechah-nya Singapura daripada Malaysia, ini kita tahu di-Singapura gerakan Trade Union itu lebeh hebat, kalau kita katakan pun lebeh bebas dengan satu "sense" yang tertentu saya perchaya itu akan menjadi pertandingan bagi negara kita Malaysia ini. Kita ini di-dalam sa'at yang samacham ini kita menghadapi Afro-Asia Conference yang akan berjalan di-Algeria atau pun di-mana² tempat, tidak lama lagi. Pertubohan Afro-Asia bukan main kuat menghormati asas² hak asasi manusia terutama berkenaan dengan Trade Union, dan boleh di-katakan hari ini kebanyakan dari Trade Unionist, kebanyakan, yang akan hadhir dalam perjumpaan itu. Kalau-lah bagini Undang² kita berjalan berlindong di-sebalek "for the time being", saya berasa ada banyak-lah lagi anchaman² kita yang akan datang.

Dengan pandangan ini Lee Kuan Yew, Perdana Menteri Singapura akan mendapat satu senjata untok menunjokkan keburokan kita di-dalam negara Malaysia ini, walau pun dia jauh tetapi wakil-nya ada di-sini, wakil dia akan communicate perkara² itu ka-sana. Dan kita tahu dia dudok di-sini bukan-lah hendak menchari duit $750.00 tetapi dia ia-lah wakil peribadi Lee Kuan Yew dalam negara Malaysia kita ini, sa-kurang²-nya . . . .

Enche' C. V. Devan Nair: On a point of explanation, Sir, might I impress everybody here that I am here not as Lee Kuan Yew's representative, but as a person returned here with, I believe, 13,000 odd votes from Bungsar.

Enche' Abu Bakar bin Hamzah: Dari segi teknik-nya betul, Tuan Yang di-Pertua, dia menang sa-orang wakil ra'ayat tetapi dari segi lain. Jadi, Tuan Yang di-Pertua, saya sama-lah sa-pendapat dengan Ahli Yang Berhormat dari Bungsar bahawa chermat²-lah Menteri kita ini di-dalam menjalankan Undang² ini apabila sudah di-luluskan. Saya minta-lah benda² yang saya minta di-terangkan tadi, di-terangkan dengan jelas supaya apabila saya balek dalam kawasan saya, dapat-lah saya menerangkan bagaimana kehendak² Kerajaan. Jadi, itu-lah sahaja, terima kaseh.

Mr Speaker: Meshuarat ini di-tanggohkan sa-lama 15 minit.

Meshuarat di-tanggohkan pada jam 6.23 malam.

House resumed at 6.45 p.m.

(Mr Deputy Speaker *in the Chair*)

Wan Abdul Kadir bin Ismail (Kuala Trengganu Utara): Tuan Yang di-Pertua, saya terperanjat besar pada petang ini melihat sikap yang di-tunjokkan oleh Ahli dari Bungsar. Kalau pada hari sa-malam banyak orang terperanjat dengan utusan yang di-buat bagi perpisahan Singapura daripada Malaysia, bagi saya, besar-nya terperanjat saya tidak kurang daripada terperanjat yang di-rasakan oleh ramai orang pada hari sa-malam. Pada dua tiga hari yang lalu, Ahli Yang Berhormat dari Bungsar telah membuat satu kenyataan yang menjatohkan ayer muka Dewan Yang Berhormat ini dengan mengatakan konon-nya bahawa Dewan Ra'ayat ini sa-buah Dewan yang anti-buroh, yang menjadi musoh kapada buroh. Tiba² pada petang ini dia bangun dalam Dewan yang di-tudoh sa-bagai anti-buroh ini dan dalam Dewan ini juga dia menjilat balek ludah-nya pada dua tiga hari yang lepas. Dia sendiri bersetuju dengan tujuan besar daripada Rang Undang² ini, Rang Undang² yang hendak menchegah daripada timbul-nya splinter trade union ini. Dia bersetuju hanya sadikit² safeguard yang di-kehendaki sahaja. Ada-kah Dewan ini yang membinchangkan Rang Undang² ini dan munkin mene-rima Rang Undang² ini anti-buroh lagi, pada hal dia sendiri telah menerima dan menyatakan ada baik-nya Rang Undang² yang di-bentang sekarang kapada Dewan ini. Saya sendiri tidak faham apa-kah maksud kechaman yang di-buat oleh Ahli Yang Berhormat dari Bungsar itu, ada-kah dengan maksud hendak menunjokkan bahawa hanya Singapura sahaja-lah yang pro-buroh, yang baik dengan buroh, yang ada kebebasan buroh, konon-nya, pada hal kita semua tahu bahawa buroh ada-lah menerima kongkongan yang lebeh hebat daripada apa yang dia dapat di-mana tempat di-Singapura itu sendiri. Sa-barang Trade Union yang tidak mengekor P.A.P., yang tidak *toe the line* dengan P.A.P., tidak mendapat bebas sadikit pun, di-hanchorkan dan di-kechai²kan. Kesah SATU dan kesah Union² yang lain maseh banyak kita belum lupa lagi dan siapa sahaja pemimpin² Trade Union yang chuba menentang dasar P.A.P. atau Petir atau Lee Kuan Yew, tuan besar kapada Ahli daripada Bungsar ini tentu sahaja di-ikhtiar untok di-hanchorkan. Undang² apa-kah yang menjadi Singapura ini? Undang² pro-buroh-kah ini, atau Undang² musoh buroh? Itu sebab saya katakan saya terperanjat besar-lah dengan sikap yang di-tunjok-kan oleh Ahli dari Bungsar itu pada petang ini. Oleh kerana ta' tahukan hal, barangkali bangun pula Ahli daripada Bungsar mengatakan buroh lebeh bebas di-Singapura. Ini-lah kalau orang buta berpimpin pada orang buta. Ini-kah kebebasan di-Singapura ini yang berlaku? Ini dalam gerakan Trade Union di-Singapura pada masa ini. Maka saya merasa dengan Rang Undang² yang di-bawa pada hari ini yang di-akui oleh Ahli daripada Bungsar ini sa-bagai baik betul atas tujuan yang besar-nya, ada baik-nya bagi menchegah tertuboh-nya Trade Union. Maka saya harap sunggoh pun dia sudah di-tarek dengan sa-chara tidak langsong, sa-chara indirect, sudah menjilat balek ludah-nya sa-malam dan harus dengan kata² dan perkataan penghinaan yang telah di-lemparkan-nya kapada Dewan, kapada surat² khabar pada hari minggu. Terima kaseh.

