

# PM: Work for uniform laws on world trade

By CHARLES CHAN: **Lat** 27 OCT 1982

**DATUK Seri Dj Mahathir Mohamad** yesterday called on Asean's law experts to actively support efforts towards harmonisation of laws governing international trade.

He said it was too much to expect instant results but he hoped in the years to come international trade, not only among Asean countries but also worldwide, can be governed by uniform laws to facilitate business and, more important, to expedite the settlement of disputes among international businessmen.

The Prime Minister, opening the third Asean Law Association General Assembly, noted that the ALA had taken the first step of opening discussions without which no hope of uniformity would ever be achieved.

"Intra-Asean trade is very important for our well-being and the different laws in our five countries should as far as possible be harmonised to promote it," he added.

He noted that the ALA, at its last conference in Manila, had dealt with aspects of law which he considered to be of importance.

These include laws relating to foreign corporations and transnational corporations; offshore financing; reciprocal enforcement of judgement and reciprocal service of process; settlement of commercial disputes; and tax systems and laws of member countries.

He was further encouraged by the knowledge that delegates at the current conference would be discussing the proper law for Asean corporations and the protec-

tion of "intellectual property".

The Prime Minister noted that the centre of arbitration had shifted as a result of history — from China which once claimed to be the centre of the universe to the Mediterranean, then Europe for several centuries and, for some time before World War Two, the North American continent.

After the Second World War, it could be seen that the Pacific Basin had become more and more important.

"Asean with a total population of about 250 million people is an important market. Considering also that we are major producers of rubber, tin, palm oil and other important raw materials, the future is indeed bright for us in Asean.

"We can become great

nations, no longer subject to manipulations by far-away countries, if only we could take full advantage of our resources, including our diligent manpower and apply them productively. In all this, lawyers and the law have an important role to play," Dr Mahathir added.

He reminded the legal profession of their responsibility towards the economic, social and political advancement and the prosperity and happiness of the people.

"In a developing country like Malaysia the legal profession has a great responsibility towards society," he said, quoting the late Tun Abdul Razak's speech at the opening of the conference of Commonwealth Magistrate's Association in Kuala Lumpur in 1975.

Quoting further, he added: "They being the most articulate members of society should be the first to spot antiquated laws and to suggest amendments that will increase the citizen's opportunities for economic, social and political advancement, and create and increase his opportunities for prosperity and happiness.

"In this respect, I share Tun Razak's sentiments," he said.

He gave an assurance that the government would faithfully do its duty as prescribed by the Constitution and respect the rights guaranteed by it for the different components of the Federation,

the minorities, the citizens and in some cases, the non-citizens.

The Constitution, however, was not infallible and hence it provided for amendments to make it compatible with changing times.

The Prime Minister also reiterated his belief in the supremacy of the Constitution, the rule of law and respect for the independence of the judiciary.

The five-day assembly is being attended by about 750 participants comprising chief justices, ministers of justice, lawyers and law teachers from the five Asean countries as well as observers from Brunei, Japan and Sri Lanka.