

Volume II
No. 2



Monday
9th May, 1960

PARLIAMENTARY DEBATES

DEWAN NEGARA (SENATE)

OFFICIAL REPORT

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FEDERATION OF MALAYA
DEWAN NEGARA (SENATE)
Official Report

Vol. II

Second Session of the First Dewan Negara

No. 2

Monday, 9th May, 1960

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

PRESENT:

- The Honourable Mr. President (DATO' HAJI ABDUL RAHMAN BIN MOHAMED YASIN, S.P.M.J., P.I.S.).
- .. the Minister of Justice (TUN LEONG YEW KOH, S.M.N.) (Appointed).
- .. TUAN HAJI ABBAS BIN HAJI MOHAMED (Trengganu).
- .. ENCHE' ABDUL HAMID BIN MAHMUD, J.M.N. (Appointed).
- .. ENCHE' AHMAD BIN SAID, A.M.N. (Perak).
- .. ENCHE' A. M. ABU BAKAR, J.M.N. (Appointed).
- .. ENCHE' ABDUL WAHAB BIN IDUS, P.J.K. (Negri Sembilan).
- .. ENCHE' AMALUDDIN BIN DARUS (Kelantan).
- .. ENCHE' CHAN KWONG HON, A.M.N., J.P. (Selangor).
- .. ENCHE' CHEAH SENG KHIM, J.P. (Penang).
- .. DATO' DR. CHEAH TOON LOK, J.M.N., J.P., Dato' Maha Kurnia (Appointed).
- .. ENCHE' CHOO KOK LEONG (Appointed).
- .. ENCHE' J. E. S. CRAWFORD, J.M.N., J.P. (Appointed).
- .. ENCHE' DA ABDUL JALIL (Trengganu).
- .. ENCHE' HASHIM BIN AWANG, J.P. (Penang).
- .. ENCHE' KOH KIM LENG (Malacca).
- .. DATO' LEE FOONG YEE, J.M.N., P.P.T., J.P. (Negri Sembilan).
- .. ENCHE' LIM HEE HONG, A.M.N. (Appointed).
- .. ENCHE' MOHD. SALLEH BIN MOHAMED ARIFF (Malacca).
- .. ENCHE' MOHD. ZAHIR BIN HAJI ISMAIL (Kedah).
- .. ENGBU MUHSEIN BIN ABDUL KADIR, J.M.N., P.J.K. (Appointed).
- .. ENCHE' ATHI NAHAPPAN (Appointed).
- .. ENCHE' S. P. S. NATHAN (Appointed).
- .. ENCHE' NIK HASSAN BIN HAJI NIK YAHYA, J.M.N. (Appointed).
- .. TUAN HAJI NIK MOHD. ADEEB BIN HAJI NIK MOHAMED (Kelantan).
- .. TOK PANGKU PANDAK HAMID BIN PUTEH JALI, P.J.K. (Appointed).
- .. RAJA RASTAM SHAHROME BIN RAJA SAID TAUPHY (Selangor).

- The Honourable DATO' SHEIKH ABU BAKAR BIN YAHYA, D.P.M.J., P.I.S., J.P. (Johore).
- „ DATO' G. SHELLEY, P.M.N., J.P. (Appointed).
- „ TUAN SYED AHMAD BIN SYED MAHMUD SHAHABUDIN, J.M.N. (Kedah).
- „ TUAN SYED BAHALDIN BIN SYED NOH, J.P. (Perlis).
- „ ENCHE' T. H. TAN, J.M.N. (Appointed).
- „ DATO' E. E. C. THURASINGHAM, D.P.M.J., J.P. (Appointed).
- „ ENCHE' S. O. K. UBAIDULLA (Appointed).
- „ ENCHE' WAN AHMAD BIN WAN DAUD, P.J.K., J.P. (Perlis).
- „ DATO' WAN IBRAHIM BIN WAN TANJONG, J.M.N., J.P., Orang Kaya Indera Maharaja Purba Jelai (Pahang).
- „ ENCHE' YAP KHEN VAN, A.M.N., J.P. (Pahang).
- „ ENCHE' YEOH KIAN TEIK (Perak).

IN ATTENDANCE:

- The Honourable the Deputy Prime Minister and Minister of Defence (TUN ABDUL RAZAK BIN DATO' HUSSAIN, S.M.N.).
- „ the Minister of Finance, (ENCHE' TAN SIEW SIN, J.P.).
- „ the Minister of the Interior (DATO' SULEIMAN BIN DATO' ABDUL RAHMAN, P.M.N.).
- „ the Minister of Education (ENCHE' ABDUL RAHMAN BIN HAJI TALIB).

PRAYERS

(Mr. President *in the Chair*)

BILLS

THE LOCAL GOVERNMENT
ELECTIONS BILL

Second Reading

The Minister of Justice (Tun Leong Yew Koh): Mr. President, Sir, I beg to move that a Bill intituled "an Act for the purpose of ensuring uniformity of law and policy in respect of Local Government Elections throughout the Federation and for matters incidental thereto" be read a second time.

Engku Muhsein bin Abdul Kadir: Sir, I beg to second the motion.

The Minister of the Interior (Dato' Suleiman bin Dato' Abdul Rahman): Tuan President, Ahli² Yang Berhormat harus ingat bahawa di-dalam masa Meshuarat Belanjawan yang telah diadakan pada akhir tahun dahulu saya telah menyatakan bahawa Kerajaan Persekutuan sa-telah mengadakan

perundingan dengan Kerajaan² Negeri, telah memutuskan ada-lah Pilehan Raya Tahunan Kerajaan Tempatan di-seluruh Persekutuan yang sa-patut-nya diadakan di-hujung tahun 1959 ada-lah di-tanggohkan sa-lama sa-tahun, dan saya telah menyatakan juga bahawa Kerajaan Persekutuan bersama² dengan Kerajaan² Negeri berchadang hendak menyiasat kemungkinan meminda kerana memudahkan syarat² pengundi di-dalam Pilehan Raya Kerajaan Tempatan dan dengan itu boleh-lah daftar² pengundi itu di-sediakan dengan betul-nya dan tidak akan memakan belanja yang banyak apabila daftar² itu di-semak pada tiap² tahun, dan juga menyiasat kemungkinan bagi menukar peratoran Pilehan Raya Kerajaan Tempatan. Berkenaan dengan tanggohan ini saya menyatakan di-sini bahawa sa-lepas daripada kenyataan yang saya perbuat di-dalam Meshuarat Belanjawan itu, maka telah di-dapati mustahak pula di-tanggohkan lagi Pilehan Raya Kerajaan Tempatan itu hingga ka-bulan April tahun 1961. Maka keputusan ini telah di-perolehi oleh sebab permintaan daripada Surohanjaya Pilehan Raya yang telah

mengaku memikul tanggungan menjalankan Pilihan Raya Kerajaan Tempatan di-seluruh Persekutuan Tanah Melayu.

Surohanjaya Pilihan Raya memerlukan masa di-antara bulan June tahun 1960 hingga bulan March tahun 1961 bagi menjalankan pendaftaran sa-mula pengundi² mengikut syarat² pengundi yang di-sebutkan di-dalam Rang Undang² yang ada di-hadapan Dewan ini pada hari ini.

Oleh kerana Surohanjaya Pilihan Raya telah mengaku memikul satu bebanan yang berat itu dan oleh kerana alasan² yang di-beri-nya di-fikirkan menasabah, maka Kerajaan telah mem-persetujui permintaan itu; itu-lah fasal-nya maka di-lanjutkan lagi tarikh penanggohan Pilihan Raya itu.

Rang Undang² yang ada di-hadapan Dewan ini pada hari ini ada-lah mengandongi dasar yang telah mendapat persetujuan 'am di-antara Kerajaan Persekutuan dan Kerajaan² Negeri, chuma Kelantan belum lagi bersetuju dengan chadangan supaya Surohanjaya Pilihan Raya menjalankan Pilihan Raya Kerajaan Tempatan dalam negeri Kelantan. Dan ada-lah ia membatalkan undang² yang ada pada masa ini berkenaan dengan Pilihan Raya Kerajaan Tempatan yang pada 'am-nya terkandung di-dalam Undang² Pilihan Raya Kerajaan Tempatan tahun 1960 dan tahun 1950, dan berkenaan dengan Negeri Pulau Pinang terkandung di-dalam Undang² kuasa menjalankan Pilihan Raya tahun 1958 (Penang Conduct of Elections Authorisation Enactment, 1958) dan berkenaan dengan negeri Johore terkandung di-dalam Undang² menjalankan Pilihan Raya Town Council, Johore tahun 1959 (Johore Conduct of Town Council Elections Enactment, 1959).

Dasar yang pertama yang ada terkandung di-dalam Rang Undang² ini ia-lah Pilihan Raya Kerajaan Tempatan itu hendak-lah di-jalankan oleh Surohanjaya Pilihan Raya Bahagian V dan VI Rang Undang² ini ia-lah membolehkan Surohanjaya Pilihan Raya membuat lantekan pegawai-nya dan membuat Peratoran² berkenaan dengan Pilihan Raya itu. Ahli² Yang Berhormat

tentu sedia ma'alum bahawa Bab 113 fasal 1 Undang² Perlembagaan Persekutuan Tanah Melayu ada-lah menyatakan bahawa Surohanjaya Pilihan Raya hendak-lah menjalankan Pilihan Raya bagi Dewan Ra'ayat dan Majlis Undang² tiap² negeri, tetapi mengikut Fasal 4 bahawa mustahak-lah undang² negeri di-adakan terlebih dahulu sa-belum Pilihan Raya kepada lain² Majlis di-jalankan oleh Surohanjaya Pilihan Raya dan ini termasuk-lah Pilihan Raya Kerajaan Tempatan. Maka ada-lah ia-itu dasar Kerajaan, dan saya perchaya Dewan ini pun bersetuju dengan-nya, bahawa mustahak-lah kewajipan menjalankan Pilihan Raya Kerajaan Tempatan itu di-pulangkan kepada Surohanjaya Pilihan Raya dengan sa-berapa chepat yang boleh.

Surohanjaya itu telah di-tubuhkan mengikut Perlembagaan sa-bagai satu badan yang bebas daripada pengaruh siasah (politic) dan lain² juga untuk menjalankan dengan sempurna-nya Pilihan Raya di-semua peringkat Kerajaan. Fa'edah-nya Surohanjaya Pilihan Raya menjalankan Pilihan Raya Kerajaan Tempatan itu ia-lah banyak dan nyata: Surohanjaya itu boleh mengadakan satu susunan peratoran bagi Pilihan Raya Kerajaan Tempatan seluruh Persekutuan; dia boleh menjalankan aturan Pilihan Raya Kerajaan Tempatan itu bersesuaian dengan kewajipan-nya berkenaan dengan Pilihan Raya Dewan Ra'ayat dan Majlis Undang Negeri², dan bersama² dengan chadangan hendak memudahkan syarat² pengundi bagi Kerajaan Tempatan itu, maka belanja menjalankan Pilihan Raya itu tentulah akan kurang. Oleh kerana Rang Undang² ini di-kemukakan kepada Dewan ini mengikut kuasa yang terkandung di-dalam Bab 76 Fasal 4 Undang² Perlembagaan Persekutuan Tanah Melayu yang membolehkan Parlimen membuat undang² berkenaan dengan Kerajaan Tempatan untuk menyamakan undang² dan dasar, dan termasuk Pilihan Raya Kerajaan Tempatan, maka jika Rang Undang² ini diluluskan tidak payah lagi kerajaan tiap² negeri mengadakan undang² memberi kuasa kepada Surohanjaya Pilihan Raya menjalankan Pilihan Raya itu. Rang Undang² ini sahaja telah memadai.

Dasar yang kedua yang terkandung di-dalam Rang Undang² ini ia-lah chadangan kerana memindahkan syarat² pengundi Kerajaan Tempatan mengikut syarat² pengundi kepada Dewan Ra'ayat dan Majlis Undangan Negeri seperti yang tersebut di-dalam Bab 119 Undang² Perlembagaan Persekutuan Tanah Melayu. Syarat² pengundi Kerajaan Tempatan yang ada pada masa ini ada-lah terkandung di-dalam Perlembagaan Kerajaan Tempatan itu masing². Di-dalam-nya ada-lah banyak syarat² yang di-sebutkan boleh menjadi pengundi dan termasuk-lah Ra'ayat British, Ra'ayat United Kingdom dan Jajahan ta'alok-nya yang di-peranakkan di-Persekutuan Tanah Melayu dan Singapura, Ra'ayat Raja² Melayu dan juga Ra'ayat Persekutuan Tanah Melayu. Pada masa ini kita telah memperolehi pertukaran Perlembagaan yang penting tetapi syarat² pengundi yang terkandung di-dalam Perlembagaan Kerajaan Tempatan itu belum lagi ditukar mengikut pertukaran Perlembagaan Persekutuan Tanah Melayu, dan lagi banyak di-antara syarat² yang lain pula telah di-fikirkan tidak patut di-adakan lagi. Di-chadangkan di-sini bahawa ra'ayat Persekutuan Tanah Melayu dan yang mempunyai kelayakan seperti tersebut di-dalam Schedule No. 2 di-dalam Bill ini dan tidak pula masuk di-dalam larangan yang di-sharatkan di-dalam-nya, sahaja yang boleh menjadi pengundi. Mereka yang mempunyai syarat² ini yang ada mempunyai harta di-dalam kawasan kerajaan tempatan tetapi dudok di-luar kawasan kerajaan tempatan itu dengan mengikut syarat yang di-tentukan boleh juga menjadi pengundi, maka dengan jalan ini boleh-lah daftar pengundi² bagi kerajaan tempatan itu di-satukan dengan daftar pengundi bagi Dewan Ra'ayat dan Majlis Undangan Negeri, dan pula boleh-lah daftar² ini di-semak pada tiap² tahun dengan sakali gus. Maka perkara itu akan memudahkan pekerjaan memeriksa syarat² pengundi dan mengurangkan belanja menyemak daftar pengundi itu pada tiap² tahun. Sunggoh pun mereka yang mempunyai harta di-dalam kawasan kerajaan tempatan tetapi tinggal di-luar kawasan itu dan mempunyai kelayakan yang lain

di-beri hak menjadi pengundi akan berma'ana ia-itu syarat² bagi pengundi di-dalam 3 peringkat kerajaan itu tidak betul² sama, tetapi di-chadangkan di-dalam Schedule No. 2 bahawa mereka itu di-sharatkan meminta pada tiap² tahun supaya nama mereka di-simpan di-dalam daftar pengundi² itu. Nama² mereka itu boleh-lah di-muatkan di-dalam satu daftar kecil yang lain yang tidak akan memberi pekerjaan yang banyak. Mereka yang hilang hak mengundi ia-lah:

- (i) Ra'ayat British, Ra'ayat United Kingdom dan ta'alok-nya yang di-peranakkan di-Persekutuan Tanah Melayu dan Singapura yang tidak menjadi ra'ayat Persekutuan Tanah Melayu.
- (ii) Sa-bilangan yang kecil mereka telah menjadi ra'ayat Raja² Melayu sa-lepas Merdeka yang tidak meminta menjadi ra'ayat Persekutuan Tanah Melayu.