Enche' C. V. Devan Nair: Mr Speaker, Sir on a point of information, may I draw the attention of the Honourable Members of this House that not once in the course of my speech did I ever refer to the P.A.P. or Singapore or the government. I only referred to the Bill and we should be spared, Sir, all this polemics which has already caught us into a sad situation.

Tuan Haji Ahmad bin Abdullah (Kelantan Hilir): Tuan Yang di-Pertua, saya mengambil bahagian sadikit di-dalam perbahathan Rang Undang² yang ada di-hadapan kita ini.

Tuan Yang di-Pertua, nampak-nya Kerajaan ada menaroh ketakutan ka-atas pergerakan Trade Union di-dalam Malaysia ini, kerana kita maseh ingat baharu² ini Kerajaan telah mengharamkan "strike" atau pun mogok yang ia-lah satu senjata bagi kaum buroh untok membela nasib mereka daripada di-tindas dan di-perah oleh kaum majikan. Tetapi senjata yang tinggal itu pun telah di-tarek balek oleh Kerajaan dan di-haramkan. Kita, Tuan Yang di-Pertua, telah dengar teriak dan rayuan² bukan sahaja daripada Trade² Union yang merupakan "international" atau pun antara bangsa, telah menegor dan mengatakan ada-lah langkah yang telah di-ambil dan di-buat oleh Kerajaan ia-lah satu langkah yang tidak sesuai dengan jiwa democracy yang kita bermegah² sedang yang kita ini menyokong-nya atau pun mendukong-nya. Ya, kita ada dengar akuan daripada Yang Berhormat Menteri Buroh bahawa sa-nya pengharaman ka-atas mogok ini akan di-selideki balek daripada satu masa ka-satu masa tetapi perkara ini telah berlaku dan telah membawa kapada ketakutan² dan kemarahan kaum buroh terhadap pemerentah dan Kerajaan.

Tuan Yang di-Pertua, satu negara yang sedang dengan giat-nya bekerja untok hendak mendirikan perindusterian yang bermacham² di-dalam negara, maka ada-lah satu perkara yang paling penting sa-kali di-dalam susunan perindusterian ini dan yang boleh, yang dapat membolehkan Kerajaan menchapai kejayaan-nya ada-lah bekerjasama dengan kaum buroh. Ini sangat-lah mustahak bagi Kerajaan untok menchapai kemajuan dan kejayaan yang demokratik itu. Tetapi nampak-nya Kerajaan tidak-lah mengikut polisi²-nya yang sedang di-jalankan ka-atas Trade Union. Nampak-nya ada-lah polisi ini chuma menekan kaum buroh di-dalam negara kita. Sekarang Bill yang ada di-hadapan kita ini ia-lah satu Bill yang akan menyekat kebebasan kaum buroh daripada mendiri dan menubohkan Trade Union.

Tuan Yang di-Pertua, sa-bagaimana wakil daripada Bungsar tadi telah menerangkan bahawa sa-nya bukan sahaja sa-bagai satu basic principle atau pun hak asasi yang telah di-akui oleh I.L.O. ia-itu "freedom of association" ia-itu kebebasan untok berkumpul dan menubohkan pertubohan² bahkan ini telah menjadikan satu hak asasi manusia yang telah di-akui oleh democracy. Satu daripada-nya ia-lah "freedom of association". Tetapi mengikut Clause yang Nombor 2 ini Kerajaan akan memberi kuat-kuasa yang penoh kapada Registrar untok menolak permohonan² daripada kaum buroh untok mendirikan Trade Union atau pun pertubohan mereka. Alasan yang telah di-kemukakan oleh Yang Berhormat Menteri yang berkenaan ia-lah oleh kerana kebebasan ini telah di-beri maka sekarang ini terlalu banyak pertubohan Trade Union telah berdaftar di-dalam tanah ayer kita yang sa-tengah daripada mereka itu chuma mempunyai beberapa puloh sahaja daripada anggota²-nya. Maka tujuan Kerajaan, kata-nya, ia-lah supaya hendak di-perbaiki lagi kedudokan Trade Union ini, maka sebab itu-lah Kerajaan akan menyekat pertubohan² yang kechil daripada dapat di-dirikan.

Saya fikir, Tuan Yang di-Pertua, ada-lah kuat-kuasa-nya Rang Undang² ini akan memberi kapada Registrar untok menolak permohonan daripada kaum majikan untok mendirikan Trade Union sangat-lah besar dan luas. Sa-kira-nya kalau Kerajaan benar² hendak mengelakkan daripada tumboh-nya Trade Union yang bagitu banyak, hendak-lah Kerajaan mengadakan sharat², kata-lah kalau sa-kira-nya Trade Union itu mempunyai 100 orang ahli-nya baharu-lah permohonan-nya itu akan di-beri. Kalau tidak, kalau kurang bilangan ahli-nya dari 100, maka Kerajaan akan menolak permohonan itu. Ini saya fikir ada-lah akan dapat memberi peluang kapada kaum buroh supaya dapat mereka itu memperbaiki keadaan pertubohan Trade Union mereka. Tetapi Bill yang ada di-hadapan kita ini tidak-lah bagitu, chuma Kerajaan memberi kuat-kuasa yang penoh yang tidak ada batas bagi-nya kapada Registrar untok menolak permohonan yang mana di-pandang tidak layak atau tidak suka.

