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PARLIAMENT-SOCIETIES

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KUALA LUMPUR, MARCH 18 (BERNAMA) -- THE SOCIETIES ACT 1966 HAS TO BE AMENDED BECAUSE SEVERAL OF ITS PROVISIONS ARE NO LONGER SUITED TO CHANGING CONDITIONS AND DIFFICULT TO PUT INTO PRACTICE BY A BIG ORGANISATION, ESPECIALLY IN KEEPING WATCH ON THE ACTIVITIES OF MEMBERS AND ENSURING THEY ADHERED TO THE LAW, PRIME MINISTER DATUK SERI DR MAHATHIR MOHAMAD SAID TONIGHT.

TABLING THE SOCIETIES (AMENDMENT) BILL IN THE DEWAN RAKYAT, HE SAID IT WAS IMPOSSIBLE AND IMPRACTICABLE FOR THE HEADOFFICE OF ANY ORGANISATION HAVING THOUSANDS OF BRANCHES AND MILLIONS OF MEMBERS TO SUPERVISE ALL THE ACTIVITIES OF THE BRANCHES AND MEMBERS ALL THE TIME.

HE SAID SECTION 12 (3) OF THE PRESENT ACT RENDERED THE WHOLE SOCIETY UNLAWFUL INCLUDING BRANCHES WHICH HAD BEEN LAWFULLY SET UP EVEN IF ONLY JUST A FEW BRANCHES HAD BEEN ESTABLISHED WITHOUT THE APPROVAL OF THE REGISTRAR OF SOCIETIES.

WITHOUT CLOSE SUPERVISION, THERE WAS A BIG POSSIBILITY OF OFFENCES BEING COMMITTED AT BRANCH LEVEL AND SUCH BRANCHES WERE LIKELY TO BE DECLARED UNLAWFUL. -- MORE
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THE PRIME MINISTER SAID THE AMENDMENT WOULD RENDER UNLAWFUL ONLY THE BRANCH OF A REGISTERED SOCIETY AND NOT THE SOCIETY ITSELF WHERE A REGISTERED SOCIETY ESTABLISHES THE BRANCH WITHOUT THE PRIOR APPROVAL OF THE REGISTRAR OF SOCIETIES.

HE SAID THE SAME PROVISIONS WERE FOUND IN THE SOCIETIES ACT IN SINGAPORE AND IN THE SOCIETIES ORDINANCE IN HONG KONG.

THE PRIME MINISTER SAID THE ACT WAS BEING AMENDED BECAUSE THE RULING OF A MAJOR ORGANISATION AS AN UNLAWFUL SOCIETY DIRECTLY INFLUENCED THE POLITICS AND THE GOVERNMENT OF A COUNTRY AS HAPPENED RECENTLY, BRINGING ALONG WITH IT FAR-REACHING IMPLICATIONS WHICH MIGHT NOT BE RESOLVED WITHIN DECADES.

HE SAID A SETTLEMENT WAS MADE MORE DIFFICULT WHEN THERE WAS MISUNDERSTANDING AMONG MEMBERS OF THE ORGANISATION ITSELF AND WHATEVER COURSE OF ACTION TAKEN TO OVERCOME THE PROBLEM COULD BE CHALLENGED IN THE COURTS.

HE SAID BECAUSE OF THIS THE RIGHTS OF THE MAJORITY OF MEMBERS WERE AFFECTED JUST BECAUSE ONE IN A MILLION MEMBERS DID NOT WANT TO ACCEPT THE SETTLEMENT.

+A SITUATION WHERE ONE MEMBER CAN HOLD TO RANSOM A MILLION OTHER MEMBERS IS UNJUST,+ HE SAID. -- MORE
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HE SAID TO OVERCOME THIS SITUATION SECTION 17 OF THE ACT WAS BEING AMENDED EMPOWERING THE REGISTRAR OF SOCIETIES AND THE OFFICIAL ASSIGNEE TO DEAL WITH THE ORGANISING PANEL AND OFFICE-BEARERS OF AN ORGANISATION WHICH HAD BEEN DE-REGISTERED.

THE AMENDMENT ALSO PROVIDED THAT SUCH PEOPLE IN GIVING ANY ASSISTANCE IN CONNECTION WITH THE DEALINGS WERE NOT PROSECUTED FOR ANY OFFENCE UNDER THE VARIOUS PROVISIONS OF THE ACT.