Akan di-ingat bahawa golongan mereka ini tidak berhak menjadi pengundi di-pilihan raya Dewan Ra'ayat atau Majlis Undangan Negeri dan di-fikirkan tidak ada alasan yang menasabah supaya mereka ini di-beri hak pengundi di-dalam pilihan raya kerajaan tempatan.

Dasar yang ketiga yang terkandung di-dalam rang undang² ini ia-lah chadangan menukar chara pilihan raya itu. Pada masa sekarang ini sa-jumlah 1/3 daripada bilangan Ahli² itu hendak-lah berhenti pada tiap² tahun dan di-adakan pilihan raya pada tiap² tahun bagi memenohi tempat yang di-kosongkan oleh mereka. Chadangan yang baharu ini ia-lah bagi semua Ahli² Majlis Mesuarat itu berhenti pada tiap² 3 tahun dan di-adakan pilihan raya pada tiap² 3 tahun. Kedua² chara ini ada fa'edah dan ada rugi-nya. Pilihan raya tiap² tahun boleh menentukan dengan lebeh chepat akan pertukaran fikiran di-dalam kawasan kerajaan tempat itu, dan juga sudah barang tentu ada ahli² Majlis yang berpengalaman yang tinggal menjalankan tugas-nya tiap² tahun, tetapi jika di-tilek daripada segi pentadbiran ada-lah pilihan raya tiap² tahun itu ta' boleh tidak akan melengahkan pekerjaan Majlis itu. Di-fikirkan chara yang di-chadangkan ini

ia-itu semua ahli² berhenti pada tiap² 3 tahun ada-lah akan berfa'edah lebeh lagi sebab-nya—

- (i) Majlis Meshuarat itu akan berjalan lagi tetap dan memudahkan pelaksanaan dasar yang besar yang dibena oleh Parti yang berkuasa;
- (ii) Chara itu membolehkan pilihan satu ahli bagi satu kawasan (ward);
- (iii) Chara ini boleh mengelakkan pembongkaran yang tetap ada jika di-adakan pilihan raya tiap² tahun dan sudah barang tentu mengurangkan perbelanjaan di-atas pilihan raya.
- (iv) Chara ini tidak akan berma'ana ia-itu satu² Majlis itu akan hilang Ahli² yang berpengalaman dengan sa-kali gus sebab mereka yang berhenti itu boleh masuk di-dalam pilihan lagi.

Sharat mengadakan pilihan raya itu ada-lah terkandung di-dalam fasal 13 dan bagi pilihan raya yang pertama ia-lah di-dalam fasal 23. Akan diingat bahawa Ahli² yang di-pilih di-dalam pilihan raya yang mula² akan di-adakan itu ia-lah chuma berkhidmat 2 tahun sahaja dan bukan-nya 3 tahun. Ini ia-lah kerana hendak mengelakkan daripada mengadakan pilihan raya di-dalam satu tahun dengan pilihan raya Dewan Ra'ayat dan pilihan raya Majlis Undangan Negeri di-dalam tahun 1964.

Saya telah menyebutkan dengan seberapa ringkas-nya di-atas dasar² yang terkandung di-dalam rang undang² ini, dan alasan² bagi-nya. Saya perchaya ada-lah rang undang² ini ada-lah satu chara untuk memperbaiki perjalanan kerajaan tempatan di-dalam Negeri ini.

Ada satu sahaja perkara yang saya suka hendak menyebut di-sini ia-itu berkenaan dengan taraf Majlis Bandaran Kuala Lumpur. Fasal 24 di-dalam rang undang² ini ada menyebutkan bahawa sharat² yang terkandung di-dalam rang undang² ini tidak menyentoh perlembagaan Majlis Perbandaran Kuala Lumpur. Ahli² Yang

Berhormat tentu telah memperhatikan bahawa di-dalam fasal 32 rang undang² pindaan perlembagaan itu Bab 154 itu ada-lah di-pinda supaya kuasa bagi membuat undang² bagi ibu kota Negeri Persekutuan Tanah Melayu itu terpulang kepada Parlimen dengan serta merta. Dewan ini akan berpeluang kelak akan membahathkan undang² yang akan di-kemukakan oleh Kerajaan berkenaan dengan Bandar ini.

Tuan, demikian-lah saya men-chadangkan.

Mr. President, Sir, Honourable Members will recall that at the last Budget Meeting, when the first reading of the Bill was read, it was stated that the Federal Government in consultation with the State Governments had decided to suspend for a period of one year wherever possible local authority elections, which were due to take place at the end of 1959, and that it was the intention of the Federal Government to investigate along with State Governments the desirability of simplifying the qualifications for local authority elections with a view to preparing electoral rolls, which can be maintained at a high level of accuracy without excessive annual expenditure on revision, and the desirability of altering the arrangements for local authority elections. I would like in this connection to state that since this announcement was made, it has been found necessary to extend the period of suspension for a further period until April, 1961. This decision was arrived at at the request of the Election Commission, which has undertaken the responsibility for conducting local authority elections throughout the Federation. The Election Commission would require the whole period June, 1960-March, 1961 for the re-registration of electors in accordance with the qualifications mentioned in the Bill, which is before this House to-day. In view of the tremendous responsibility that the Election Commission has agreed to undertake and in view of the reasons given, Government found it necessary to agree with the request; hence the further extension to April, 1961.

The Bill which is before the House to-day embodies the basic principles, which have been generally agreed between the Federal and State Governments (only Kelantan has not agreed with the proposal to hand over the conduct of elections to the Election Commission), and it repeals the existing law relating to Local Government elections which, in general, is contained in the Local Authorities Elections Ordinance, 1950 and in the case of Penang, the Penang Conduct of Elections Authorisation Enactment, 1958, and in the case of Johore, the Johore Conduct of Town Council Elections Enactment, 1959.

The first principle which this Bill seeks to provide is that the conduct of Local Authority Elections should be undertaken by the Election Commission. Parts V and VI enable the Election Commission to make the necessary appointments and regulations to enable it to do so. Honourable Members will appreciate that Article 113, Clause I, of the Constitution already made it mandatory for the Election Commission to conduct elections to the House of Representatives and the Legislative Assemblies of the States, but that under Clause (4) State Law would be necessary to authorise the Commission to conduct any other election and under this heading comes local authority elections. It is the Government's policy and I am sure the House agrees with this that it is necessary that the Election Commission should assume responsibility for the conduct of all local authority elections as soon as possible. The Commission is established under the Constitution to provide an independent organisation free from political and other influences for the proper conduct of elections at all levels. The advantages of the Election Commission conducting local authority elections are obvious. It would be possible for the Commission to frame one set of local authority election regulations for the whole Federation; it can execute the whole local authority election procedure in harmony with its other duties connected with the Federal and State elections; and in conjunction with the

proposal for the simplification of qualifications for local authority electors the costs of running the election machinery are bound to be reduced. Since this Bill is introduced into Parliament in exercise of the powers conferred by Article 76 (4) of the Constitution, under which Parliament may, for the purpose only of ensuring uniformity of law and policy, make laws with respect to local government, a subject including local government election, if this Bill is passed, it will no longer be necessary for States to enact laws to authorise the Election Commission to conduct local authority elections. This Bill covers it.

The second basic principle which this Bill provides is the simplification of qualifications for electors to local authority elections to accord with the qualifications for electors to Parliamentary and State Elections in accordance with Article 119 of the Constitution. The existing qualifications for local authority electors are contained in the various Constitutions of the local authorities concerned. Various categories of persons are mentioned as being qualified to be electors and these include British subjects, Citizens of the United Kingdom and the Colonies born in the Federation and in Singapore and subjects of the Rulers of Malay States as well as Citizens of the Federation of Malaya.

There have been important constitutional changes since then which have not been reflected in these qualifications, and furthermore it is considered that the qualifications contain some elements of redundancy. It is proposed, Sir, that only Federal citizens, subject to the qualifications stated in the Second Schedule and not subject to the disqualifications stated therein, may exercise their rights of voting. Non-resident property owners who are otherwise qualified are, subject to certain conditions, also given the right to vote. It would thus be possible for electoral rolls for local authority elections to be combined with electoral rolls for Parliamentary and State Elections and for annual revision to be carried out in one single operation.

ia-itu semua ahli² berhenti pada tiap² 3 tahun ada-lah akan berfa'edah lebeh lagi sebab-nya—

- (i) Majlis Meshuarat itu akan berjalan lagi tetap dan memudahkan perlaksanaan dasar yang besar yang dibena oleh Parti yang berkuasa;
- (ii) Chara itu membolehkan pilihan satu ahli bagi satu kawasan (ward);
- (iii) Chara ini boleh mengelakkan pembongkaran yang tetap ada jika di-adakan pilihan raya tiap² tahun dan sudah barang tentu mengurangkan perbelanjaan di-atas pilihan raya.
- (iv) Chara ini tidak akan berma'ana ia-itu satu² Majlis itu akan hilang Ahli² yang berpengalaman dengan sa-kali gus sebab mereka yang berhenti itu boleh masuk di-dalam pilihan lagi.

Sharat mengadakan pilihan raya itu ada-lah terkandung di-dalam fasal 13 dan bagi pilihan raya yang pertama ia-lah di-dalam fasal 23. Akan diingat bahawa Ahli² yang di-pilih di-dalam pilihan raya yang mula² akan di-adakan itu ia-lah chuma berkhidmat 2 tahun sahaja dan bukan-nya 3 tahun. Ini ia-lah kerana hendak mengelakkan daripada mengadakan pilihan raya di-dalam satu tahun dengan pilihan raya Dewan Ra'ayat dan pilihan raya Majlis Undangan Negeri di-dalam tahun 1964.

Saya telah menyebutkan dengan seberapa ringkas-nya di-atas dasar² yang terkandung di-dalam rang undang² ini, dan alasan² bagi-nya. Saya perchaya ada-lah rang undang² ini ada-lah satu chara untuk memperbaiki perjalanan kerajaan tempatan di-dalam Negeri ini.

Ada satu sahaja perkara yang saya suka hendak menyebut di-sini ia-itu berkenaan dengan taraf Majlis Bandaran Kuala Lumpur. Fasal 24 di-dalam rang undang² ini ada menyebutkan bahawa sharat² yang terkandung di-dalam rang undang² ini tidak menyentoh perlembagaan Majlis Perbandaran Kuala Lumpur. Ahli² Yang

Berhormat tentu telah memperhatikan bahawa di-dalam fasal 32 rang undang² pindaan perlembagaan itu Bab 154 itu ada-lah di-pinda supaya kuasa bagi membuat undang² bagi ibu kota Negeri Persekutuan Tanah Melayu itu terpulang kepada Parlimen dengan serta merta. Dewan ini akan berpeluang kelak akan membahathkan undang² yang akan di-kemukakan oleh Kerajaan berkenaan dengan Bandar ini.

Tuan, demikian-lah saya men-chadangkan.

Mr. President, Sir, Honourable Members will recall that at the last Budget Meeting, when the first reading of the Bill was read, it was stated that the Federal Government in consultation with the State Governments had decided to suspend for a period of one year wherever possible local authority elections, which were due to take place at the end of 1959, and that it was the intention of the Federal Government to investigate along with State Governments the desirability of simplifying the qualifications for local authority elections with a view to preparing electoral rolls, which can be maintained at a high level of accuracy without excessive annual expenditure on revision, and the desirability of altering the arrangements for local authority elections. I would like in this connection to state that since this announcement was made, it has been found necessary to extend the period of suspension for a further period until April, 1961. This decision was arrived at the request of the Election Commission, which has undertaken the responsibility for conducting local authority elections throughout the Federation. The Election Commission would require the whole period June, 1960-March, 1961 for the re-registration of electors in accordance with the qualifications mentioned in the Bill, which is before this House to-day. In view of the tremendous responsibility that the Election Commission has agreed to undertake and in view of the reasons given, Government found it necessary to agree with the request; hence the further extension to April, 1961.

The Bill which is before the House to-day embodies the basic principles, which have been generally agreed between the Federal and State Governments (only Kelantan has not agreed with the proposal to hand over the conduct of elections to the Election Commission), and it repeals the existing law relating to Local Government elections which, in general, is contained in the Local Authorities Elections Ordinance, 1950 and in the case of Penang, the Penang Conduct of Elections Authorisation Enactment, 1958, and in the case of Johore, the Johore Conduct of Town Council Elections Enactment, 1959.

The first principle which this Bill seeks to provide is that the conduct of Local Authority Elections should be undertaken by the Election Commission. Parts V and VI enable the Election Commission to make the necessary appointments and regulations to enable it to do so. Honourable Members will appreciate that Article 113, Clause I, of the Constitution already made it mandatory for the Election Commission to conduct elections to the House of Representatives and the Legislative Assemblies of the States, but that under Clause (4) State Law would be necessary to authorise the Commission to conduct any other election and under this heading comes local authority elections. It is the Government's policy and I am sure the House agrees with this that it is necessary that the Election Commission should assume responsibility for the conduct of all local authority elections as soon as possible. The Commission is established under the Constitution to provide an independent organisation free from political and other influences for the proper conduct of elections at all levels. The advantages of the Election Commission conducting local authority elections are obvious. It would be possible for the Commission to frame one set of local authority election regulations for the whole Federation; it can execute the whole local authority election procedure in harmony with its other duties connected with the Federal and State elections; and in conjunction with the

proposal for the simplification of qualifications for local authority electors the costs of running the election machinery are bound to be reduced. Since this Bill is introduced into Parliament in exercise of the powers conferred by Article 76 (4) of the Constitution, under which Parliament may, for the purpose only of ensuring uniformity of law and policy, make laws with respect to local government, a subject including local government election, if this Bill is passed, it will no longer be necessary for States to enact laws to authorise the Election Commission to conduct local authority elections. This Bill covers it.

The second basic principle which this Bill provides is the simplification of qualifications for electors to local authority elections to accord with the qualifications for electors to Parliamentary and State Elections in accordance with Article 119 of the Constitution. The existing qualifications for local authority electors are contained in the various Constitutions of the local authorities concerned. Various categories of persons are mentioned as being qualified to be electors and these include British subjects, Citizens of the United Kingdom and the Colonies born in the Federation and in Singapore and subjects of the Rulers of Malay States as well as Citizens of the Federation of Malaya.

