

MAHATHIR-ACT

BM

184. (P)
EMBARGO: FOR RELEASE AFTER 11 P.M. TODAY, SEPT. 4:
KUALALUMPUR 9 SEPT. 4 (BERNAMA)-- THE \$10,000 PERSONAL INJURY
COMPENSATION PROVIDED FOR UNDER THE AMENDMENT TO THE CIVIL LAW ACT
IS AIMED AT SAFEGUARDING THE INTERESTS OF THE POOR, DATUK SERI DR
MAHATHIR MOHAMAD SAID TONIGHT.

THE PRIME MINISTER SAID THAT AT THE PURPOSE OF AMENDING THE ACT
WAS TO PREVENT MALAYSIANS FROM BECOMING A LITIGIOUS SOCIETY.

HE SAID THE AMENDMENT WAS MADE TO PREVENT AN UNDESIRABLE
SITUATION SUCH AS IN THE UNITED STATES WHERE A PERSON COULD SUE
ANYONE, INCLUDING THE DOCTOR WHO TREATED HIM, OR ANYONE WHO HELPED
HIM WHILE HE WAS INJURED.

+ THIS HAS CREATED A SOCIETY THAT ONLY SEES THINGS IN TERMS OF
HOW MUCH MONEY CAN BE OBTAINED FROM SUING SOMEONE. WE DO NOT WANT
OUR SOCIETY TO BECOME LIKE THAT, + HE SAID IN THE RTM 'SEHWAL SEMASA
PROGRAMME OVER TELEVISION.

DATUK SERI DR MAHATHIR WAS INTERVIEWED BY UTUSAN MELAYU GROUP
EDITOR-IN-CHIEF ENCIK ZAINUDDIN MAIDIN AND ITM DIRECTOR NIK ABDUL
RASHID MAJID IN THE 45-MINUTE PROGRAMME CHAIRED BY ENCIK SALLEH
PATEH AKHIR.

THE PRIME MINISTER SAID THAT IF MALAYSIA BECAME A LITIGIOUS
SOCIETY, IT WAS SURELY THE POOR WHO WOULD SUFFER.

+ IF WE BECOME A LITIGIOUS SOCIETY WHICH OFTEN SUE FOR
COMPENSATION, UNDESIRABLE CONSEQUENCES WILL RESULT-- SUCH AS HAD
OCCURRED IN OTHER COUNTRIES WHERE IF A PERSON, SAY, FALLS ON THE
ROAD NO ONE WILL HELP HIM BECAUSE ANYONE WHO HELPS HIM MIGHT BE
SUED -- HE ADDED.

IT HAD COME TO SUCH A STAGE IN CERTAIN COUNTRIES THAT EVEN
DOCTORS DID NOT WANT TO ASSIST ANYONE UNLESS ASKED TO.

+ IF WE HAVE SUCH A SOCIETY, THE POOR WILL SUFFER, NOT THOSE
WITH MONEY, + HE ADDED. -- MORE

THIS WAS BECAUSE THE INSURANCE COMPANIES WOULD RAISE THE
PREMIUMS AS A RESULT OF HAVING TO PAY OUT MORE COMPENSATION, HE
SAID.

+ IN VIEW OF THIS, TO SAFEGUARD THE INTERESTS OF THE POOR, WE
MUST ENSURE THAT THE COMPENSATION PAID OUT IS REASONABLE, + WE ADDED,
REBUTTING ARGUMENTS THAT THE AMENDMENT WAS AGAINST THE INTEREST OF
THE PEOPLE AND PROTECTED THE INTERESTS OF THE INSURANCE COMPANIES

HE AGREED THAT IT WAS GOOD FOR AN ACCIDENT VICTIM TO RECEIVE
HIGH COMPENSATION BUT REMINDED THAT THE COMPENSATION WAS NOT GIVEN
FREE CUT CAME FROM PREMIUMS PAID TO THE INSURANCE COMPANIES.

+ THUS, IF WE WANT TO HAVE HIGH COMPENSATION, THE PREMIUMS WILL
EVENTUALLY BE RAISED.

+ WE SHOULD REMEMBER THAT INSURANCE COMPANIES DID NOT EXIST FOR
THE PURPOSE OF CHARITY . . . THEY EXIST AS BUSINESS BODIES AND HAVE TO
MAKE PROFITS. +

DATUK SERI DR MAHATHIR SAID THAT IN THE END THE WORST AFFECTED
BY THE HIGHER PREMIUMS WOULD BE THE LOWER INCOME GROUP. --- MORE

MAHATHIR-ACT 4 KUALA LUMPUR (EMBARGO)

ASKED WHETHER A COMPENSATION OF \$109,000 WAS LOW FOR THE 80S,
DATUK SERI DR MAHATHIR FELT THAT IT WAS A LOT FOR A PERSON WITH A
LOW SALARY.

HE SAID THAT IF THE COMPENSATION WAS RAISED TO \$25,000 OR
\$200,000, THE PREMIUMS WOULD SIMILARLY BE RAISED.

HE SAID THAT IF THE PEOPLE WANTED HIGHER COMPENSATION, THERE
WERE PROVISIONS IN THE LAW TO ENABLE THIS.

HE ADDED THAT THE YANG DI-PERTUAN AGONG COULD HAVE IT RAISED TO
\$250,000, \$100,000 OR EVEN \$2 MILLION;

+ THIS WE CAN DO. THERE IS NO PROBLEM BUT THE POINT IS WE WANT
TO LOOK AFTER THE INTEREST OF THE POOR SO THAT THEY WOULD NOT HAVE TO
PAY VERY HIGH PREMIUMS. + -- MORE

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MAHATHIR-ACT 5 KUALA LUMPUR (EMBARGO)

DATUK SERI DR MAHATHIR SAID THE GOVERNMENT HAD TO TAKE AN OVERALL VIEW, NOT ONLY OF THOSE RECEIVING THE COMPENSATION BUT ALSO THOSE PAYING THE PREMIUMS, WHO WERE MORE IN NUMBER.

+BECAUSE OF ONE PERSON WHO BREAKS HIS LEG AND WANTS \$3 MILLION, ANOTHER 300 OR 400 PEOPLE WOULD HAVE TO PAY THE PREMIUMS, + HE ADDED."

THE PRIME MINISTER AGREED THAT CLAIMS WERE MADE ONLY ONCE IN A WHILE, BUT ADDED THAT IF EVERYONE WHO PAID A \$10 PREMIUM CLAIMED COMPENSATION OF \$100, SURELY THE INSURANCE COMPANIES WOULD CLOSE DOWN.

ASKED WHETHER THE FIXING OF THE AMOUNT OF COMPENSATION AMOUNTED TO LACK OF FAITH IN COMPETENCY OF COURT JUDGES, HE SAID THAT THE DECISION MADE BY ANY JUDGE HAD ITS LIMITS AND THIS WAS NOT THE FIRST TIME THAT THE GOVERNMENT HAD SET LIMITS REGARDING CERTAIN MATTERS.-- MORE

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MAHATHIR-ACT 6 KUALA LUMPUR (EMBARGO)

+THE JUDGES ARE ONLY FREE TO ACT IN ACCORDANCE WITH THE LAWS SET DOWN. WE ARE RESPONSIBLE FOR THE INTERESTS OF THE NATION AND WE CANNOT LOOK AT ONE COURT CASE ONLY, + HE SAID.

REPLYING TO VIEWS THAT THE AMENDMENT WAS MADE BASED ON AMENDMENTS TO THE ENGLISH LAW, DATUK SERI DR MAHATHIR SAID THAT IT HAD NOTHING TO DO WITH WHAT THE BRITISH DID.

+TODAY IS THE FIRST TIME THAT I AM HEARING ABOUT THE BRITISH (AMENDING THE LAW). BUT PERHAPS THERE WERE OTHER MINISTERS WHO GAVE THEIR EXPLANATIONS ON THIS MATTER.+

HE SAID HE HAD SPOKEN OF THE IMPORTANCE OF HAVING SUCH A LAW A YEAR AGO.

THOSE CONCERNED, SUCH AS LAWYERS AND CONSUMERS ASSOCIATIONS, COULD DEBATE THE MATTER! HE ADDED WHEN COMMENTING ABOUT CRITICISMS THAT THE BILL HAD BECOME CONTROVERSIAL BECAUSE IT WAS KEPT A SECRET AND NOT MADE PUBLIC EARLIER.

+THE BILL SHOULD HAVE BEEN DEBATE@ BY THE MEMBERS OF PARLIAMENT. THE ELECTED REPRESENTATIVES FROM THE RULING AND OPPOSITION PARTIES COULD DEBATE IT FULLY. IF THEY HAD BEEN INTERESTED, THERE WAS NOTHING TO STOP THEM.+ -- MORE

MAHATHIR - ACT 7 KUALA LUMPUR (EMBARGO)

HE SAID THAT IF IT WAS DEBATED IN THE NEWSPAPERS OR OTHER FORUMS, NO DECISION COULD BE TAKEN.

+THIS IS BECAUSE IN SUCH DEBATES NORMALLY VARIOUS VIEWS ARE AIRED, POSSIBLY INFLUENCED BY EMOTIONS, AND ALSO BY THOSE WHO MIGHT HAVE LITTLE KNOWLEDGE ABOUT THE TOPIC.+

HE SAID THAT NO DECISION COULD BE ARRIVED AT BECAUSE WHATEVER THE LAWS WERE, THERE WOULD ALWAYS BE THOSE WHO DID NOT AGREE WITH THEM.

FURTHERMORE, THERE WERE LAWS THAT THE GOVERNMENT FELT WERE NECESSARY TO BE IMPLEMENTED FOR THE GOOD OF THE PEOPLE BUT WHICH WERE NOT POPULAR, HE ADDED, -- BERNAMA