Satu lagi perkara yang saya suka hendak menyentoh di-sini yang juga telah di-sentoh oleh wakil² yang berchakap sa-belum daripada saya ia-itu Clause 5. Mengikut Clause 5 ini tidak di-beri satu Trade Union mengadakan satu "Joint Consultative Body" dengan Trade Union yang lain. Tuan Yang di-Pertua, saya fikir bagi negeri yang muda yang baharu munchol dan dapat mendirikan perusahaan yang tidak bagitu banyak dan kaum² buroh tidak-lah mempunyaï pengalaman yang bagitu tinggi di-dalam Trade Unionism, maka saya fikir sangat-lah elok kalau di-benarkan mereka itu mengadakan "Joint Consultative Body" supaya dapat mereka bertukar fikiran di-antara satu sama lain. Tetapi dengan ada-nya Rang Undang² ini di-hadapan kita yang akan menyekat mereka itu daripada mengadakan satu badan yang dapat mereka itu bertukar fikiran di-antara satu sama lain, maka ini satu perkara dan langkah yang tidak saya pandang sesuai dan elok bagi satu negara yang muda di-dalam negara perindusterian.

Enche' Mohamed Yusof bin Mahmud (Temerloh): Tuan Yang di-Pertua, saya bangun untok memberi sokongan yang penoh terhadap Rang Undang² yang ada di-hadapan kita ini, ia-itu Rang Undang² berkenaan hal Trade Union. Tuan Yang di-Pertua, Parti Perikatan telah berjaya dalam pilehan raya-nya dengan beralas kapada manifesto²-nya dan satu perkara-nya ia-lah berkenaan dengan Trade Union. Jadi dalam Rang Undang² ini sebab di-adakan ia-lah saya memerhatikan pada masa akhir² ini ada beberapa mereka² yang chuba hendak memporak-perandakan Trade Union kita dalam tanah ayer kita. Satu perkara ia-lah, ahli² parti siasah yang memikirkan kepentingan parti-nya, chuba menyeludup masok ka-dalam trade union ini dan menghasut, ia-itu memechah-belahkan, menchari masa-alah² yang boleh membuatkan sa-bilangan daripada yang kechil daripada ahli² dalam Trade Union itu tidak puas hati terhadap pimpinan daripada puchok pemimpin-nya. Mereka menjalankan usaha² ini ia-lah bukan kerana mereka betul² sayang kapada perjalanan Trade Union, tetapi dengan tujuan supaya mereka boleh mengusaï Trade Union ini. Jadi rasa saya undang² yang sa-macham ini sa-patut-nya-lah di-adakan supaya menchegah perkara² yang saya katakan tadi.

Dan juga, Tuan Yang di-Pertua, dalam undang² ini tidak-lah mengatakan yang langsong tidak boleh di-tubohkan Trade Union atau langsong tidak boleh mengadakan consultative body, ia-itu satu gabongan bertukar fikiran, tidak langsong. Tetapi mereka boleh menubohkan dengan sharat hendak-lah mendapat persetujuan, dan persetujuan ini ada sharat² yang tertentu, supaya mereka itu betul² bekerja berkenaan hal menjaga kepentingan berkenaan perkhidmatan dan keselamatan dan ketenteraman mereka sendiri. Jadi jikalau perkara ini di-jalankan dan mengikut bagaimana yang di-kehendakkan supaya Trade Union itu tegas untok kebaikan buroh² sahaja, bukan daripada segi kepentingan parti² siasah, rasa saya tidak ada soal tentang perkara ini.

Tuan Yang di-Pertua, Parti Perikatan, tanggong-jawab-nya terhadap negara ini, tentu-lah besar dan kewajipan-nya supaya ekonomi negara ini yang tulang belakang-nya daripada buroh² ini, di-jaga dengan baik. Jadi Tuan Yang di-Pertua, ada ahli² yang mengatakan kita tidak mahu memegang tegoh kapada kebebasan buroh² mengadakan Trade Union sa-bagaimana yang di-chipta oleh United Nations. Ini rasa saya tidak betul. Kita utamakan kepentingan negara kita. Maka rasa saya di-atas kepentingan negara, kewajipan kita menjaga ekonomi kita tidak di-gangguï, dengan buroh² kita di-ator dengan baik dan tidak dapat peluang daripada parti² siasah atau pun daripada anasir² yang hendak menjahanamkan kepentingan ekonomi negara ini. Sebab itu kata saya undang² ini tidak ada langsong yang mengatakan menyekat sa-terus-nya. Sebab itu saya katakan saya sokong berkenaan dengan hal undang² di-hadapan kita ini.

Tuan Yang di-Pertua, baharu² ini kita menengok dalam surat² khabar, kita membacha dalam surat khabar, ada Trade Union yang sedang mengumpulkan wang untok memberi tabongan kapada parti² siasah. Ini-lah

satu perkara yang patut di-awasi. Kalau Trade Union hendak menjalankan siasah dalam Trade Union, sudah tentu-lah lain perjuangan-nya. Patut mereka menumpukan keadaan tujuan Trade Union sahaja. Tetapi sa-telah kita nasehat union² ini jangan melenchong daripada tujuan asal-nya ia-itu menjaga kepentingan mereka sendiri, tetapi mereka² ini menafikan nasehat² itu dan maseh menjalankan tujuan mereka ia-itu hendak menyokong parti² siasah dengan memberi wang mereka kapada kumpulan² itu. Jadi rasa saya perkara ini sangat saya churigaï terhadap Trade Union yang sa-macham ini. Jadi dengan ada-nya undang² sa-macham ini, saya harap mereka² itu dapat sedar dan balek ka-pangkal jalan memperjuangkan dengan melaluï Trade Union berkenaan dengan hal Trade Union. Jadi saya rasa tidak timbul yang Ahli daripada Bungsar mengatakan kita anti atau pemeras buroh. Kalau kita pemeras buroh, kita batalkan semua sa-kali. Tidak payah kita adakan Trade Union. Kita adakan undang² sa-kehendak hati kita. Tetapi kita bertujuan dengan ada-nya undang² ini kita pimpin Trade Union itu betul² bertujuan sa-bagaimana tujuan yang di-chipta oleh undang² Trade Union yang di-anjorkan oleh mereka itu. Jadi sunggoh pun Ahli Bungsar mengatakan dia tidak berchakap, tetapi dia tahu, kita tahu siapa dia dan dari mana asal-nya. Tetapi apa boleh buat kerana perpisahan Singapura dengan Persekutuan yang menyebabkan rosak ahli itu tadi. Jadi rasa saya ada sebab saya mengatakan bagitu. P.A.P., sabelum Singapura di-pisahkan daripada Persekutuan, sedang menjalankan usaha²-nya masok ka-Trade Union, terutama sa-kali dalam Trade Union Guru². Tetapi apa boleh buat, Singapura telah di-pisahkan sa-malam dari Persekutuan. Jadi Ahli Yang Berhormat itu menarek haluan-nya. Tetapi di-belakang-nya itu kita tahu siapa dia. Jadi rasa saya, Tuan Yang di-Pertua, bagi pehak buroh² yang ada di-tanah ayer ini tidak gusar, tidak-lah susah hati dengan undang² yang kita ada dengan tujuan kebaikan mereka sendiri.