There have been important constitutional changes since then which have not been reflected in these qualifications, and furthermore it is considered that the qualifications contain some elements of redundancy. It is proposed, Sir, that only Federal citizens, subject to the qualifications stated in the Second Schedule and not subject to the disqualifications stated therein, may exercise their rights of voting. Non-resident property owners who are otherwise qualified are, subject to certain conditions, also given the right to vote. It would thus be possible for electoral rolls for local authority elections to be combined with electoral rolls for Parliamentary and State Elections and for annual revision to be carried out in one single operation.

It would greatly simplify checking of qualifications and greatly reduce the cost of electoral revision. The retention of the property qualifications for non-resident but otherwise qualified property owners would mean that the qualifications for electors would not be absolutely identical, but since it is proposed in the 2nd Schedule that they should apply annually for retention on the local authority electoral rolls, a relatively small supplementary list can accommodate their right to vote without undue work or difficulty.

The only categories of persons who would lose their present right to vote in local authority elections would be:

- (i) British subjects, some citizens of the United Kingdom and colonies born in the Federation and those born in the Colony of Singapore who are not Federal citizens.
- (ii) A very limited number of persons who have become State subjects since Merdeka but have not become Federal citizens. It should be noted that these categories of persons are not eligible to vote in the Parliamentary or State elections, and there appears to be no good reasons why they should be allowed to vote in local authority elections.

The third basic principle embodied in this Bill is the replacement of the present system of the annual retirement of one-third of the number of councillors by a system of the total retirement of all members after a period of three years. There are advantages and disadvantages in both systems. Annual elections ensure a quicker response on the part of the local authority to changing currents of opinion and new needs, while at the same time ensuring a nucleus of experienced councillors from year to year continuously; but from a purely administrative point of view the annual upheaval of an election involving a third of the number of councillors sometimes proves a drawback since it is bound in some measure to disturb or delay the Council's business. It is, however, considered that the triennial

total retirement will have the greater advantage because—

- (i) it will give greater stability to local authorities and this facilitates the introduction and implementation of major policies by the party in power in the local authorities;
- (ii) it will make possible the introduction of single member wards;
- (iii) it will avoid the upheaval of annual elections and certainly reduce expenditure on elections; and
- (iv) it will not necessarily mean the periodic loss of experienced councillors, as outgoing councillors will be eligible to stand for re-election.

Provision for general election is contained in Section 13 and for the first general election on resumption in Section 23. It will be noted that the term of office of councillors after the first general election on resumption will only be for a period of 2 years and not 3 years. This is so done in order to avoid local authority elections being held in the same year as Parliamentary and State elections in 1964.

I have touched briefly on each of the basic principles which this Bill provides and the reasons therefor. I am confident that the Bill provides for a major improvement in arrangements for local authority elections and a great step forward in the development of local authorities in the country.

There is only one final point which I wish to touch on and that is with regard to the status of Kuala Lumpur Municipality. Section 24 specifically mentions the fact that the provision of the Act shall not affect the Constitution of the Municipality of Kuala Lumpur. Honourable Members will note that under paragraph 32 of the Constitutional Amendment Bill portions of Article 154 are being amended in order that Parliament shall have exclusive power to make laws with respect to the Federal Capital forthwith. This House will have the opportunity to debate at a later meeting of this House measures which will be introduced by the

Government in connection with legislation in respect of the Federal Capital.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, saya bangun tidak untuk membuat tentangan apa² tetapi saya memberi sokongan undang² yang telah di-kemukakan di-sini. Berkenaan dengan negeri Kelantan sa-bagaimana yang telah di-terangkan oleh Menteri Dalam tadi, ternyata telah menolak undang² ini, saya tidak-lah payah mengulang-nya, oleh sebab keterangan² atau pun hujah² pehak negeri Kelantan telah di-kemukakan dalam sidang yang lalu; jadi Kerajaan telah ma'alum semua-nya. Dan sa-sudah Bill ini diterima menjadi undang², saya dapat memberi jaminan bahawa Kerajaan negeri Kelantan akan menerima-nya dengan baik, sa-kian. (*Tepok*).

Enche' T. H. Tan: Mr. President, Sir, I welcome this Bill which makes provisions for the resumption of elections at the level of local, town and municipal councils. When the elections were suspended some time last year, Opposition Parties alleged that the suspension was due to the fear of the Alliance Party that they might be defeated in future local, town and municipal council elections. The Bill before us to-day answers in no uncertain terms those unfounded allegations: we shall be having local, town and municipal council elections again in April, 1961. The truth is that the suspension of the elections in question was necessitated, I believe, by certain irregularities and anomalies which have been discovered. For example, large numbers of voters somehow disappeared from certain registers while in another case there was duplication of names appearing in the register. It is essential if elections in this country are to be fair and honest that these irregularities and anomalies must be removed. This Bill, as I understand it, is designed for that purpose.

It is proper, Sir, that the Election Commission should be charged with the responsibility for all elections in this country. This is an independent Commission free from political influence and as such is a guarantee for honest elections. I am glad to hear that there is now a possibility for the

Kelantan Government to agree to the Election Commission conducting elections at the level of the local, town and municipal councils in Kelantan.

I hope, Sir, that the Election Commission in carrying out its duties in this country will take appropriate steps to put an end to some of the most despicable methods employed by certain political parties in this country. The attention of the Commission has been brought to fraudulent tactics of registering voters in more than one constituency. Such double registration has been brought to the notice of the Election Commission in connection with even the current by-election in Johore. The Election Commission, I believe, is also aware of the threats which were used by certain political parties during the past election. I hope that the Election Commission will take appropriate measures to see that such threats will not recur. The only way to have free and honest elections in this country is to ensure, by legislation, that the despicable methods mentioned are properly suppressed.

Enche' Cheah Seng Khim: Mr. President, Sir, I feel that the section dealing with the disqualification of voters is drastic. Except for crimes of fraud or moral turpitude, my humble opinion is that if a man has already paid the penalty of his crime to society, he should be allowed the freedom to vote.

Dato' Dr. Cheah Toon Lok: Mr. President, Sir, my honourable friend the Honourable Minister of the Interior has tried on behalf of the Government to introduce a measure of uniformity in the election for local government. Of course, we know his objectives, but he does not tell us whether the means suit those objectives. As far as I am aware, under Article 114 of our Constitution it says this:

"The Election Commission shall be appointed by the Yang di-Pertuan Agong after consultation with the Conference of Rulers and shall consist of a Chairman and two members."

This is a very great responsibility. It is almost a revolution in our local elections and I want to know whether in the opinion of the Election Commissioners themselves they are in a

position, with one chairman and two members to undertake such a responsible work. I want to know whether Government will increase the number of the members of the Election Commission to cope up with this work. I know the objectives are good, but have we got the means to do it? I am afraid the Commission is too small and the work imposed on them is so strenuous that as the saying goes "the last straw might break the camel's back".

Enche' J. E. S. Crawford: Mr. President, Sir, I rise to support the Bill, but there is one query. Under the Second Schedule, it would appear that if anyone commits a murder or is sent to prison anywhere else except in any part of the Commonwealth, he is not disqualified for voting—it is only for crimes committed in the Commonwealth is there disqualification.

Enche' Da Abdul Jalil bin Haji Awang: Tuan Yang di-Pertua, saya juga menyokong di-atas Bill ini; biar pun nampak-nya Bill ini mengambil kuasa daripada State kerana biasa-nya Majlis Tempatan itu terletak di-bawah kekuasaan-nya dan memberi kuasa ini kepada Federal. Saya berasa dukachita juga dalam perkara bagaimana yang di-katakan oleh Yang Berhormat Menteri Dalam itu tadi bahawa ra'ayat di-seluruh negeri tidak berhak mengundi, padahal ra'ayat negeri itu adalah juga bererti ra'ayat Federal. Saya rasa perkara ini harus di-beri pertimbangan.

Enche' A. M. Abu Bakar: Mr. President, Sir, I congratulate the Minister of the Interior for having the foresight to introduce this Bill. Having been a Municipal Councillor and a City Councillor for six years in the State of Penang, I have come across many a difficulty not only in the yearly elections we hold there but also in regard to the Ordinance itself.

First and foremost, Sir, the Municipal Ordinance, which should be the "Bible" of local governments in our country, has been out-of-date since 1876. It was then possible to follow the provisions of that "Bible" but to-day we are in an independent era and it is not fit for us to carry on with

that Ordinance of nearly 75 years ago. Sir, the question of the revision of that Ordinance had been brought up many times in that Council and we had been informed that a Committee had been set up some five years ago to revise that Ordinance. However, to-date the recommendations of that Committee still remain either in the pigeon-hole or with the Legal Draftsman—which is the case, is not known to us yet. Therefore, in view of the difficulties that we have encountered in the past in connection with local government elections, and also in regard to the previous Penang Elections Ordinance, it is a relief to us to know that the anomalies and the difficulties that we have encountered in the State of Penang will be taken off with the acceptance of this Bill. Sir, for instance, I would like to quote here that the Ordinance for elections in Penang has only one safeguard, i.e. the language clause which deprives anyone other than a Commonwealth citizen or a State citizen to get elected. But under that Ordinance anybody who has got a residential qualification of two years or anyone who has got property, whether he be a Commonwealth citizen or a citizen of the Commonwealth and Colonies or a citizen of any non-Commonwealth country, could be a voter; and the only safeguard that we had was the language clause where it says that the language of that Council would be English or Malay. Sir, that matter has been brought up by me earlier and we really need such an Ordinance to be brought in to be in uniformity with all the other States. Because the State of Penang enjoyed the facility of being a Crown Colony, the then Government found it fit to open up wider to all walks of people who had an interest there and to let them have a say in the local government of the urban areas where their dwellings were situated.

Sir, the second thing on which I would like to say a few words is the Rent Control Ordinance, which has contributed in a large measure to the revenues of the local governments. Mr. President, Sir, all buildings built prior to 1948 come under this Ordinance, and I know that in the case of those

buildings which have been condemned and asked to be demolished and rebuilt the owners are finding it difficult to do so because of this Rent Control Ordinance and the difficulties of removing the people living in these cubicles. I feel, Sir, that something should be done to find a way to alleviate these difficulties as the Rent Control Ordinance has been in force for about 15 years.

With regard to what my Honourable friend Dato' Dr. Cheah Toon Lok said on the subject of the Election Commission, Sir, it is only a controlling executive body and that is why the Commission consists of only a Chairman and two members. The administration is done by its own department and each State has its own Election Commission department which registers voters and does all the other work that is needed to carry on that machinery. I feel, Sir, that it is not this Chairman and the two members who are responsible to carry on local council elections in the various States.

Dato' Dr. Cheah Toon Lok: Mr. President, Sir, on a point of order. May I remind my Honourable friend that the powers have gone back to the Election Commission? The States no longer hold that power.

Enche' A. M. Abu Bakar: Sir, if my Honourable friend would go through the Bill the powers to run or to carry on the work of the local councils are still in the hands of the Ruler in Council or the Governor in Council.

Sir, I welcome this new Bill which is sufficient to cover what the Honourable Minister has said.

Enche' Nik Hassan: Tuan Yang di-Pertua, saya menyokong di-atas Undang² atas Bill yang di-bawa oleh Menteri Dalam Negeri itu dan juga keterangan² yang di-beri berkenaan dengan perubahan² yang akan di-jalankan. Ini satu perkara yang kita harus memikirkan ia-lah sa-bagaimana kata Menteri Dalam Negeri itu, apabila kita adakan Pilihan Raya Bandaran atau pun Tempatan 3 tahun sa-kali, ini boleh membangkitkan ia-itu seluruh anggota dalam Majlis Meshuarat itu boleh jadi bertukar dengan

orang² yang baharu yang mana tidak begitu mahir atau pun tidak mengetahui dengan sa-penoh-nya kerja² yang telah di-jalankan oleh Majlis Meshuarat itu.

Tetapi mengikut keterangan yang di-beri oleh Menteri Dalam Negeri itu menyatakan boleh jadi orang² yang sedia dan ada kemahiran itu boleh diangkat semula atau di-pilih oleh pengundi² dalam kawasan itu untuk menjalankan pertadbiran Majlis Meshuarat itu. Tetapi itu ada-lah sakira-nya mereka itu di-pilih oleh pengundi² di-dalam kawasan itu. Dan sakira-nya pengundi dalam kawasan itu suka memilih ka-semua sakali Ahli Meshuarat itu daripada orang² yang tidak pernah dan tidak ada kemahiran dan tidak ada pengalaman di-dalam Majlis itu sudah tentu-lah Majlis Meshuarat ini akan merupakan satu Majlis Meshuarat yang baharu dengan orang² yang baharu yang tidak tahu apa yang berlaku dalam Majlis Meshuarat itu pada masa² yang lepas. Dengan yang demikian terjadi-lah Majlis Meshuarat itu sa-bagaimana yang terjadi di-negeri Kelantan hari ini. Apa yang berlaku di-negeri Kelantan hari ini ia-lah kerana satu pertukaran yang paling besar sakali sehingga ini perjalanan Kerajaan itu tidak-lah begitu lancar sa-bagaimana perjalanan di-masa² yang lalu.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, kawan saya ini menyentoh Kerajaan Kelantan. Perkara itu tidak-lah berkait.

Enche' Nik Hassan: Tuan Yang di-Pertua, itu saya tunjukkan contoh perbandingan apabila ada-nya perubahan² sa-bagaimana perkara yang telah di-terangkan oleh Menteri Dalam Negeri itu. Saya rasa tidak-lah menjadi kesalahan sakira-nya saya bawa satu perbandingan kepada apa yang telah berlaku dan yang benar berlaku.

Sa-lain daripada itu, saya suka hendak berchakap berkenaan dengan kebebasan Election Commission ini. Kita semua mengetahui, Election Commission ini mempunyai satu kebebasan yang penoh dalam menjalankan kerja. Tidak boleh di-sentuh walau pun oleh Dewan ini atau pun Dewan Ra'ayat. Kebebasan ini, sa-bagaimana kata Ahli Yang Berhormat kita yang baharu

berchakap itu ia-lah sa-patut-nya di-letakkan di-atas bahu beberapa bilangan orang yang boleh bertanggung-jawab dan sanggup bertanggung-jawab supaya tidak-lah harapan dia kebebasan itu terlampau berat, tidak terpikul oleh pehak yang berkenaan.