DATUK SERI DR MAHATHIR SAID IT WAS VERY DIFFICULT FOR THE REGISTRAR OF SOCIETIES AND THE OFFICIAL ASSIGNEE'S DEPARTMENT TO DISCHARGE THEIR RESPONSIBILITIES UNDER THE PRESENT PROVISIONS OF THE ACT.

THIS WAS PARTICULARLY SO WHEN A POLITICAL PARTY CONCERNED HAD HUNDREDS OF THOUSANDS OF MEMBERS WITH BRANCHES IN NEARLY EVERY KAMPUNG AND TOWN AND WITH A WIDE RANGE OF PROPERTY INCLUDING BUILDINGS, SHARES IN SCORES OF COMPANIES AND SUBSIDIARIES, DEPOSITS AND DEBTS.

IT WOULD BE VERY DIFFICULT FOR THE REGISTRAR OF SOCIETIES AND THE OFFICIAL ASSIGNEE TO HANDLE THESE MATTERS UNLESS THEY INCREASED THEIR STAFF BY THE THOUSANDS. -- MORE
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HE SAID ANOTHER PROBLEM WAS TO DETERMINE WHO WAS A MEMBER AND WHO WAS NOT AND WHO HAD RIGHTS (TO DO CERTAIN THINGS), ADDING THAT ALL THESE WERE DIFFICULT TO DETERMINE.

HE SAID THE OFFICIAL ASSIGNEE ADMINISTERING THE PROPERTY OF AN ORGANISATION WHICH HAD BEEN RULED UNLAWFUL WOULD TAKE A VERY LONG TIME, POSSIBLY DECADES, TO RESOLVE EVERY CLAIM.

IN THE COURSE OF THAT TIME, THE PROPERTY UNDER HIS CHARGE AND DEBTS THAT HAD TO BE SETTLED WOULD BECOME EVEN MORE OF A BURDEN, HE SAID.

THE OFFICIAL ASSIGNEE'S DEPARTMENT DID NOT HAVE THE CAPACITY FROM THE ASPECT OF MANPOWER TO ADMINISTER THE PROPERTY AND DEBTS RUNNING INTO HUNDREDS OF MILLIONS OF RINGGIT SPREAD OVER THE WHOLE COUNTRY.

HE SAID THE AMENDMENT ENABLING A SOCIETY TO TAKE OVER THE ASSETS OF A DE-REGISTERED SOCIETY IF ITS CONSTITUTION WAS SIMILAR AND A MAJORITY OF THE MEMBERS OF THE NEW SOCIETY WERE FROM THE FORMER WAS NOT SOMETHING EXTRAORDINARY. -- MORE
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HE SAID THE SEMENYIH INDIAN WELFARE ORGANISATION IN SELANGOR AND THE SEPAKAT SETIA PERUNDING SPORTS CLUB HAD BEEN DE-REGISTERED BY THE REGISTRAR OF SOCIETIES AND SUCCESSOR ORGANISATIONS HAVING THE SAME NAME HAD BEEN REGISTERED AND THE PROPERTY OF THE TWO DE-REGISTERED ORGANISATIONS HAD BEEN TRANSFERRED TO THE NEW ONES.

THE PRIME MINISTER SAID WHAT WAS BEING DONE THROUGH THE PROPOSED AMENDMENTS WAS TO MAKE CLEARER THE METHOD THAT SHOULD BE ADOPTED TO ADMINISTER AND MANAGE PROPERTY AND DEBTS OF AN ORGANISATION WHEN IT BECAME DE-REGISTERED.

HE SAID AS SUCH THE AMENDMENTS WERE BASED ON THE METHODS PREVIOUSLY EMPLOYED CONCERNING CASES WHERE ORGANISATIONS HAD BEEN DE-REGISTERED.

AT THE SAME TIME, THE AMENDMENTS WERE IMPORTANT BECAUSE THE OFFICIAL ASSIGNEE'S DEPARTMENT DID NOT HAVE THE CAPACITY TO ADMINISTER THE PROPERTY AND DEBTS OF A BIG ORGANISATION, HE ADDED.

-- BERNAMA
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