Tuan Haji Ahmad bin Saaid (Seberang Utara): Tuan Yang di-Pertua, saya bangun untok menyokong Rang Undang² Pindaan bagi memperbaiki, atau memperelokkan lagi undang² mengenaï kesatuan² sa-kerja. Pada pendapat saya ia-lah satu undang² yang chukup baik, yang patut di-terima oleh semua kesatuan² sa-kerja di-tanah ayer kita.

Ahli Yang Berhormat dari Kota Bharu Hilir telah menyebutkan bahawa section 2 ini ada-lah satu undang² yang menyekat . . . . . .

Tuan Haji Ahmad bin Abdullah: Tuan Yang di-Pertua, Kelantan Hilir.

Tuan Haji Ahmad bin Saaid: Kelantan Hilir, terima kaseh. Beliau menyebutkan bahawa section ini menyekat kebebasan daripada ahli² kesatuan sa-kerja untok menubohkan kesatuan². Jadi, saya fikir Ahli Yang Berhormat itu tidak meneliti pengertian section 2 ini. Sebab pun di-adakan section 2 ini sa-bagaimana yang di-terangkan oleh Yang Berhormat Menteri Buroh mengikut penerangan-nya, tujoh orang daripada ahli² kesatuan sa-kerja boleh menubohkan sa-buah kesatuan. Undang² ini menyekat supaya dalam satu kilang perusahaan, mithal-nya, saya tunjokkan di-sini, ada 50 orang pekerja. Kalau hendak di-tubohkan kesatuan, boleh di-tubohkan tujoh kesatuan daripada satu jenis ahli² kesatuan sa-kerja. Dengan chara yang sa-macham ini, kita dapati tidak dapat saling mengerti, ia-itu persefahaman daripada ahli² kesatuan sa-kerja. Jadi, dengan ada-nya tegahan daripada undang² ini ta' boleh lain daripada satu kesatuan untok sa-jenis ahli² kesatuan sa-kerja mendaftarkan. Ini ia-lah satu undang² untok membela, untok menjaga kepentingan ahli² kesatuan sa-kerja sakalian bagi mereka itu dengan satu suara bertindak, atau pun menuntut apa² hak bagi mereka itu untok kebaikan mereka. Ini ada-lah satu undang² yang chukup baik, tetapi saya dengar daripada Ahli Yang Berhormat dari Kelantan Hilir tadi mengatakan sa-balek-nya—ini biar-lah, barangkali. Yang Berhormat itu tidak berapa faham di-atas apa yang di-jelaskan dalam undang² ini . .

Tuan Haji Ahmad bin Abdullah: Tuan Speaker, saya suka membuat

penjelasan sadikit. Barangkali Ahli dari Seberang Utara sendiri tidak faham di-atas Bill ini. Chuba-lah dia bacha, kalau dia tidak faham di-atas ayat²-nya itu, sila-lah bacha dalam Explanatory Statement tentang kenyataan-nya yang lebeh lanjut lagi.

Tuan Haji Ahmad bin Saaid: Jadi, memang-lah Ahli Yang Berhormat itu, jikalau perkara itu sa-bagaimana biasa-nya, kalau salah itu, dia tidak mengatakan salah. Dia chuba menegakkan benang basah sahaja. Jadi, saya berani chabar berkenaan dengan masaalah ini kapada Yang Berhormat itu. Apa yang saya kata ada-lah perkara yang sa-benar-nya untok membela ahli² kesatuan sa-kerja sakalian.

Dan bersabit dengan apa yang di-jawab oleh Ahli Yang Berhormat dari Bungsar mengatakan bahawa dia ada-lah sa-bagai Ahli Dewan Ra'ayat bagi kawasan Bungsar—tidak berkait dengan P.A.P. Ini ada-lah satu perkara yang saya terkejut, sebab Yang Berhormat itu berdiri di-atas teket P.A.P. dan jangan-lah chuba hendak mengelirukan, kerana Yang Berhormat itu berdiri di-atas teket P.A.P. yang dia mesti ikut dan patoh kapada dasar perjuangan P.A.P. dalam Dewan ini. Kita tidak senang², mudah² hendak di-kelirukan. Sekian-lah, Tuan Yang di-Pertua.

Enche' Abdul Samad bin Gul Mianji (Pasir Mas Hulu): Tuan Yang di-Pertua, kami jadi Pembangkang di-sabelah sini, kerana berbetulan pula kami tidak bersetuju dengan dasar di-sana. Jadi, bukan-lah berma'ana, kami tidak faham undang² yang di-bentangkan ini, saperti apa yang di-uchapkan oleh Ahli Yang Berhormat dari Seberang Utara. Dalam masaalah undang² yang di-bentangkan oleh Yang Berhormat Menteri Buroh ini dan saperti yang di-uchapkan oleh Ahli² daripada barisan Kerajaan mengatakan, mengikut fahaman mereka, undang² ini di-buat untok mengawal pergerakan kaum buroh dalam negara Malaysia. Bagi kami, pendapat kami bagini: Undang² ini di-buat untok menyekat pergerakan kaum buroh dalam negeri ini.

Yang pertama, mithal-nya dalam Clause 2, sa-sabuah Trade Union itu tidak boleh di-daftarkan, jikalau sudah ada Trade Union yang sama dengan yang hendak di-daftarkan ini. Ini-lah maksud kami, Tuan Yang di-Pertua.

Undang² ini di-buat sa-mata² hendak menyekat pergerakan kaum buroh negeri ini supaya jangan banyak Trade Union mereka, atau dengan perkataan lain, untok Kerajaan berchita² mahu memperalatkan Trade Union² yang sudah ada, yang sudah di-daftarkan itu. Pehak Yang Berhormat dari Temerloh berkata, Parti Perikatan memang kerana sokongan daripada semua ra'ayat, tetapi saya mahu bertanya, ada-kah dalam manifesto Perikatan tahun 1964 yang baharu lepas ini ada bertulis: Kalau Perikatan menang, mogok akan di-haramkan? Tidak, tidak bertulis. Tetapi, sudah menang, baharu-lah mogok itu di-haramkan dengan tidak sa-tahu kaum buroh. Kalau-lah mogok ini mahu di-haramkan dan di-beritahu kapada ra'ayat sa-belum pilehan raya, saya tidak tahu apa yang berlaku dan siapa yang memerentah sekarang ini, kita tidak tahu.

Tuan Yang di-Pertua, kaum buroh sekarang sudah tidak ada kuku, sudah tidak ada taring. Senjata yang paling akhir pada mereka ia-lah mogok—mogok itu pun sudah di-rampas. Jadi, kapada siapa lagi kaum buroh hendak mengadu nasib-nya? Hendak membela kapada Yang Berhormat Menteri, dia buat undang² yang menyekat orang itu ta' boleh mogok. Hendak meminta pertolongan kapada siapa lagi? Kapada siapa kaum buroh hendak meminta, sebab itu kaum buroh, senjata yang akhir sekarang ini ia-lah hendak mengumpulkan wang dan kapada parti² politik yang mahu membela kaum buroh ini di-beri wang ini supaya boleh membela kaum buroh ini. Betul² di-buat undang² ini, kerana negara Malaysia ini di-dalam keadaan tidak aman, mithal-nya sekarang ini keadaan confrontasi Indonesia itu dan ini, maka kaum buroh tidak di-benarkan mogok.

Sudah-kah Negara Kominis meng-haramkan mogok ini? Pernah-kah

dalam dunia ini negara kominis mengharamkan mogok itu? Kita mengatakan Kominis itu tidak betul, jahat, tidak ada hak ra'ayat. Tetapi sudah-kah Kominis itu mengharamkan mogok? Kita sa-bagai negara demokrasi mengharamkan mogok itu lebeh dahulu daripada Negara Kominis. Tuan Yang di-Pertua, kami faham dalam undang[2] ini dan kerana kami faham itu-lah kami bangkang usul pindaan yang di-bawa oleh Yang Berhormat Menteri Buroh.

Enche' V. Manickavasagam: Mr Speaker, Sir, I have, in moving this Bill, clearly explained the purposes of the specific provisions in the Bill. If the Honourable Member for Bungsar and the Honourable Members of the P.M.I.P. Bench choose to read the Bill with other motives, I cannot hold myself or this Government responsible for their twists and misleading statements. I have repeatedly mentioned in this House that the Alliance Government would always welcome constructive criticisms and I have also mentioned that we would like to see the growth of national, responsible, strong and free trade unions. The Government cannot accept the impracticable idealism expounded by the Honourable Member for Bungsar or the sudden love of the members of the P.M.I.P. Bench for the workers of this country (*Laughter*).

Sir, the Government has ratified I.L.O. Convention No. 98, but not the other Convention, No. 87. Convention No. 87, which has been read out by the Honourable Member for Bungsar, provides for absolute freedom of association which we in this country, and also other countries with similar problems, cannot accept *in toto* however much we might desire to do so. Malaysia is a member of the International Labour Organisation, but it does not mean that we are compelled to ratify every Convention adopted by the I.L.O. Many other member countries are in the same position as we are.

The Honourable Member for Bachok dan juga Ahli[2] daripada Kelantan Hilir dan Pasir Mas Hulu championed the cause of the workers, but throughout their speeches, though they took some time of this House, only showed their ignorance of the labour situation both within this country and other countries similar to us.

Sir, criticism was made about Clause 5 of the Bill. I have already explained the need for the provision of this clause. As also mentioned by the Honourable Member from Temerloh, the clause does not stop trade unions from forming consultative or other bodies if they so wish. It only provides that these bodies be approved by the Registrar. As the law exists, quasi-federations can be formed, thus avoiding the provisions of the Ordinance concerning federations.

Mention was made about Clause 3. Sir, I am glad the Honourable Member for Bungsar agrees with the need for this particular provision. I can assure the Honourable Member that appeal from the Registrar's decision is provided in Clause 4 and that the Registrar will exercise his power with due discretion. Details of the procedure can be worked out, if necessary, in consultation with the trade union movement. If need be, they can be provided by way of regulations under this Ordinance.

Sir, I would also like to state here that the Trade Union Ordinance and this Bill here are enacted not to suppress the workers or any particular individual group, but they are enacted with the long-term interests of this country in mind. Sir, while everyone can stand up and pose himself as a champion of freedom, human rights and so on, it is important and, indeed, vital that we have our feet firmly on the ground. Freedom and right exist only in so far as their exercise does not harm the wider interests of the community and the nation. The amendments proposed in this Bill provide, I am confident, for the best interests in the long-term of all concerned.

Sir, the Honourable Member for Bungsar doubted whether I have informed the M.T.U.C. about this Bill. I would like to state here once again that not only the Bill was transmitted both to the Malayan Council of Employers' Organisation and the Malaysian Trades Union Congress but we also had discussions with members of the

Malaysian Trades Union Congress who have signified their general agreement with the provisions of the Bill.

I wish to thank the Honourable Members for Seberang Utara, Temerloh and Kelantan Hilir for their support of this Bill.

Dan dengan itu saya mahu menutup uchapan saya dan sini saya pun tidak tahu daripada berapa lama Parti PAS dan Ahli² Parti PAS chintakan kapada kaum buroh dan buroh² didalam negara kita.

Tuan Haji Ahmad bin Abdullah: Tuan Yang di-Pertua, saya beri penerangan sadikit. PAS berdiri diatas ke'adilan. Di-mana juga dipandang ada aniaya kedzaliman maka PAS mesti membela.

Enche' V. Manickavasagam: Saya mendapat tahu dia tidak suka kapada buroh dan ingatkan kapada justice sahaja. Tetapi saya mahu beri penerangan di-sini lagi, macham mana saya katakan Ahli² daripada Parti PAS tidak tahu ada jalan dan tidak tahu apa² kita buat berkenaan labour law di-sini. Dia mengatakan kita sudah haramkan mogok, tetapi kita bukan haramkan terus semua mogok—kita tidak buat sementara—emergency—di-dalam essential services sahaja. Ada juga mogok di-dalam Penang sekarang ini; itu dia orang tidak tahu (*Ketawa*), Terima kaseh.

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 Deputy Speaker *in the Chair*)

Clauses 1 to 7—

Enche' C. V. Devan Nair: Sir, I would like to touch on Clause 3 first, and then Clause 5. The Minister said, Sir, that it would be possible, perhaps, to discuss procedure for the determination of the jurisdiction of any particular union. I wonder, Sir, whether it would be possible when considering this procedure not only to consider procedures for secret ballot, which will determine the jurisdiction of a particular union in a particular trade, industry or occupation, but also whether the procedural regulations, which may be made under this Bill, could include a provision to enable trade unions in a particular trade or industry, where there is more than one trade union, to be given a time limit of six months, so that they could get together and discuss the merger: and if within that time limit it is not possible for them to achieve a merger, then of course, a secret ballot might be taken—it is only to accord; it is impracticable idealism but an extremely practical procedure.

Then again on Clause 5, Sir, we are told that the Malaysian Trades Union Congress has indicated its assent to the general provisions of the Bill. What I would like the Minister to indicate is whether the M.T.U.C. has given its assent to a particular clause, and that is Clause 5, and I would like to be satisfied on that score.

Enche' V. Manickavasagam: Mr Chairman, Sir, in regard to the question on Clause 3, Sir, I shall take this suggestion into consideration, and this would be discussed, when the time comes with the Malayan Council of Employers Organisation and the M.T.U.C. As I said earlier, we always welcome constructive criticisms and, if they are good, we accept them.

Sir, with regard to Clause 5, when I said that the Malaysian Trade Union Congress accepted these proposals on general terms, I must say that the whole Bill was sent to them, not only Clause 5.

Question put, and agreed to.

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

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

THE INDUSTRIAL COURTS (AMENDMENT) BILL

Second Reading

Enche' V. Manickavasagam: Sir, I beg to move that a Bill intituled "an Act

to amend the Industrial Courts Ordinance, 1948" be now read a second time. The Explanatory Statement attached to the Bill describes the purpose and effects of the amendment proposed in this Bill. I need only generally cover a few more details for the information of Honourable Members in this House.

The Industrial Courts Ordinance, 1948, is the law under which the Government provides additional means for settling industrial disputes under the voluntary system of industrial relations in operation in the States of Malaya. The Ordinance provides entirely for procedures of voluntary conciliation, and, where conciliation does not succeed, arbitration in various forms. The Ordinance in Section 6 also provides for a court of enquiry to be established to enquire into the cause and circumstances of any dispute, which has not been amenable for settlement through the normal processes.

The main purpose of the Bill being considered in this House now is to provide for a less formal means of dealing with trade disputes, which are not of sufficient significance, or complexity, as to justify the establishment of a formal court of enquiry under the existing provisions of the Ordinance. I consider that the proposal in Clause 3, sub-clause 3 of the Bill would be a most suitable method of enquiring into such trade disputes with a view to bringing about a settlement. Where the existing Ordinance enables the Commissioner of Labour to intervene in a trade dispute, Clause 3 of the Bill now transfers this enabling authority to the Minister. Clause 3 (2) also enables the Minister to intervene in trade disputes which are not reported to him by either party to the dispute. I might mention that my Ministry has so far not encountered a situation, where the parties to the dispute have been unwilling to accept conciliation by officers of my Ministry. However, the amendment proposed in Clause 3 of the Bill will ensure that the Minister may intervene in a dispute, which may not, for various reasons, be reported to him. This is merely a safeguard and one which I hope will not find necessary to be used.

The amendment in Clause 2 of the Bill to insert the definition of industry in the Ordinance is to remove any ambiguity in the term "industry" which is used in the body of the Ordinance.

These amendments have been discussed in the National Joint Labour Advisory Council which has agreed that they are necessary. The amendments proposed will further strengthen the existing machinery for settlement of trade disputes and I do not doubt that this Bill would have the full support of this House.

Sir, I beg to move the Bill for debate.

Enche' C. V. Devan Nair: On this Bill I shall express reservation only on one point, and if that reservation is not satisfied then I shall of course vote against the Bill whatever my vote may be worth. I refer, Sir, to sub-section 4 (*c*):

> "Where a trade dispute exists or is apprehended the Minister may, subject as hereinafter provided, if he thinks fit and if the parties to such disputes consent, refer the matter for settlement—
>
> to a Board of arbitration consisting of—
>
> (i) one or more persons nominated by or on behalf of the employers concerned;
>
> (ii) an equal number of persons nominated by or on behalf of the workmen concerned; . . . ."

What worries me, Sir, is the phrase "on behalf". Surely, Sir, the employers and the trade unions should be allowed to recommend to the Minister the person, the assessor, whom they have in mind, and the Minister nominates him: but this use of the phrase "on behalf", does it mean that the Minister will not consult the employers concerned, or the trade unions concerned, and he will use his discretion to nominate on behalf of the trade unions or the employers persons to sit on the arbitration board. I would be grateful to hear him on that point.

Enche' V. Manickavasagam: Sir, the practice now is that we do consult the organisations concerned before appointing the members to these arbitration tribunals.

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 Deputy Speaker *in the Chair*)

Clauses 1 to 5 inclusive—

Enche' C. V. Devan Nair: Mr Chairman, Sir, may I refer, Sir, to Clause 3 in regard to the new section 4, subsection (4) (*c*).

I appreciate the fact that the Minister has said that he consults the parties concerned in the dispute. But, does this consultation mean that he nominates, generally, the persons recommended by the parties concerned; or does he exercise his power to appoint an assessor on behalf of the party concerned? Does this mean that he will have the power not to consult—if he does not feel like consultting—and to appoint straightaway an assessor on behalf of one of the parties concerned or both the parties concerned?

Enche' V. Manickavasagam: Sir, as I have said earlier, the procedure has been that we have been getting names from both the employers' and the workers' organisations, before I decide on the person to be nominated.

Enche' C. V. Devan Nair: I beg the Honourable Minister's pardon, Sir, but he has still not answered my point. Does he have the right or not under new section 4 (4) (c) to appoint an assessor on behalf of one party or both parties to an industrial dispute without consultation? Because, if he has got that right, then I must throw my one vote against this Bill.

Enche' V. Manickavasagam: Sir, when I ask for names, it is in good faith that names are asked. Of course, the nominating authority is with the Minister. However, during the last seventeen years, this Industrial Courts Ordinance has been in existence, it has always been the practice that it is normally the names submitted by the employers and workers that we have accepted.

Enche' C. V. Devan Nair: Sir, may I ask for another clarification? Is it possible that the Minister does find situations in which, perhaps, because a trade Union is too small, or too badly organised, or an employer cannot think for himself, he may have to exercise his discretion in order to appoint an assessor on behalf of that party concerned. Situations like that may arise, in which case, of course, it should be made plain in the Bill. But generally, if the practice has been that the Minister accepts the nomination from a trade union, for example, on good faith and he appoints the nominee, then that practice is covered. But if there are situations, in which simply because the party concerned cannot exercise its right to recommend to the Minister for various reasons—weakness of organisation, incapacity of thinking for themselves, or deciding for themselves—then in those cases, the Minister exercises his discretion to nominate the person on behalf of that party—and that ought to be made plain here.

Enche' V. Manickavasagam: It is very clear, Sir, that consultations will be made and, as said by the Honourable Member himself, where a situation is created where they cannot decide, then somebody has got to decide for them.

Enche' C. V. Devan Nair: I just wish to announce that I give up! (*Laughter*).

Question put, and agreed to.

Clauses 1 to 5 inclusive ordered to stand part of the Bill.

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

MUSLIM PILGRIMS (AMENDMENT) BILL, 1965

Second Reading

Engku Muhsein: Tuan Yang di-Pertua, saya berchadang supaya Rang Undang[2] Muslim Pilgrims (Amendment) Bill, 1965 di-bachakan bagi kali yang kedua. Mengikut Undang[2] Muslim Pilgrims Ordinance, 1951, Menteri Hal

Ehwal Luar Negeri berkuasa menentukan berapa kaki yang patut-nya diberikan kapada tiap² sa-saorang dalam kapal haji. Perubahan kapada Undang² ini, akan memberi kuasa kapada Menteri, untok menentukan bagaimana sistem tempat tidor patut di-binakan di-dalam kapal² haji. Ada-lah nyata bahawa kuasa yang dahulu tidak lagi di-kehendaki, kerana kapal² yang modern yang di-gunakan untok membawa orang haji menyediakan tempat tidor yang sempurna. Undang² Muslim Pilgrims (Amendment) Bill, 1965 akan membolehkan Menteri menentukan orang haji Malaysia untok mendapat segala faedah daripada kemajuan perkapalan. Tuan Yang di-Pertua, saya kemukakan.

Enche' Ibrahim bin Abdul Rahman: Saya sokong usul ini.

Enche' Abdul Razak bin Hussein (Lipis): Tuan Yang di-Pertua, saya mengalu²kan Rang Undang² ini, tetapi walau macham mana pun, Yang Berhormat Menteri harus menimbangkan, bukan sahaja untok menentukan kedudokan bakal² haji di-dalam kapal haji, tetapi perkara yang patut di-pertimbangkan sama dalam masa menyelesaikan masaalah ini ia-lah keadaan yang sesuaian, permakanan, dan kerihatan bakal² haji. Sa-panjang yang saya tahu, Tuan Yang di-Pertua, kerihatan pelayar² haji chuma kita dapat dalam kapal *Kuala Lumpur* tetapi kurang kerihatan pada kapal² yang lain. Mengapa Kerajaan maseh lagi mengambil pajakan kapada kapal haji yang maseh kekurangan memberi kerihatan kapada bakal haji? Kerajaan boleh membuat pajak kapada sharikat² yang lain. Jadi dalam masaalah ini, saya merayu kapada Yang Berhormat, bukan sahaja masaalah kedudokan, menempatkan orang² haji, di-beri kuasa kapada Menteri mengikut Bill ini. Saya memohon dan merayu supaya Kerajaan menimbangkan pajakan kapal itu, jangan-lah hendak-nya di-tetapkan bagaimana kapal yang ada. Terima kaseh.

Engku Muhsein: Saya akan ambil perhatian.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

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

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

THE SOCIAL WELFARE SERVICES LOTTERIES BOARD (AMENDMENT) BILL

Second Reading

The Minister for Welfare Services (Tuan Haji Abdul Hamid Khan): Tuan Yang di-Pertua, saya menchadangkan supaya Rang Undang² untok meminda Ordinance Lembaga Loteri Kebajikan dan Perkhidmatan Masharakat tahun 1950 dan Undang² Lembaga Loteri Kebajikan dan Perkhidmatan Masharakat tahun 1962 di-bachakan pada kali yang kedua.

Tuan Yang di-Pertua, Undang² Lembaga Loteri Kebajikan dan Perkhidmatan Masharakat membenarkan bagi Lembaga Loteri Kebajikan dan Perkhidmatan Masharakat di-tubohkan di-bawah Undang² itu untok melantek pegawai² dan kaki²-tangan-nya yang di-fikirkan perlu untok menjalankan tugas² dalam pekerjaan² Lembaga itu dan juga untok membuat bayaran gaji dan elaun kapada pegawai² dan kaki²-tangan-nya daripada Kumpulan Wang yang terkutip oleh Lembaga itu sa-bagaimana yang di-persetujui oleh Menteri Perkhidmatan Kebajikan 'Am.

Semenjak di-tubohkan Lembaga Loteri Kebajikan dan Perkhidmatan Masharakat, Lembaga ini telah menyewa rumah-nya sendiri untok pejabat-nya dan telah membayar, hingga ini, sewa lebeh daripada $250,000. Pada masa ini ada-lah di-fikirkan bahawa dari segi ekonomi lebeh baik lagi jika Lembaga itu mempunyai bangunan-nya sendiri dan menyewakan bahagian² bangunan itu yang mereka tidak perlukan dengan sharat² yang di-fikirkan sesuai untok

Lembaga itu. Sa-bagai majikan yang baik, Lembaga itu juga patut menyediakan sharat² jawatan yang lebeh baik lagi bagi pegawai² dan kaki²-tangan-nya dengan memberikan mereka pinjaman wang untok menolong mereka mempunyaï rumah sendiri. Chadangan² yang demikian, bukan-lah sa-mata² chadangan baharu bagi pehak Lembaga Loteri Kebajikan dan Perkhidmatan Masharakat sendiri oleh kerana ada badan² perundangan lain yang mempunyaï bangunan² mereka sendiri yang mempunyaï ranchangan perumahan mereka sendiri bagi faedah pekerja² mereka. Di-bawah Undang² sekarang, Lembaga Loteri Kebajikan dan Perkhidmatan Masharakat tidak ada kuat-kuasa untok memileki harta atau untok meminjamkan wang kapada pegawai² atau kaki²-tangan-nya dengan tujuan membenarkan mereka mempunyaï rumah. Oleh kerana itu, Rang Undang² ini menyediakan peruntokan bagi membenarkan Lembaga Loteri Kebajikan dan Perkhidmatan Masharakat membena atau membeli bangunan²-nya sendiri dan memberi kuat-kuasa kapada-nya untok memberi pinjaman wang kapada kaki²-tangan-nya dengan tujuan menolong mereka mempunyaï rumah sendiri.

Walau bagaimana pun kuasa² Lembaga itu di-dalam perkara ini boleh-lah di-jalankan dengan sharat mendapat kelulusan dan kawalan yang harus di-letakkan oleh Yang Berhormat Menteri Kewangan.

Tuan Yang di-Pertua, dengan hormat-nya saya mengemukakan chadangan ini.

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

Tuan Haji Ahmad bin Abdullah: Tuan Yang di-Pertua, pendirian Parti Islam sa-Tanah Melayu di-dalam perkara Loteri Kebajikan Masharakat telah pun jelas, ia-itu menentang. Penentangan Parti Islam sa-Tanah Melayu ka-atas loteri kebajikan masharakat ini ia-lah pendapatan kami dari segi ugama ia-lah loteri kebajikan masharakat ini ada-lah judi. Dan kami telah berkali² di-dalam Rumah yang mulia ini menentang sakalian perkara yang bersangkut-paut dengan perkara judi.

Sekarang ini di-hadapan kita ada satu Bill yang akan mengokohkan lagi kedudokan badan atau Lembaga Loteri Kebajikan ini dengan memberi kapada-nya satu kuat-kuasa supaya dia boleh dapat memegang harta-benda dan memberi pinjaman wang kapada pegawai²-nya untok membolehkan mereka itu membena rumah² atau pun membeli rumah² bagi kediaman mereka itu.

Demikian juga Bill ini akan membolehkan Lembaga ini membena dan membeli rumah²-nya sendiri dan untok menyewakan rumah² ini. Oleh sebab yang demikian, Tuan Yang di-Pertua, sa-bagaimana saya telah terangkan tadi Parti Islam sa-Tanah Melayu menentang Bill ini kerana ada-lah sakalian perkara ini ada-lah untok memperkokohkan lagi kedudokan loteri kebajikan masharakat ini di-dalam negara kita yang pendapatan Parti Islam sa-Tanah Melayu ia-lah judi yang tidak sayugia di-jalankan oleh sa-buah Kerajaan yang mengaku bahawa sa-nya ugama negara ini ia-lah ugama Islam sa-bagai ugama rasmi.

Tuan Haji Abdul Hamid Khan bin Haji Sakhawat Ali Khan: Tuan Yang di-Pertua, itu pandangan daripada PAS tetapi Parti Perikatan sudah tentu loteri ini akan terus di-jalankan.

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 Deputy Speaker *in the Chair*)

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

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

RUBBER INDUSTRY REPLANTING FUND (AMENDMENT) BILL

Second Reading

Dr Lim Swee Aun: Sir, I beg to move that a Bill intituled "an Act to amend

the Rubber Industry (Replanting) Fund Ordinance, 1952" be read a second time.

The purpose of this Bill is to seek the extension of the date for the submission of the annual reports and accounts to 30th September of each year instead of the 31st of July.

The second purpose is to increase the first grant for replanting which was approved in 1955 from $280 million to $288.3 million. The $8.3 million is required so as to be divided: 60% for the estates and 40% for the smallholders, because under the Schedule of the Act there was provision for replanting which had started in 1953 and 1954.

Tuan Haji Abdul Hamid Khan: 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 Deputy Speaker *in the Chair*)

Clauses 1 to 4 inclusive ordered to stand part of the Bill.

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

Mr Deputy Speaker: The meeting is adjourned to 10 a.m. tomorrow.

Adjourned 8 p.m.

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