Saya tidak-lah hendak sentoh tentang jumlah bilangan itu tetapi saya hendak menyentoh tentang chara penggunaan chara kebebasan—kebebasan yang telah di-gunakan oleh Election Commission ada-lah satu perkara yang sangat menarek pandangan ra'ayat negeri ini. Kerana dalam masa pilihan raya yang lalu, kita semua ketahui apabila perkara menentukan simbol pilihan raya, Election Commission ini telah menggunakan kebebasan-nya meluluskan berbagai² simbol pilihan raya yang mana boleh membangkitkan berbagai² perkara yang tidak menyenangkan penduduk² dalam negeri ini.

Enche' S. O. K. Ubaidulla: Mr. President, Sir, I welcome the Local Government Elections Bill. The last National election and the State elections we had in this country are shining examples of most democratic elections held in Asia. We had no incident to mar the peaceful holding of elections. But, Sir, as has been pointed out, tidying up of the Election Bill by the Government has become necessary as there had been some malpractices. I know of a man who went to the election booth and voted more than once. He voted in the morning and he went in the same afternoon and voted again. It may be amusing to know how he had successfully done it. Well, he did not make a confession to me, but I have heard from friends. He told them that he went to the elections officer and said: "I did not vote this morning". But the elections officer said: "I have struck out your name. You have come here and you have already voted." The man replied: "Oh, you have made a mistake. It was not me." And the elections officer thought that probably he had made a mistake and allowed the man to vote again.

I have heard also that a person had been to several wards and voted because his name was in the electoral roll of several wards. There may be

many more things of this nature. Sir, to stamp out such practices, the Government has made some progressive changes, but there is another simple method which my humble self would like to offer to the Government, and that is, Sir, to sanction a small expenditure to buy a bottle of ink which once it is used cannot be washed away for three days. Catch hold of the thumb of every voter and put a small dot on it, but it must be the indelible ink that cannot be washed off for three days (*Laughter*). If he comes again, the loudest proof for his having voted would be the ink—the small dot of ink—on his thumb. He can't get away after once voting and he cannot go to several wards and vote.

Finally, Sir, I would like to assure the Government that I don't deal in ink. (*Laughter*).

Enche' Lim Hee Hong: Mr. President, Sir, I rise to support this Bill.

I would like to point out one small defect in the registration of voters. As far as I know, under the Ordinance, a voter can register either by using the place of the home address as well as the office. For example, like myself, I live at 26 Ampang Road, and I work in the Railway Station Building. That means I can register myself at two different addresses, which means I can vote twice. But I cannot see Mr. Ubaidulla's point that a man can go to the same booth and vote twice. I know very well—and I think all of us know—that when you go into the booth, you have to produce your identity card, and only after satisfying the officer concerned you are allowed to vote. So I don't think you can get away with that fact. He must produce his identity card, and therefore he can't vote twice. But a man can go to another ward—like myself, I live in the Ampang Ward, and I go to

Enche' S. O. K. Ubaidulla: Sir, that is exactly what I was trying to tell—that the elections officers are not those who have camera-minds and can picture the man who had come once. The man in question produced his identity card, his name was struck off from the list, he voted, and he went, then he came again and produced his

identity card. The elections officer saw the list, his name was struck off. He said: "You came this morning!" "No, no! I didn't come!" was the reply. He said it with such strength that the officer staggered, and he thought he might have made a mistake and struck off the name wrongly. A dot of ink will refute his statement.

Enche' Lim Hee Hong: One more thing—as far as I know, a lot of people work in Kuala Lumpur, live in Petaling Jaya or in Jinjang or any outskirts of Kuala Lumpur outside their registered address, and they also register themselves there. I think there are hundreds of cases like this which have come to my knowledge. Some of them are quite honest, they live in Kuala Lumpur before they shifted to Petaling Jaya, but have not deleted their names. But some of them have done it deliberately, living outside Kuala Lumpur and getting themselves registered deliberately to cheat the Commission. I would like to warn the Election Commission to pay particular attention to cases like these of people living outside Kuala Lumpur and who get themselves registered using the town address.

Dato' Sheikh Abu Bakar bin Yahya: Dato' President, I would like in this case to support the statement made by the Minister just now regarding the introduction of the Bill. But I would also like to say a few words with regard to the statement made by my Honourable friend just now regarding the voters who registered twice. I am of the opinion, Sir, that the clerks in the polling stations have specific instructions not to allow voters to come twice. If they have made a mistake, then the mistake lies there.

Regarding the second point, Sir, with regard to the ink, with all due respect to Mr. Ubaidulla, I don't think a Muslim would be able to do it, because we Muslims have to perform prayers five times a day, and you must perform the ablution before it, and if you have got an ink spot on your finger, then perform the ablution, the prayers will not be valid under the Religion.

Enche' S. O. K. Ubaidulla: Ink is not "najis"—it is not an impurity, to translate the word "najis".

Dato' Suleiman: Tuan Yang di-Pertua, saya berbilang² terima kasih kepada Senator dari Kelantan tadi, dan saya percaya juga Kelantan akan menurut dan menerima yang Election Commission ini menjalankan Pilihan Raya dalam negeri Kelantan. Tetapi saya sebutkan sa-mata²-lah berkenaan dengan apa yang saya dapat jawab pada masa kita menulis kepada tiap² Kerajaan Negeri memintanya berkenaan dengan Bill ini, masa ini belum lagi mendapat jawapan berkenaan dengan Kerajaan Kelantan, tetapi kita maseh ada harapan sebagaimana kata bidalan orang Puteh "Hope springs eternal in the human breast" saya sentiasa-lah berharap, walau pun Kelantan tengah berfikir—kalau menolak sa-kali pun, saya berharap akan menerimanya dengan apa jalan sa-kali pun.

With regard to the Honourable Senator Cheah Seng Khim, I only have this to say—that the amendments here follow after the provisions in the Federal Constitution, and, as I said, the provisions in this Bill have been taken out from the provisions in the Federal Constitution and the State Constitutions with regard to Federal and State elections. But I have replied in the House of Representatives that we will go along with this first, and see how it works from practical experience, because that is the only way to see if there is any defect, and then we can see what can be done afterwards. I have given that undertaking.

Now, with regard to the Honourable Senator Dato' Dr. Cheah Toon Lok, the Honourable Member has asked or has made remarks about the Election Commission comprising only one Chairman and two members, and the Honourable Senator Dato' Doctor was very worried that the Commission would not be able to carry on with the work. Probably because he is a doctor he is worried about the health of the Commissioners (*Laughter*), but, really, when the members of the Commission and the Chairman accepted it,

surely even a doctor will take their word that a patient is not ill, and that if the members of the Commission say that they can carry on, I am sure they are in a healthy condition and they can carry on. With regard to the suggestion that the Government should consider about increasing the number of members in the Commission as the Honourable Senator Doctor thinks it is too small—unfortunately, I am sure, my colleague here, the Honourable Minister of Finance, if I were to suggest that, would jump out of his chair or else he may faint (*Laughter*), because you must remember this: that this Election Commission will have plenty of work during the first two or three years, but once all these machinery have been set up and all put into proper places and in order, and things have been arranged properly, in later years the Commission will not have more than 30 per cent of the present work. And yet these members of the Commission and the Chairman are, under the Constitution—the Government will not be able to reduce the posts nor remove the members nor the Chairman from their posts. That, I hope, the Honourable Senator Dato' Doctor will ponder a bit because if he were to suggest adding, I think it would be very proper if the Senator Dato' Doctor will suggest an addition of Ministers, for we are a very hard working lot. (*Laughter*).

With regard to the Honourable Senator Crawford, that provision has been taken out from the provisions in the Federal Constitution, and I believe the basis of that is that we know that countries within the Commonwealth, the punishment provided for similar offences is the same, similar offences may not carry the same punishment in countries outside the Commonwealth.

With regard to the points raised by the Honourable Senator Enche' Abu Bakar, I agree with him that the Municipal Ordinance may be outdated, but we are doing our best to make amendments and so on. Unfortunately neither can we get the legal draftsmen, and the present bodies in the Legal Draftsmen's section are very much

over-working indeed. But it comes to my mind that after all it is better to have an outdated Ordinance than to have none at all. There was a story of a practising barrister who appeared before a Judge in a Court in one of the principal towns in Malaya. He was arguing about his own case and it came out that he had five points to argue. It came out that he argued one point for three days and Judges who were hearing him felt that the time was too long and they had other work. So they suggested to this legal practitioner that he should stop. He said "no". Then the Judges said that all those points he brought up were very old and they were outdated already. So the legal practitioner put up his hand and pointed out to the presiding Judge, "My Lord, do you see the nail behind the back of your chair?". His Lordship looked around to look at the old nail there and said, "What about it?". The legal practitioner said, "These cases that I quoted are not so old as the old nail that was sticking out behind Your Lordship's chair." So from the legal angle they are not so old as all that, and my Honourable friends may support me here that in England they are still using some of the laws dating as far back as 1700 or 1600. So you can take consolation from that until we get the legal draftsmen.

Now with regard to the rent control, Honourable Members will later hear about this from the Honourable the Deputy Prime Minister when he introduces the Constitutional (Amendment) Bill. There, there will be a body called the National Council for Local Government set up, composing of a Minister in charge as Chairman and the representatives from the Governments of each State and also the Federal Ministers. There, all questions which cannot be brought up by the Federal Government could be introduced into that National Council for Local Government where the matter will be considered and if agreed upon, the States could be prevailed upon to take appropriate action.

Now, Sir, with regard to the Honourable Senator Enche' Ubaidulla, he mentioned about the ink and he also

said that he is not an agent for the ink. It is all right for him to say that and get out of the responsibility, but what he is trying to do is to get me to introduce legislation to put a dot on voters' fingers. What would the Members representing the Socialist Front, the P.M.I.P., independents and the P.P.P. say in the Lower House? I believe that they will say that I am trying to be one of the dictators, because it is not only infringing on personal liberty but probably it may give doctors a great deal of practice in the hurry to prick the ink into the finger, the instrument used may break and it may cause injury.

Enche' S. O. K. Ubaidulla: No, Sir. No instrument is necessary. You simply touch it softly as rose petal touching the body.

Dato' Suleiman: Well, Sir, let alone touch it, even if you point a finger at somebody you may be charged for attempted assault. And I am sure that the legal luminaries in the other House may probably hear about this and will say that I have been introducing laws which contravene the human rights.

With regard to the Honourable Senators, I thank them very much for supporting the Bill, but there is one thing I would like to say—that although the Election Commission may have done, I cannot confirm or deny what has been said about the Election Commission in this House, but the whole crux of the matter is that the independence of the Election Commission is the vital matter to depend on with regard to running of elections. There will be no complaint, for instance, from the P.M.I.P., to say that the Alliance is using its influence and because the Alliance is in power we will try to use all sorts of tricks in our power to get voters on our side, and also the P.M.I.P. will be absolved from any mismanagement in the two States, Kelantan and Trengganu, and we will be free from any allegations from the P.P.P., the Socialist Front and the Party Negara. So there is that point of independence of the Election Commission which is the point in issue with regard to handing over the running of the local authority elections to that body.

Sir, there may be many things which the Election Commission can do or cannot do, but we as the Government cannot do anything about it. I am glad to hear that Honourable Members in this House voice what they know, because at the beginning of this debate an Honourable Member got up with trepidation and was very timid about making comments or suggestions to the Bill. So far as I am concerned, I welcome the suggestions and criticisms, if any, so that they will always help me when this Bill becomes law and will be enforced. (*Applause*). Again, Sir, the independent Election Commission has been only set up for two or three years. I am sure the Chairman and members will take heed of the comments made by the Honourable Members of this House. Thank you. (*Applause*).

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. President *in the Chair*).

Clauses 1 to 24 inclusive ordered to stand part of the Bill.

Schedules I and II ordered to stand part of the Bill.

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

THE EMPLOYEES PROVIDENT FUND (AMENDMENT) BILL

Second Reading

Tun Leong Yew Koh: Mr. President, Sir, I beg to move that a Bill intituled "an Act to amend the Employees Provident Fund Ordinance, 1951" be read a second time.

Enche' Nik Hassan bin Haji Nik Yahya: Sir, I beg to second the motion.

The Minister of Finance (Enche' Tan Siew Sin): Mr. President, Sir, section 3 of the Employees Provident Fund Ordinance provides for the establishment of a Provident Fund Board

which is responsible for the administration of the Fund. The Board consists of eighteen persons, that is, six persons holding offices of emolument under the Federation Government, six persons representing employers and six persons representing employees, all of whom are appointed by the Minister of Finance.

Under the present Ordinance, members of the Board elect their Chairman from amongst themselves, and the purpose of this Bill is to empower the Minister to appoint the Chairman.

The Employees Provident Fund Board is responsible for the savings of over a million contributors. Furthermore, the security of the contributions made to the Fund is guaranteed by the Federation Government.

The Fund, therefore, has an important part to play in the lives of a large number of Malaysians and by virtue of its size, the investment of the monies in the Fund has a considerable impact on the Government's own finances. I consider it right and proper, therefore, that the Government, both in the national interest and in the interests of the contributors themselves, should have the power to decide who shall be the Chairman of the Board and in saying this, I do not wish to imply any lack of confidence in the present Board or its conduct of the Fund's affairs. I consider that the Board's management of the Fund has been completely satisfactory and I have full confidence in it.

It is generally accepted practice that the Chairmen of important statutory bodies should be appointed by the Government. This is so in the case of the Central Provident Fund in Singapore and also in the Federation with regard to the Central Electricity Board, the Federal Land Development Authority and the Rural and Industrial Development Authority, amongst others. I am convinced that this principle should be adopted in the case of the Employees Provident Fund and Honourable Members can rest assured that this measure will not militate against the independent status of the Board as its constitution, whereby there are only six Government officers, will remain unaltered.

Dato' Sheikh Abu Bakar: Mr. President, Sir, I beg to support this Bill in as much that the Employees Provident Fund is one which is guaranteed and moreover sponsored by the Government. Therefore it is necessary and only fair that the Government should have a hand in the pie in order that the management and the administration can be manipulated in a satisfactory manner. Of course, as stated by the Honourable Minister of Finance just now, there is no lack of confidence in the past management of the Board. However, I have heard rumours to the contrary, and therefore, as I said, it is only fair that the Chairman of the Board should be appointed by the Federal Government so as to satisfy all parties concerned with regard to the management.

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. President *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 LOANS (CENTRAL BANK OF MALAYA) BILL

Second Reading

Tun Leong Yew Koh: Sir, I beg to move that "an Act to provide for the issue and management by the Central Bank of Malaya of loans raised under the provisions of certain laws" be read a second time.

Enche' Nik Hassan: Sir, I beg to second the motion.

Enche' Tan Siew Sin: Mr. President, Sir, it is unnecessary for me to address the House at any length as the purpose of this Bill has been fully explained in the "Explanatory Statement" attached to it.

If this Bill is passed by Parliament, it is the Government's intention that its provisions should be brought into

force at an early date. The Governor of the Bank Negara has confirmed that the Bank is now ready to undertake the functions of the Public Debt Office in respect of all Government loans issued in the Federation.

Finally, I should like to emphasise that this Act in no way affects the rights of stockholders.

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. President *in the Chair*)

Clauses 1 to 5—

Enche' A. M. Abu Bakar: Sir, I wonder whether the words "Bank Negara" can be used instead of "Central Bank of Malaya" in clause 1?

Enche' Tan Siew Sin: Both names are used and I do not think that makes any practical difference.

Clauses 1 to 5 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 SUPPLEMENTARY SUPPLY (1960) (No. 1) BILL

Second Reading

Tun Leong Yew Koh: Mr. President, Sir, I beg to move that a Bill intituled "an Act to apply a sum out of the Consolidated Fund for additional expenditure for the service of the year 1960, to appropriate such a sum for certain purposes and to provide for the replacement of amounts advanced from the Contingencies Fund" be read a second time.

Enche' Nik Hassan: Sir, I beg to second the motion.

Enche' Tan Siew Sin: Mr. President, Sir, as none of the purposes for which provision is made in this Bill represents any new Government policy or

a departure from existing policy, I do not propose to comment on the financial provisions of the Bill at this stage.

There are, however, two points of general interest which I would like to mention. Firstly, this is the first Supplementary Supply Bill presented to Parliament under the new procedure of Standing Order 67 (1) of the Dewan Ra'ayat, and Honourable Members will notice that, for instance, under Head 27 of the Supplementary Estimates a token vote of \$10 only is requested. This means that savings under the same Head of Expenditure have been diverted for this new purpose. Although the Treasury has powers under the Financial Procedure Ordinance, 1957, to alter the proportions of the financial provision as between Subheads of the same Head as the exigencies of the public service may require, there are certain occasions when the Treasury considers that Parliament should be kept informed of the manner in which these powers are exercised so that the actions of the Treasury can be debated. I am confident that Honourable Members of the Senate will agree that this procedure is an improvement on the previous system.

The second point I should like to mention is that in the Dewan Ra'ayat I was subjected to some criticism from some Opposition Members because I had made advances from the Contingencies Fund to meet urgent and unforeseen expenditure. The opinion was then expressed that the Minister of Finance should not, on any occasion, take for granted the approval of the Legislature for expenditure. I maintain this is not a realistic approach to the problem. Article 103 of the Constitution clearly accepts that a Contingencies Fund is necessary and this provision of the Constitution has been written into our laws by Section 11 of the Financial Procedure Ordinance. If such legal provision did not exist the following results would ensue: either urgent and necessary services would have to be postponed, or both Houses of Parliament would have to remain in almost constant sessions to deal with a succession of

very small Supplementary Supply Bills. I maintain that neither of these alternatives is in any way acceptable. A possible third course would be for Ministries and Departments to inflate the estimates artificially in order to provide for unforeseeable commitments. I feel sure Honourable Members will agree that this course is highly undesirable. I should mention that every country with a financial system similar to our own provides the Minister of Finance with some form of device to meet urgent and unforeseeable commitments and I hope Honourable Members of the Senate will agree that this is the only rational solution to this problem. As a matter of interest, the total of the advances made from the Contingencies Fund at this moment, including the advances which will be cleared when this Supplementary Supply Bill becomes law, represents less than one-fifth of one per cent of the estimated ordinary expenditure of the Federal Government for 1960.

Enche' A. M. Abu Bakar: Mr. President, Sir, I welcome the speech made by the Honourable Minister of Finance about the advancement of money from the Contingencies Fund. As we have now obtained independence and are exploring various channels for the improvement of this country, it is not wise to tie down the hands of the Minister of Finance to the extent that he cannot authorise any payments from the Contingencies Fund or the below-the-line account. It will not be a step towards progress but it will result in the failure of the policy which our present Government is pursuing for the benefit of the ra'ayat. As such, whatever the Opposition has said in the Lower House in this connection was just to oppose the Government, the Opposition's attitude being just to oppose anything the Government put before the House for the benefit of the people. However, I hope the Honourable Minister of Finance's hands will be strengthened so that the Government's new development plan for the betterment of the people will not be hindered due to unnecessary delays.

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. President *in the Chair*)

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

Schedule—

Dato' Dr. Cheah Toon Lok: Mr. President, Sir, may I ask the Honourable Minister for an explanation for advancing \$400,000 to Customs and Excise and \$862,921 to Inland Revenue—I want reasons as to why these advances have been made.

Mr. Tan Siew Sin: Mr. President, Sir, this year most Government departments are paying duty on imported goods, and the sum under Head 35 is sought to reimburse States for the duty due and payable.

Under Head 37 I seek extra provision for the Department of Inland Revenue. Honourable Members will remember that in my Budget Speech in November last year I gave details as to the manner in which it was intended to increase the incidence of taxation on income. I also gave clear indications that the Government intended to use all means in its power to ensure that illegal evasion of the payment of income tax would be thwarted. Honourable Members are also aware of the draft Bill which has been read a first time in the Dewan Ra'ayat which will give the Authorities concerned greater powers to combat tax evasion. The second reading of this Bill has been postponed for a short time in order to consider representations which have been received, but it is the Government's intention to proceed with the further readings of the Bill in the near future.

The increases in staff and equipment which are sought under Head 37 are required, therefore, not only in connection with the collection of tax from the greatly increased number of tax payers who are now liable to pay income tax, but also as a natural corollary to the legislative measures designed to

reduce tax evasion. I have warned Honourable Members of the Dewan Ra'ayat that Government is so intent on achieving success in its campaign against evasion that it will not hesitate to seek provision for still further increases in staff if that is found necessary, and I propose to do all in my power to recruit the number and calibre of staff which is needed to succeed in the objective. When we have succeeded in closing the loopholes for evasion of income tax, not only will the revenue of the Government be increased, but those tax payers who already pay their proper share will be comforted in the knowledge that Government has brought tax dodgers to heel.

The Schedule ordered to stand part of the Bill.

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

THE NOTARIES PUBLIC (AMENDMENT) BILL

Second Reading

Tun Leong Yew Koh: Sir, I beg to move that a Bill intituled "an Act to amend the Notaries Public Ordinance, 1959," be read a second time.

Sir, I have no doubt that Honourable Members will have read the Explanatory Statement to the Bill. Before 1959, pleaders in Trengganu were qualified to be appointed Notaries Public, and one such pleader was so appointed. In the 1959 Ordinance, it was inadvertently omitted to save his appointment, and the purpose of this Bill is to re-instate his right. It is personal to him, it is not intended to appoint further pleaders as Notaries Public. I am sure that Honourable Members will wish to restore to the gentleman concerned the small source from which he could earn his bread and butter.

Enche' Nik Hassan bin Nik Yahya: 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. President *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.

Sitting adjourned at 12 noon.

Sitting resumed at 2.30 p.m.

(Mr. President *in the Chair*)

THE SERVICE COMMISSIONS BILL

Second Reading

Tun Leong Yew Koh: Sir, I beg to move that a Bill intituled "An Act to amend the Service Commissions Ordinance, 1957," be read a second time.

Enche' T. H. Tan: Sir, I beg to second the motion.

Tun Abdul Razak: Mr. President, Sir, with your permission I should like to explain this very short and simple Bill. As the House is aware, the effect of Article 139 of the Constitution makes it obligatory on the State Governments either to extend the jurisdiction of the Public Service Commission to cover their Public Services or else establish their own Commissions under the State law. A number of States have accordingly set up their own Service Commissions, namely, Johore, Selangor, Perak, Kedah, Kelantan and Trengganu.

Now, Sir, the Federal Service Commissions are accorded certain privileges of communications and protection under Parts II and III of the Federal Service Commissions Ordinance, 1957, and individual members are protected in the same way as Magistrates in the event of any action being brought against them for anything done in the execution of their duty. Further, it is an offence to give false information or to attempt to influence the decision of a Commission.

Now, Sir, the State Service Commissions do not at present enjoy such protection under the State law and it is, therefore, desirable that they should and it has accordingly been agreed,

with the agreement of the State Governments concerned, that Parts II and III of the Service Commissions Ordinance be extended to cover the State Service Commissions. Sir, that is the purpose of this Bill before the House.

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. President *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 LAND (GROUP SETTLEMENT AREAS) BILL

Second Reading

Tun Leong Yew Koh: Sir, I beg to move that a Bill intituled "an Act for the purpose of ensuring uniformity of law and policy in respect of the establishment of group settlement areas and the conditions of alienation and occupation of land in such areas and for other matters incidental thereto" be read a second time.

Enche' T. H. Tan: Sir, I beg to second the motion.

The Deputy Prime Minister (Tun Abdul Razak): Tuan Yang di-Pertua, saya minta izin memberi penerangan sedikit berkenaan dengan Rang Undang² yang di-hadapan Dewan ini. Pehak Kerajaan telah kerap kali memberi penerangan-nya sama ada di-Dewan ini dan juga di-Dewan Ra'ayat bahawa Kerajaan berchadang hendak mengadakan satu Rang Undang² bagi menyegera dan meletakkan lagi Rancangan Kemajuan Tanah di-Luar Bandar. Jadi ini-lah Rang Undang² yang telah di-istiharkan oleh Kerajaan dan Rang Undang² ini di-bawah Fasal 76 (4) Perlembagaan Persekutuan Tanah Melayu, dengan tujuan hendak menyama dan menyatukan undang² dan dasar berkenaan dengan membuka tanah baharu

dengan berkumpul dan juga mengeluarkan Grant Tanah dalam kawasan² yang di-namakan "Group Settlement" itu. Dan lagi saya suka terangkan di-sini bahawa Rang Undang² itu tidak berjalan kuat-kuasa-nya melainkan pehak Kerajaan Negeri menggunakan Rang Undang² ini, oleh sebab tanah itu ada-lah tanah negeri dan kuasa-nya di-bawah Kerajaan Negeri; maka undang² yang berkaitan dengan tanah ini tidak berjalan kuat-kuasa-nya melainkan di-terima dan di-gunakan oleh pehak Kerajaan² Negeri.

Pada pandangan Kerajaan satu daripada sebab-nya ra'ayat² di-Luar Bandar itu berkeadaan susah dan juga taraf hidup-nya rendah ia-lah di-sebabkan tanah² yang ada di-Luar Bandar itu tidak dapat di-jayakan dengan sempurna dan juga sa-tengah² tempat, tanah² yang ada itu di-punyai oleh terlampau banyak orang dan kebiasaan-nya tanah di-kawasan yang kecil itu ada di-duduki oleh beberapa orang yang menyebabkan hasil yang di-dapati di-tanah itu tidak menchukupi bagi mata pencharian hidup orang² itu. Oleh itu pehak Kerajaan telah memikirkan patut-lah di-adakan satu peratoran yang tetap yang boleh menentukan ia-itu tanah yang di-bahagi kepada penduduk² itu chukup luas-nya bagi kehendak mereka. Dan dengan menurut nasehat kita dapati satu family atau keluarga itu patut mempunyai tanah sa-kurang²-nya 8 atau pun 10 ekar dan pada fikiran Kerajaan ta' baik dan ta' berfa'edah di-beri sa-saorang itu tanah yang kurang luas-nya. Jadi dasar bagi memberi tanah yang luas sa-macham ini kepada penduduk² di-kampung itu bukan sa-benar-nya dasar baharu, sebab Lembaga Kemajuan Tanah telah pun menjalankan dasar ini beberapa tahun lama-nya dengan jaya, akan tetapi tidak ada satu undang² yang boleh menentukan perkara ini atau pun memaksa pehak Kerajaan bagi menjalankan peratoran yang tersebut itu. Sebab itu-lah di-adakan Rang Undang² ini supaya pemberian tanah dengan chara berkumpul itu dapat di-jalankan dengan sempurna dan bagitu juga Kerajaan telah berpendapat bahawa chara membahagi tanah pada masa ini

sangat-lah sukar dan mengambil masa yang sangat lanjut, sebab itu kita dapati di-Pejabat² Tanah banyak permintaan tanah yang ta' dapat di-sempurnakan. Di-dalam Rang Undang² ini ada-lah di-tentukan satu chara memberi tanah yang senang yang di-fikirkan boleh menyegerakan pekerjaan membahagi tanah dan juga Grant Tanah. Dalam Rang Undang² ini ada-lah di-tentukan bantuan² yang chadangan Kerajaan hendak di-beri pada mereka, satu daripada-nya dengan persetujuan Kerajaan Negeri ia-itu orang² yang akan membuka tanah itu tidak di-kehendaki bayar premium atau pun hasil atau pun bayar service fee dengan serta-merta bahkan di-benarkan di-tanggoh pembayaran itu pada suatu masa yang di-fikirkan patut sa-hingga orang² itu dapat menerima hasil daripada pokok² dan barang² yang di-tanam dalam tanah itu. Dan yang kedua-nya, Kerajaan berchadang hendak memberi bantuan yang lain, seperti beneh, baja dan juga hendak di-tebas dan tebang sebelum tanah itu di-serahkan kepada mereka itu, tetapi bantuan² sa-tengah daripada ini, terpaksa-lah di-bayar balek kepada orang itu apabila mereka itu sudah mendapat hasil tanah-nya. Dan chadangan Kerajaan ini, bayaran itu ada-lah di-bayar dengan chara beransor² dengan mudah, tidak berapa banyak dan tidak menyusahkan orang² itu.

Dan yang ketiga-nya, Kerajaan hendak menchadangkan bantuan² yang lain seperti mengadakan bekalan ayer dan juga lampu electric dan sa-bagai-nya dan juga kesenangan² yang lain menurut Rancangan Kemajuan Luar Bandar Kerajaan.

Jadi, Tuan Yang di-Pertua, itu-lah yang sa-benar-nya dasar Undang² yang ada di-hadapan Dewan ini dan saya tidak hendak terangkan satu-persatu butir² yang ada di-dalam Rang Undang² ini, hanya-lah dua Fasal sahaja dalam Undang² ini. Di-sini, saya suka hendak terangkan, yang satu berkenaan dengan Fasal 16 ini, ia-itu pembahagian tanah sa-lepas daripada orang yang mempunyai tanah² itu mati atau meninggal dunia. Jadi, di-sini saya terangkan, oleh sebab pada

fikiran Kerajaan, tanah yang di-bagi²-kan luas 8 atau 10 ekar yang di-fikirkan menchukupi hanya-lah satu family atau satu keluarga tidak patut di-bagi²-kan beberapa orang atau beberapa kelamin. Kerajaan telah menentukan di-sini ia-itu kalau sa-orang itu mati maka warith² mereka mustahak-lah bersetuju yang tanah itu di-serahkan kepada satu orang. Kalau tidak dapat persetujuan semacham itu, terpaksa-lah pehak Collector menjualkan tanah itu dan wang yang dapat itu di-berikan atau di-bagikan kepada warith-nya menurut dasar² itu. Dasar yang di-buat dalam Fasal 16 ini, ia-lah telah di-timbangkan dengan halus dan saya telah menerima nasehat, perkara ini tidak melanggar dasar Ugama Islam kita yang maha suchi itu. Dan saya suka memberi pengakuan, di-atas dasar Ugama Islam kita yang di-tentukan itu, ia-itu harta pusaka itu patut-lah di-bagikan kepada warith-nya dan terus dapat di-jalankan dengan sa-berapa boleh-nya.

Dan juga Fasal 19, di-sini, saya suka terangkan ia-itu menurut Fasal ini hanya-lah ra'ayat Persekutuan Tanah Melayu sahaja yang boleh di-berikan hak memiliki tanah ini. Saya fikir berkenaan dengan dasar ini ta' payah-lah saya terangkan dengan lanjut berkenaan tujuan kita hendak memberi tanah dengan chara Group Settlement. Kapada ra'ayat Persekutuan sahaja—Kerajaan akan memberi bantuan kepada orang² yang membuka tanah ini. Jadi, bantuan yang akan di-berikan oleh Kerajaan itu hanya-lah kepada ra'ayat Persekutuan sahaja. Orang yang bukan ra'ayat Persekutuan tentu-lah tidak patut mendapat bantuan ini. Tetapi perkara ini tidak-lah menyekat tanah² yang telah di-berikan kepada orang² yang bukan ra'ayat Persekutuan menurut Undang² yang ada sekarang ini dan tidak-lah juga melarangkan bahawa tanah² yang di-beri kepada orang itu menurut Undang² Tanah yang ada sekarang ini.

Fasal 19 ini hanya berkaitan dengan tanah yang di-dalam Group Settlement menurut Undang² ini. Tuan Yang di-Pertua, saya fikir itu-lah sahaja keterangan saya yang patut saya

berikan di-atas Rang Undang² ini dan saya harap-lah mendapat persetujuan daripada Dewan ini.

Dato' Dr. Cheah Toon Lok: Mr. President, Sir, may I ask regarding Section 19 of this Bill: "No person, other than a citizen, shall be eligible to occupy a rural holding so long as such holding continues to be State land." Now, I understand in many parts of Malaya there are squatters occupying State land. What will happen to them after this Bill has been passed? This Government has provided certain lands for those people who because of their unfortunate situation are unable to be citizens of this land—some of them, I know, lack the qualifications to be citizens; and I should think if we have a benevolent Government, it should do something for these poor people who because of no fault of their own, are to be deprived of occupying even a piece of holding which may not be their own.

Engku Muhsein: Tuan Yang di-Pertua, dalam bangun menyokong kuat-nya Rang Undang² yang dikemukakan ini, maka saya rasa undang² ini ia-lah satu undang² yang chukop besar dan penting erti-nya bagi negara kita ini di-mana kita tahu peratus yang banyak daripada ra'ayat negeri ini ia-lah terdiri dari orang² atau pun ra'ayat negeri ini yang dudok di-luar bandar. Mereka ini-lah yang menjadi tulang belakang pada negeri kita ini. Kuat mereka, kuat-lah negara kita, lemah mereka, lemah-lah negara kita. Dengan sebab itu, saya merasa satu undang² yang meranchangkan untuk perbaikan dan kemajuan pada orang² di-luar bandar atau pun kampung ini ada-lah satu undang² yang sunggoh² mustahak dan besar sekali munafaat kapada satu bangsa yang baharu merdeka ini.

Orang² kita yang dudok² di-kampung² dan juga di-luar bandar ia-lah orang² yang boleh di-katakan pada satu masa telah tertinggal jauh kebelakang. Mereka telah di-tinggalkan ber-zaman², baik dalam lapangan pelajaran, perniagaan, kesihatan dan apa juga lapangan yang memberi kebaikan penduduk² itu. Mudah²an dengan adanya satu undang² yang meranchangkan

kebaikan nasib mereka ini, ketinggalan mereka dalam berbagai² lapangan itu akan dapat di-atasi dan akan jadi-lah orang² ini sa-bagai tulang belakang negara kita supaya orang² itu dapat hidup dengan sederhana didalam sa-buah negara Malaya yang kita juga telah mendengar sa-buah negara yang kaya di-antara negara² jiran yang lain.

Saya perchaya walau pun ada dua, atau tiga perkara yang tidak memuaskan hati dari beberapa pehak, tetapi pada umum-nya sudah tentu-lah walau mana² pehak jua pun; walau pun apa fahaman politik-nya ada-lah menyokong akan tindakan² yang tujuan-nya hendak memperbaiki, dan meninggikan taraf hidup ra'ayat jelata sekalian-nya. Satu daripada syarat-nya tidak membolehkan tanah² yang di-berikan dengan chara bagini di-bahagikan sa-bagai pusaka, saya rasa ini ada-lah satu syarat yang sudah tepat dan tiba pada masa-nya.

Masharakat orang² Melayu banyak yang telah mengalami kehuru-haraan, atau pun perpechahan harta oleh kerana satu² jumlah tanah yang kechil 10 atau 20 ekar di-chaingkan², atau pun di-bahagi²kan apabila tuan punya yang asal meninggalkan-nya, maka dengan ada-nya syarat yang tidak membolehkan pembahagian dengan chara di-kechil²kan atau pun di-chaing²-kan ini, saya perchaya ada-lah satu jalan yang betul dan sangat memberi fa'edah kapada pemilek², atau pun keluarga² yang mempusakainya. Dan boleh jadi juga ada perasaan tidak puas hati, oleh kerana peluang atau pun kemudahan yang di-dapati daripada undang² ini ada-lah hanya kapada orang² yang mempunyai taraf kera'ayatan negeri ini sahaja, tetapi saya perchaya dengan kebijaksanaan dan keikhlasan pehak pemerintah sudah tentu pula penduduk² negeri ini yang keadaan-nya kebetolan tidak mendapat hak yang sa-bagini akan dapat peluang menchari jalan yang lain. Dengan sebab itu, saya rasa tidak-lah harus menjadi kebimbangan pada mana² pehak pun akan syarat² yang hanya membolehkan pada ra'ayat itu sahaja, oleh kerana itu ada-lah saya rasa satu asas yang chukop betul dan itu-lah sahaja asas yang boleh di-buat

ia-itu ra'ayat sahaja yang ada hak mempunyai peluang dalam Negeri masing².

Kemudahan² yang di-berikan kepada orang² yang mendapat peluang di-bawah undang² ini ada-lah satu kemudahan yang belum lagi dapat mereka alami dari masa² yang lalu. Kita ada mendengar ranchangan² pada masa² dahulu dalam perkara membantu dan menolong ra'ayat di-luar bandar atau pun di-kampong². Tetapi, ranchangan dengan chara tanah² yang akan mereka kerjakan itu di-bersehkan dahulu oleh Kerajaan dengan chara baja dan lain² kemudahan di-tolong oleh Kerajaan ada-lah satu chara yang saya rasa sungguh menetapi dengan keadaan hidup orang² kampong yang boleh dikatakan separoh-nya ia-lah kais pagi makan pagi, kais petang makan petang. Mereka ini jikalau di-berikan 8 ekar tanah dengan tidak di-beri bantuan dengan membersehkannya untuk mendapat beneh² baja dan lain² kemudahan dalam masa mengerjakan kebun, atau tanaman mereka maka tentu-lah tidak dapat menghasilkan sa-bagaimana yang di-chita²kan itu. Dengan chara Kerajaan sekarang ini memberikan kemudahan pertolongan kepada mereka ada-lah di-harap satu "*Lailator Kadar*", satu pemberian keemasan, dengan itu dapat-lah dengan chara yang di-amalkan mereka akan mengechap sa-telah bekerja beberapa tahun menghasilkan kebun² mereka.

Saya perchaya Kerajaan Persekutuan sa-bagai Kerajaan yang sungguh² mahu menjanjikan kepada ra'ayat sekalian dalam kemajuan supaya akan mendapat dengan sechara sama kepada sekalian ra'ayat, baik di-mana² mereka berada, dan juga saya telah mendengar dalam surat² khabar atas ucapan Menteri² yang bersangkutan menggesa dan menguatkan pekerja² Kerajaan dalam bersama² bekerja menghasilkan chita² ini. Saya sangat tertarek hati dengan kenyataan² yang telah di-buat, kalau tak salah saya Timbalan Perdana Menteri telah mendesak supaya pekerja² Kerajaan bersungguh² meranchangkan ranchangan ini sa-bagaimana chara-nya bersungguh² dalam memperjuangkan kehidupan mereka. Saya rasa dengan kerjasama yang sungguh² dalam segala lapangan daripada para²

Menteri-nya, daripada pekerja² Kerajaan, daripada ra'ayat sekalian, daripada Pasokan² Keselamatan, maka ranchangan yang sungguh baik ini insha' Allah akan terlaksana dengan jaya-nya.

Ada satu kumpolan orang² kita yang saya rasa termasuk dalam kumpolan hendak mendapat fa'edah daripada ranchangan ini. Kumpolan ini sa-bagaimana yang kita telah dengar, atau pun fikiran²-nya yang di-siarkan dalam surat² khabar ia-itu gulongan² yang di-namakan bekas² Pasokan Keselamatan. Saya tak tahu sama—ada lain² ranchangan untuk mereka itu, tetapi saya perchaya bekas² Pasokan Keselamatan itu yang dari satu masa ka-satu masa ada memberikan pandangan² dan rasa tidak puas hati dalam surat² khabar, oleh kerana layanan² yang di-berikan kepada mereka itu sa-telah berhenti, maka akan dapat-lah melalui ranchangan ini merasai bantuan² yang di-berikan oleh pemerintah terhadap mereka.

Saya rasa itu-lah sahaja dengan pendek-nya pandangan saya di-atas undang² yang telah saya katakan tadi yang mana akan menentukan turunturun, baik burok-nya bangsa kita sekalian.

Enche' Mohamed Zahir bin Haji Ismail: Tuan Yang di-Pertua, saya menyokong dengan sa-penoh²-nya di-atas undang² hendak mengadakan Group Settlement Areas ini dan saya pun sama² dengan orang² lain sedar bahawasa-nya kedudukan pembahagian tanah yang ada dalam negeri ini pada masa sekarang tidak-lah memberi puas hati. Walau pun saya menyambut dengan penoh di-atas undang² ini tetapi saya dukachita sedikit kerana nampak-nya sa-bagaimana penerangan yang telah di-beri oleh Yang Berhormat Timbalan Perdana Menteri tadi, kerja ini sa-mata² di-serahkan kepada Kerajaan Negeri dan saya sedar sebab²-nya di-serahkan kerja ini kepada Kerajaan² Negeri, kerana tanah ada-lah di-dalam kawalan atau pun jagaan Kerajaan Negeri, mengikut Perlembagaan negeri kita. Akan tetapi, jika kita serahkan semua kerja² ini bulat² kepada Kerajaan Negeri, maka saya khuatir barangkali ada benda² yang ta'

boleh di-lakukan dengan serta-merta oleh Kerajaan² Negeri, atau pun ta' boleh di-kerjakan dengan lichen-nya oleh sa-tengah² daripada Kerajaan² Negeri itu. Nampak-nya daripada undang² yang di-hadapan kita pada hari ini ka-semua-nya kerja² yang berkenaan dengan pembahagian tanah itu di-serahkan kepada Kerajaan Negeri dan terpulang-lah kepada Kerajaan Negeri itu hendak menjalankan-nya atau tidak, dan jikalau sa-kira-nya Kerajaan Negeri itu tidak mahu menjalankan kerja atau pun ta' boleh menjalankan kerja itu oleh sebab² yang menasabah, umpama-nya, kurang kaki-tangan atau pun kurang duit, maka tentu-lah kerja yang penting ini ta' dapat di-jalankan.

Oleh yang demikian, tidak-kah Kerajaan hendak memikirkan supaya di-adakan perhubungan di-antara Kerajaan Persekutuan dengan Kerajaan² Negeri. Tuan Yang di-Pertua, di-sini, umpama-nya, Commissioner itu di-lantik oleh Raja Pemerintah (Ruler-in-Council) dan jika sa-kira-nya kita adakan satu chara sa-bagaimana chara yang ada sekarang ia-itu berkenaan dengan Land Development Authority ia-itu Kerajaan Persekutuan melantek Pengerusi-nya dan di-adakan pula satu pejabat-nya yang mempunyai kaki-tangan yang chukup dan pejabat ini akan menghubungkan kerja² di-antara Kerajaan Persekutuan dengan Kerajaan² Negeri. Oleh yang demikian, maka boleh-lah Kerajaan Persekutuan ini menengok serta mengajar, mengator dan mencheamatkan kerja² yang patut di-jalankan oleh Kerajaan Negeri. Dan perkara ini, Tuan Yang di-Pertua, saya fikir tentu-lah tidak akan menyentoh kehormatan atau pun kuasa bagi Kerajaan Negeri memandang sa-bagaimana yang kita telah lakukan di-dalam Undang² Land Development Authority dan undang² yang lain². Oleh yang demikian, saya harap Kerajaan memikirkan soal ini, saya ulangi kata saya, jika sa-kira-nya perkara ini di-lepaskan kepada Kerajaan Negeri sa-mata², maka tentu-lah kerja² yang hendak di-cheamatkan itu akan terlambat, di-sebabkan saya dapati di-setengah² tempat kurang kaki-tangan untuk menjalankan kerja ini.

Tuan Yang di-Pertua, lagi satu saya suka hendak mengeluarkan fikiran ia-itu berkenaan dengan Commissioner ini: di-dalam undang² ini saya semak dan tengok, tidak ada clause hendak melantek-nya, agak-nya saya chari ta' jumpa atau pun di-fikirkan ta' mustahak, tetapi pada fikiran saya clause melantek sa-orang Commissioner di-bawah ma'ana section (2) patut-nya ada dalam badan undang² ini.

Enche' Mohamed Salleh bin Mohamed Ariff: Tuan Yang di-Pertua, saya hendak memberi penerangan kepada Majlis ini, terutama-nya, kepada Ahli² Yang Berhormat. Saya datang daripada kawasan F.L.D.A. Melaka, kawasan ini telah di-buka pada tahun 1958 semuanya kawasan ini bergantung kepada F.L.D.A. kawasan getah sudah 1 tahun 8 bulan di-tanam, itu sahaja yang dapat layanan, dalam ranchangan ini 6 ekar getah, tetapi 2 ekar sawah dan 2 ekar dusun tidak dapat langsung layanan daripada F.L.D.A. dan saya juga mengangap, jika getah sahaja di-layan telah 1 tahun 8 bulan itu, bantuan kepada pekerja barangkali harus di-potong \$15 atau pun \$20 jadi bagaimana chara-nya orang² ini boleh hidup dengan tidak mendapat layanan, sawah dan kebun buah²an-nya. Apakala kita menemui Chairman-nya, kata-nya, "Tunggu F.L.D.A." desak lagi—tunggu F.L.D.A. desak lagi—Pegawai F.L.D.A. belum datang lagi hendak menyiasat.

Jadi saya yang datang dari kawasan F.L.D.A. Melaka chukup bersetuju dengan ranchangan yang di-bawa oleh Yang Berhormat Timbalan Perdana Menteri ia-itu serahkan kepada Kerajaan Negeri. Jadi senang, kawasan² itu dapat berhubung dengan Ketua Menteri sediri, jika Ketua Menteri ta' mahu melayankan, dapat-lah di-gaduhkan dengan-nya ini dekat sahaja—tidak-lah jauh sampai ka-Kuala Lumpur (*Ketawa*) sa-kian.

Enche' Da Abdul Jalil bin Haji Awang: Tuan Yang di-Pertua, ranchangan ini, kalau-lah dapat di-laksanakan bagaimana yang di-susun dalam undang² ini, kema'amoran ra'ayat akan terjamin dengan baik. Kita semua tahu bahawa orang² kampung banyak yang tidak mempunyai tanah sendiri, mereka itu bekerja dengan menompang tanah

orang dengan membahagikan hasil atau pun pendapatan daripada pekerjaan mereka itu. Begitu juga ada sa-paroh² tempat, orang² kampung itu bekerja hanya-lah dengan menumpang tanah T.O.L. dan akan berpindah² daripada sa-tahun ka-satahun untuk menchari kehidupan. Maka dengan ada-nya jaminan sa-umpama ini, saya rasa akan memberi jaminan kehidupan kepada mereka itu pula, dan dapat-lah memberi satu kehidupan yang aman, satu kehidupan yang tetap dan tidak payah lagi berpindah atau membayar hasil kepada tuan² punya tanah sa-bagaimana yang pernah di-lakukan oleh mereka sa-lama ini.

Tuan Yang di-Pertua, dalam menghadapi soal untuk kebaikan orang² kampung, bukan-lah soal ini sahaja yang harus di-utamakan, tetapi juga soal pelajaran patut di-beri perhatian. Kita mengetahui bahawa orang² kampung kurang dalam pengetahuan, mereka itu kurang mendapat layanan perubatan; maka di-sebabkan oleh segala kekurangan ini-lah timbul-nya keperchayaan yang karut-marut yang sampai sekarang maseh di-perchayaï oleh orang² kampung itu. Penyakit ini juga patut-lah sama di-ubati, kalau-lah kita mahu kebaikan di-kampung berada di-kalangan ra'ayat seluruh-nya tatakala melaksanakan ranchangan ini. Sekarang kita mengetahui gerak langkah pemuda² kita kerap kali lebeh suka pindah ka-bandar² di-sebabkan oleh kesusahan mereka itu menchari kehidupan di-kampung². Maka saya harap perkara ini juga mendapat perhatian daripada Kerajaan supaya gerak langkah pemuda yang pindah daripada kampung ka-bandar itu dapat di-cheгах. Bagi mencheгах pemuda² menuju ka-bandar itu hendak-lah juga di-adakan segala kemudahan² di-kampung² itu bagaimana yang ada di-bandar², kerana segala kemudahan ini ada-lah menjadi satu kegemaran kepada pemuda².

Tuan Yang di-Pertua, dalam mem-bicharakan soal untuk Kemajuan Luar Bandar. Saya teringat kepada gulongan orang² kita, di-Trengganu khas-nya ia-itu-lah ahli² pelayaran. Ahli² pelayaran atau nelayan² perahu besar ini ada-lah kerja-nya mengambil atau

berniaga beras daripada Siam ka-Trengganu dan seluroh Pantai Timor tetapi di-sebabkan oleh undang² yang di-adakan oleh pemerintah ini, mereka sekarang ini tidak lagi berpeluang untuk menchari kehidupan dengan chara pelayaran itu. Kita dapat banggakan bahawa dalam masa Jepun umpama-nya, negeri² yang sa-lain daripada Pantai Timor, khas-nya negeri² Trengganu dan Kelantan orang² merasa susah untuk mendapat beras tetapi di-negeri² Trengganu dan Kelantan kerana ada-nya ahli² pelayaran perahu besar ini, kehidupan ra'ayat di-sana untuk mendapat beras dalam masa Jepun itu tidak-lah begitu susah. Maka ini juga saya berharap mendapat perhatian daripada Kerajaan agar perahu² besar ini dapat mengambil manfaat daripada ranchangan ini.

Ahli² perahu yang besar itu terpaksa-lah mengorbankan harta-nya bila mereka itu tidak lagi dapat mengangkut beras, dan tinggal-lah mereka itu menganggor dengan tidak ada pekerjaan dan menderita-lah kehidupan anak² buah mereka itu. Maka ini adalah juga, saya rasa harus mendapat perhatian daripada pehak Kerajaan.

Tuan Yang di-Pertua, dalam mem-bicharakan soal Ranchangan Kemajuan Luar Bandar, saya teringat kembali kepada beberapa perkara yang berlaku. Nyata-lah bahawa dalam soal ini negeri² Kelantan dan Trengganu tidak akan mendapat bantuan yang sa-layak-nya, kerana telah di-katakan dalam Pilehan Raya dahulu pehak PAS telah menyatakan tidak mahu bantuan daripada Amerika. Saya rasa ini ada-lah satu kesilapan sa-mata². Kalau-lah betul PAS menentang penerimaan bantuan daripada Amerika Sharikat bukan-lah bantuan² itu yang di-tentang, tetapi chara² pinjaman itu-lah yang di-tentang. Maka sekarang ini oleh kerana pinjaman itu telah di-lakukan oleh Kerajaan Federal, bererti-lah juga dalam nama pinjaman itu termasuk Kerajaan² Kelantan dan Trengganu, kerana pinjaman itu telah pun menjadi pinjaman kebangsaan seluruh-nya. Jadi tidak-lah harus ada perbedzaan di-antara negeri Kelantan,

Trengganu, Perak, Johor dan sa-terusnya, kerana kandungan Perlembagaan Persekutuan Tanah Melayu tidak-lah mengharuskan di-perbedza²kan dalam memberi bantuan itu kepada tiap² negeri itu. Saya percayaya Dewan ini bersetuju dengan pendapat saya ini.

Enche' T. H. Tan: Mr. President, Sir, I congratulate His Majesty's Government for introducing this legislation which, to my mind, is long overdue. We all know how difficult it has been in the past for land to be alienated to the ra'ayat. We also know, Sir, that the State Governments are jealous over the ownership of their land. This legislation, Sir, augurs a great social and economic advancement for the ra'ayat, and I appeal to the State Governments, since it is up to them to invoke the provisions of this Bill, to do so with the minimum of delay.

Enche' Athi Nahappan: Mr. President, Sir, I consider this Bill to be one of the statutes for peace and prosperity of this country—perhaps it paves the way for a peaceful revolution in the field of agrarian ownership of land.

Sir, before the advent of the European era in the East, most people had land. They were poor then, but they still had land. Then land was distributed and ownership of land became decentralised. Later ownership of land became centralised and concentrated. As a result, we find that in most European countries to-day a vast majority of the agrarian population are landless. Eighty per cent of the peoples of Asian countries are agriculturists and a vast majority of them have no land of their own, and that was the greatest malady that produced social and economic evils in the fabric of life of the peoples of Asia. And we are to-day witnessing a number of Asian countries putting forward a number of schemes to fight this problem; we are witnessing one step being adopted in those countries which have been adapted to the ideology of Communism. There the man is made the instrument of land, and his personality is subjected to the development of land. We are also

witnessing in some other countries various blueprints and land policies, putting forward ceilings of ownership, nationalisation, expropriations, and so on. It is not my business here to point out to any one country and to say that that plan is good or that plan is bad. But I consider this one—our own—goes about the problem in a quiet way. It is not a pompous sort of blueprint; it does not set out to achieve any Utopia in land reforms. All it sets out to do is to see that the rural population gets land sufficient for its prosperous living, and therefore this Bill should be received by the nation with gratefulness, because if it can be implemented successfully—I hope it will be—it will produce the type of society which owns land and becomes tied to land, loyal to land and thereby developing that national personality to defend that land. If we are going to have people who do not take root in the land, then it will be having a personality that is floating above the land, and that is not good for a country which has just emerged into the status of independence.

As I have gone through this Bill, Sir, I have noticed the distinctions between rural holdings and urban holdings. The main distinction that struck me was that whereas land under the rural holdings is to be given only to citizens, that is not prescribed for urban holdings. In the case of urban holdings, this restriction to citizens alone is not mentioned. I should be grateful if the Honourable Minister would let this House know as to why this distinction is there, why people living in the urban areas can hold land when they are not citizens of the country.

My Honourable friend Dato' Dr. Cheah Toon Lok referred to the squatters. That makes me think of the others, particularly those on the rubber estates. Not all the Indian rubber workers—there are 300,000 of them in this country—who have lived in this country for a good many decades, some of them two or three generations old,—are citizens—not that they do not want to become citizens, but because they are just awakening to the realities of becoming citizens.

In course of time, Sir, they will all become citizens, I hope. And this legislation I hope—I am not suggesting any amendment, I am just putting forward, roughly, this idea—that in implementing this scheme potential citizens also should be considered, not merely actual citizens, but potential citizens who have lived in this country for a good many years; potential citizens who have rendered useful service in this country, and I am sure evidence to that effect can easily be obtained. Already land has been given to a number of people who are not citizens, and it is my earnest request that that policy should be discreetly carried on. On the other hand, I realise the importance of giving land to citizens. After all, we are not obliged to give land to non-citizens. But this is a country which is in a transitional stage, where we are having people who are coming into the stage of citizenship from non-citizenship. Up to the era of Merdeka, Sir, there was no provision for citizenship for others, other than the indigenous population, i.e. the Malays. Now we have set in motion the trend for citizenship and slowly more and more people are becoming citizens, and this would be a great form of inducement for people who want to remain in this country for good, and who want to be loyal citizens of this country; and this would also be a good incentive for those who are still undecided. And, therefore, I think, in legitimate cases potential citizens of this country should also be taken into consideration—not merely the rubber tappers but the squatters and the people who have been squatting around the fringes of forests for a good many years and cultivating the land and so on. These people should not be uprooted.

As to the clause relating to assignment, Sir, provision is made for assignment of rights in expectation of title. It is in itself a good thing, but then I am afraid that many of these people when they apply for land, they take advantage of the Government's aid—this is a benevolent scheme and I am sure many people would be interested to acquire land—and after some time many people like the idea

of speculation on the matter of land sale if they were to assign it for a profit. There are already so many instances where land has been alienated—they go to lawyers; somehow or other they try to dodge the provision in the alienation condition that that land should not be alienated or assigned unless with the approval of the Collector. Here again, Sir, the approval of the Commissioner is mentioned. But I should like to see that in the rules of implementation at least some kind of a time period should be imposed, that before a man wants to assign the land, he must at least hold that land and improve it for two or three years. He must not be able upon acquiring the land, to clear it and get the benefit from the Government and then find a buyer and dodge the Government by stating on Form C of this legislation a consideration which is less than the actual consideration he gets. Land alienation should not give way to land speculation. Sir, I hope that when it is put into practice this will be taken into consideration. Otherwise, I consider this Bill as a most desirable Bill, as a Bill most benevolent, and I hope the citizens of this country will receive it with enthusiasm and help themselves.

Mr. Yeoh Kian Teik: Mr. President, Sir, with reference to the statement made by the Honourable Dato' Dr. Cheah Toon Lok in respect of non-citizens, non-citizens are to a certain extent protected under section 3 (3) which reads:

“Nothing in the provisions of sub-section (2) shall prejudice the rights of any person in lawful occupation immediately prior to the coming into operation of a notification under sub-section (1) of State land included in a designated area.”

If any State Government adopts this Act it does not automatically apply to all State land and it is only when the Ruler in Council designates a particular area as a designated area for the purposes of this Act then it comes within the provisions of this Land (Group Settlement Areas) Act.

On the other hand, in respect of citizenship we have encountered very great difficulties in obtaining citizenship for quite a number of citizens who are

citizens by operation of law under Article 30 of the Constitution. Whenever an association, like the Malayan Chinese Association, applies to the Registrar of Citizens for forms to take up, what I would call, proof of citizenship, we get a standard reply that it is not necessary for the people who come under Article 30 of the Constitution to have a citizenship certificate on the ground that there is no doubt about their citizenship. Mr. President, Sir, there are hundreds of thousands of citizens in this country who are second, third, or even 4th generation Chinese, 4th generation Malaysians born in this country perhaps of Chinese or perhaps of Indian decent. These people are automatically citizens under the law under Article 30, and whenever applications are made, perhaps for jobs, perhaps for land, proof of citizenship is required, and what is the standard evidence of such? It is usually the citizenship certificate. Well, in the case of these people, second, third or fourth generation Malaysians, they are facing great difficulty in obtaining citizenship certificates because the Registrar of Citizens feels that it is not necessary to supply them with these because there is no doubt as to their citizenship. In order to get citizenship certificates, these people will have to produce their birth certificates and also the birth certificates of their father or mother as the case may be. If the parents were alive it would be a simple matter, but if they are dead then the trouble to get copies of their birth certificates is not as easy as it seems, and I would request the Honourable Minister concerned to assist all these people to get their citizenship certificates as soon as possible.

Enche' J. E. S. Crawford: Mr. President, Sir, I wish to congratulate and support the Alliance Government on the introduction of the Land (Group Settlement Areas) Bill. But there is one point which I wonder if the Honourable Deputy Prime Minister could clarify for me. We have heard this morning that people have voted four or five times in an election. What is worrying me about land is that if we are not careful and if there is no means test, then we might have one person getting four or five plots of land. I trust, Sir, that only the

landless citizens and the near-landless citizens will benefit by this scheme.

Enche' Lim Hee Hong: Mr. President, Sir, I rise to give my full support to this Bill. In my view the best way in which the Government can combat communism and poverty is to give land to the land hungry population. As we all know poverty will lead to discontentment and discontentment will lead to all sorts of ideologies. This is one of the best ways to kill it. We all have been to kampongs and from my own personal observation I have seen a lot of rural people with big families having only a small plot of land with which they can do nothing. As a result some of them will have to go to towns to find employment and this in turn causes hardship to the people in the towns. So, I think only in this way we can kill poverty and discontentment.

One more thing, Sir. I would like to appeal to the Minister of Rural Development that when implementing this scheme not to overlook to allot a fair share to those people who live in the new villages. So, in this way I think we can get their full support and cooperation and indirectly it would contribute to the wealth of the nation.

Raja Rastam Shahrome bin Raja Said Tauphy: Tuan Yang di-Pertua, orang kampung menyambut ranchangan yang baharu ini dengan gembira-nya. Ini-lah satu jalan ia-itu menghapuskan orang yang dahagakan tanah, sudah lama kita telah mendengar ia-itu sapa-ah daripada permintaan tanah itu di-pendamkan—3-4 tahun pun ada. Saya harap ini-lah satu jalan ia-itu kita menyemak balek segala permintaan tanah yang di-simpan. Sekarang saya tahu Kerajaan telah mengadakan Jawatan-Kuasa di-segala jajahan, kita telah faham ia-itu wang yang di-bantu kepada peminta tanah ada-lah wang hutang yang kita dapat daripada negeri lain, tetapi ada pula satu pehak ia-itu tidak bersetuju dengan chara kita meminjam wang dari luar. Di-dalam rumah yang mulia ini saya suka mahu tahu bagaimana chara yang lain bagi mendapatkan wang itu (*Tepok*) sa-kian.

Enche' A. M. Abu Bakar: Mr. President, Sir, I have heard the eloquent speeches of the various speakers on this

subject and also heard the reasons for the introduction of this Bill from the Honourable the Deputy Prime Minister.

To an extent land hunger has been solved with some satisfaction by this Bill. But the Honourable the Deputy Prime Minister said that water and other facilities would also be provided. Sir, in the State from where I come, the people in the rural areas find that they have to pay more water charges than what the people in the urban areas are paying. Generally speaking the catchment areas for water are in the rural areas from where the urban local government gets water and when it resells water to those people it charges not less than 50 per cent above the water charges paid by the urban people. As it is, I find that the important material for a man's daily livelihood is water. As such the Honourable the Minister concerned for this will look into this matter and put it right.

Another point, Sir, the present statutory body, the Central Electricity Board, when they want to expand the supply of electricity to the kampong and rural areas, they insist on fifty feet of land on either side and whatever trees, coconut trees or any trees that may bring some sort of income to the kampong people, to be cut down. Sir, this causes economic depression to those people and this matter should also be looked into.

Thirdly, I hope I will not be out of order, if I were to say that the most important thing, the secondary education, is very much needed in the rural areas. At the present we have only primary education in the rural areas and when those children have passed primary education they want to have secondary education for which they have to find schools that are far away from their homes and they have to go to urban areas. So, for parents who have more than two or three children, the transport charges and the cost of other amenities that are needed for a child to be educated in a secondary school are not easily met by the parents. As such, the boys and girls generally have only got as far as primary education, and they have to stop further education. In this country we find that,

although the sons of the soil are given privileges in all walks of life, this economic poverty and insufficient educational knowledge make them to be somewhat lesser in quantity compared with other races living in this country.

I feel, Sir, that these three matters are very important to alleviate the hardship and economic poverty of the people in the rural areas. As they have suffered all these years, I hope that consideration will be given to these along with this question of land hunger. Thank you.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, saya mengambil peluang mengalu²kan Rang Undang² ini yang pada keseluruhan-nya membuka jalan kepada Persekutuan Tanah Melayu membimbing ra'ayat-nya ke arah kemajuan ekonomi dan mengubah nasib-nya. Dan mudah²an saya harap ini menjadi satu ubat yang dapat dikhiarkan untuk menyelamatkan ra'ayat daripada pengaruh faham komunis yang mungkin ta' dapat kita lupakan yang gerakan-nya maseh ada berjalan. Saya mengalu²kan ini oleh kerana saya mengharap²kan perkara yang sa-macam ini sudah lama dan saya mendengar penerangan yang diberi oleh Yang Berhormat Timbalan Perdana Menteri bahawa tanah² akan di-bahagi dengan berdasarkan nasehat sa-rendah²-nya sa-banyak 8 ekar, itu tentu-lah mengenai apa yang di-katakan soal tanah getah dan lebeh kurang 2 ekar untuk padi, ini barangkali patut. Akan tetapi kalau sa-kira-nya tanah yang pamah, lebeh baik semua-nya ditanam padi, sebab jangan-lah kita gantungkan sa-mata² pada getah, dimana tanah yang sesuai untuk padi, harus semua-nya tanam padi, ini melalui pengalaman saya di-masa Jepun.

Saya suka menarek perhatian kepada nasehat yang di-beri oleh Ungku Aziz yang mengatakan sa-rendah² atau sa-kecil² tanah patut di-berikan kepada ra'ayat untuk perekonomian ta' kurang daripada 25 ekar. Saya rasa kalau kawasan padi ini kita berikan mengguna tenaga machine, dengan chara modern membuat-nya, dapat menghidupkan satu keluarga ra'ayat itu dengan sa-baik²-nya dalam zaman ini.

Mengenai dengan tanah² yang akan dijual ya'ani apabila tanah itu telah ditinggalkan oleh tuan yang punya kerana meninggal dunia tanah itu tidak akan di-pecah²kan, sa-hingga pada dasar-nya di-kehendaki supaya tetap jadi milek pada sa-saorang. Ini saya mengalu²kan juga, oleh sebab pada asas-nya tidak-lah bertentangan dengan ajaran Islam. Saya boleh menyatakan kepada Dewan ini ada-nya ajaran Islam tentang pembahagian pusaka ia-lah dengan sa-mata² untuk mengawal kekayaan yang telah sampai ka-tangan sa-saorang supaya jangan bertumpok sa-hingga menjadikan jumlah besar sa-lama²-nya. Dan dengan kerana ini akan menimboldkan gulongan yang berpunya dan gulongan yang tidak berpunya yang bakal menimboldkan pertentangan yang hebat dalam masha-rakat, ada-nya undang² pusaka dalam Islam itu dengan sendiri-nya bertujuan untuk jangan membiarkan harta itu bertumpok kepada beberapa gulongan yang tertentu. Jadi, kalau di-pandang dari sudut ekonomi kerana mengkechilkan pembahagian tanah yang 8 ekar itu akan merusutkan ekonomi. Islam tidak menghalang dan tidak menchehag asalkan kita dapat memberi jaminan kepada ra'ayat dan keluarga masha-rakat itu.

Saya sukachita, sa-kira-nya mendapat jaminan bahawa tanah² ini, sa-lepas daripada ra'ayat mendapat-nya dan memileki-nya serta membayar dan menjelaskan dan kemudian mereka dapat geran, tanah ini tetap menjadi satu peratoran yang kekal, tidak boleh di-jual kepada orang² yang bukan menjadi ra'ayat Persekutuan Tanah Melayu. Dalam menjalankan kerja² ini, saya bersetuju terus di-beri kuasa kepada State, dan Federal hanya-lah merupakan satu tenaga yang besar yang membantu dan memerhati salama²-nya. Kekurangan di-dalam kejayaan pembahagian tanah dan sa-bagai-nya, sama-lah juga pendapat saya sa-bagaimana yang di-terangkan oleh sahabat saya Yang Berhormat Enche' Mohd. Zahir ia-itu tenaga bekerja saperti S. O. dan sa-bagai-nya dan wang ringgit. Saya sedar, betapa sebok-nya Pejabat Sukat dan kaki tangan Settlement Officer yang hendak menjalankan tugas-nya yang bertimbun²

datang saperti permintaan² tanah daripada ra'ayat yang sentiasa mereka itu menghadapi beberapa lama. Maka nyata-lah kekurangan² sa-lama ini adalah dengan kerana kekurangan tenaga. Maka ini harus-lah di-sedari oleh Kerajaan yang harus di-ikhtiarkan juga. Sakira-nya langkah yang besar ini gagal maka satu daripada sebab kegagalan-nya ia-lah kerana ini juga.

Tiap² negeri harus sama mengalami kekurangan tenaga kerja dan bagitu-lah juga dalam soal kewangan. Oleh kerana pendapatan tiap² negeri terbatas kerana sa-bahagian besar daripada hasil dari negeri itu untuk Federal, kerana negeri ini berbentuk Federal, dan ini-lah yang kita pilih, berbentuk Federal. Maka kerana wang—chukai itu di-dapat oleh Federal, maka Federal-lah yang membantu kewangan pada tiap² negeri yang mana tidak menchukupi.

Bila sampai kepada perkara ini, saya terpaksa menyebutkan bagaimana Kerajaan² Negeri lain di-Persekutuan Tanah Melayu, mahu ta' mahu meng-gantongkan harapan-nya kepada Kerajaan pusat maka Kerajaan pusat itu-lah yang di-letakkan pengharapan. Sebab tidak ada kuasa kepada Kerajaan State untuk mendapat wang dari sumbar, atau dari puncha² yang lain sama ada dengan meminjam atau dengan meminta bantuan, melainkan dari Kerajaan pusat, itu-lah yang wujud dalam Perlembagaan kita. Maka dengan kerana itu, saya sa-bagaimana huraian ucapan Timbalan Perdana Menteri hari ini, saya tidak ada berasa satu apa pun ragu² tentang kejujoran Kerajaan melaksanakan pembahagian bantuan dengan 'adil dan saksama dalam memajukan ranchangan pada masa yang akan datang berdasarkan diatas Rang Undang² yang sedang dan akan di-sahkan ini. Tetapi saya sangat menyesal apabila mendengar ucapan yang telah di-berikan oleh penolong Menteri, Tuan Syed Ja'afar bin Hassan Albar di-Pantai Timor, Kelantan dan Trengganu. Saya rasa ucapan-nya itu tentu-lah satu ucapan yang tidak bertanggung jawab. Satu ucapan yang lebeh merupakan Penghasutan kepada ra'ayat di-Kelantan dan di-Trengganu; saya ta' suka hendak memanjang²kan

sangat tetapi saya yakin ucapan-nya itu tidak bertanggung jawab sama sa-kali.

Saya biar-lah, Tuan Yang di-Pertua, izinkan menyambong, menerangkan masa'alah yang mengenai dengan hutang piutang. Mengenai dengan hutang piutang ini memang benar Persatuan Islam sa-Tanah Melayu dalam dasar-nya menentang. Menentang apa yang di-katakan hutang piutang yang di-buat oleh Kerajaan Perikatan pada masa dahulu. Ini telah di-tentang hebat dalam masa campaign pilihan raya tetapi harus-lah kita faham bahawa apa yang di-tentang oleh Persatuan Islam sa-Tanah Melayu itu dari kacha mata politik. Ini tidak-lah bererti Persatuan Islam sa-tanah Melayu menentang langkah Kerajaan berhutang, sebab jikalau di-takdir Tohan PAS memerintah Persekutuan Tanah Melayu pun, dia akan berhutang juga. (*Ketawa*). Sebab tidak ada sa-buah Kerajaan yang saya tahu tidak berhutang. (*Ketawa*). Dia mesti berhutang. Jadi, ini-lah satu masa'alah yang saya rasa benda yang telah lepas di-zaman campaign pilihan raya; benda yang telah lepas di-zaman dahulu dan di-takdirkan Kelantan dan Trengganu telah di-menangi oleh PAS dan Persekutuan di-pegang oleh Perikatan. Kita sampai sekarang zaman pembangunan, zaman bekerja bersama² dalam segala lapangan dan untok kepentingan kita bersama, kita ta'usah bertengkar² perkara yang telah lepas.

Engku Muhsein: Untok penerangan, Tuan Yang di-Pertua, saya hendak tahu sadikit ada-kah maksud Yang Berhormat ini pada masa campaign pilihan raya dahulu, tidak bersetuju ada-nya pinjaman ini dan sa-telah lepas pilihan raya bersetuju dengan pinjaman ini, ada-kah begitu maksud-nya.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, saya telah jelaskan tadi bahawa apa yang di-tentang oleh PAS, dari kacha mata-nya dan dari sudut politik maksud-nya, ia-lah tidak mahu hutang² yang mengikat diri dengan syarat², ini tidak berarti dia menentang kerana semata² hendak menentang usaha kerajaan hendak berhutang, itu sudah chukop.

Engku Muhsein: Jadi, erti-nya di-luar di-tentang, di-dalam tidak.

Enche' Amaluddin bin Darus: Kemudian, apabila ini telah menjadi hutang kapada Kerajaan Persekutuan Tanah Melayu maka Kerajaan Persekutuan Tanah Melayu itu pula ada-lah Kerajaan National—Kerajaan Kebangsaan. Maka hutang ini menjadi hutang Kebangsaan dan hutang ini di-bebankan kapada ra'ayat Persekutuan Tanah Melayu yang membayar chukai termasuk Kelantan dan Trengganu. Jadi, jikalau dia mesti bayar chukai hutang termasuk interest daripada hutang itu maka mengapa dia tidak mendapat apa yang di-hutang oleh Kerajaan Kebangsaan. Sebab itu ta' usah di-timbul²kan sebab saya tidak suka bertengkar di-sini. (*Ketawa*).

Tuan Yang di-Pertua, saya mengharapkan daripada Kerajaan supaya ranchangan yang baik ini tidak gagal atau sa-paroh gagal, biar-lah di-pelajari betul² beberapa masa'alah. Sebab²-nya apabila kita berjalan melalui dengan keretapi dari Pantai Timor, kita ber-jumpa di-Pahang mithal-nya, dalam kawasan Pahang, ada anak² getah yang tinggi lebeh kurang 6 kaki. Ada satu dangau atau bangsal kechil tetapi tidak ada orang-nya lagi, anak² kayu di-sekeliling-nya naik hampir sama anak getah lebeh kurang 6 kaki. Ini bererti tuan yang menanam getah itu telah meninggalkan tanah-nya. Saya jumpa banyak dalam kawasan² Pahang dimana perkara ini harus di-pelajari oleh Kerajaan dengan sebaik²-nya ia-itu mengapa orang yang mula² ingin mendapat tanah yang kemudian telah meninggalkan kawasan tempat tinggal mula-nya dengan membuka tanah hutan menanam anak² getah sahingga anak² getah itu tumbuh, kemudian di-biarkan dangau itu tertinggal burok, di-biarkan anak² getah itu tumbuh sama² hutan yang lain yang ada di-situ. Ini mesti di-pelajari juga, sebab kemiskinan—kemiskinan ini yang menyebabkan kegagalan ranchangan itu.

Saya khuatir bantuan yang di-berikan oleh Kerajaan itu ibarat kata pepatah: "Sa-gantang makan daging, dua chupak lekat di-gigi." