

TR: 7.9.66

**SPEECH BY
THE DEPUTY PRIME MINISTER
IN MOVING A BILL ENTITLED
"AN ACT TO AMEND THE FEDERAL
CONSTITUTION" IN PARLIAMENT
19TH SEPTEMBER, 1966.**

Mr. Speaker, Sir, I beg to move that a Bill entitled "An Act to amend the Federal Constitution" to make provisions in respect of certain Constitutional amendments for the State of Sarawak consequent upon the proclamation of a State of Emergency having been effected and enforced in that State be read a second time.

Sir, I have just explained to this House, the various events that took place in Sarawak since the middle of June this year which brought about the present constitutional and political crisis in that State. This crisis has resulted in a serious situation constituting a grave threat to the security of Sarawak and of Malaysia as a whole. Under these circumstances, the Federal Government, which is responsible for the security of the country and for safeguarding the interests of the people, has a duty to see that the present dangerous state of affairs be brought to an end. The Federal Government has, therefore, decided to take certain measures as contained in this Bill to ensure that democratic principles are upheld and accepted democratic practices complied with.

As I have explained, Sir, the proper constitutional and democratic course of a Head of Government to take when the confidence of the House in his administration is in question is to submit to a vote of the House and resign if that vote is adverse against him. It is clear the Chief Minister of Sarawak has refused to do so. The Chief Minister and the present Government of Sarawak are taking refuge as it were in the constitutional provision whereby the Council Negeri cannot be summoned to meet except on the advice of the State Government. By doing so, it endeavours to prolong the life of the Council despite the fact that a clear majority of the members of the Council have indicated by action taken outside the Council that they

no longer have the confidence in the Chief Minister and the present Government.

As Honourable Members are aware, twenty five Members of the Council Negeri have written to the Speaker and to the Chief Minister and have petitioned the Governor requesting that the Council Negeri be summoned as soon as possible in order to test the confidence of the Council negeri in the present Government. The Governor has no power to convene a Council Negeri meeting except on the advice of the Supreme Council. Therefore, in order to enable the majority views of the members of the Council Negeri to be given effect to, the Government proposes in this Bill to give the Governor the power to convene a meeting of the Council Negeri and also the power to dismiss the Government or the Chief Minister who refuses to resign when a vote of no-confidence has been passed against him.

As I have explained, Sir, the Government is taking these measures merely to see that accepted democratic practices are adhered to; and in preparing this Bill great care has been taken to interfere as little as possible with the ordinary democratic processes by which effect is given to public opinion in the Legislature of the State. The Government has no desire to assume executive authority though it has the power by virtue of the Proclamation of the State of Emergency it is forced to do under Clause (4) of Article 150 of the Constitution.

This Bill only empowers the Governor to convene a meeting of the Council Negeri to test the confidence of the Council Negeri in the present Government, following accepted democratic practice. If the present Government loses on a vote of no-confidence then it must resign and another Government will take its place.

Also, Sir, as stated in the Explanatory Statement, this Bill is only a temporary measure to deal with a serious situation concerning the security of Sarawak and the whole of Malaysia. The provisions of this Bill will lapse as soon as that State of Emergency ceases. Also, the Federal Government has pledged to hold elections in Sarawak as soon as necessary preparations are made for holding such elections. Therefore, these measures are merely to ensure that Sarawak has a stable Government in the interim period until the General Elections are held when the people of Sarawak will be given opportunity to exercise their right and to elect a Government of their own choice.

As I have stated, Sir, this Bill merely seeks to secure an early meeting of the Council Negeri and to give effect to the will of the majority of the members expressed at that meeting. We are not seeking to suspend the Constitution; we are not changing the Constitution of Sarawak; we are merely saying that, notwithstanding omissions in the Constitution of Sarawak as pointed out by the Sarawak High Court, the will of the majority or the people as represented in the Council Negeri should be allowed to prevail. The measures proposed are, therefore, neither abnormal nor drastic, but merely measures which are allowed under the Constitution to ensure that democratic practices are adhered to and that Sarawak enjoys a stable Government during this interim period while preparations are being made for the holding of General Elections.

As I have explained just now, with the serious security threat to Sarawak posed by the Communist Organisation, we cannot afford to have a serious political uncertainty which means we will be playing into the hands of the Communists who as the enemies of the State. Under the circumstances, I am confident this Bill will receive the support of this House and of the Senate as well as all the loyal citizens of our country.

Sir, I beg to move.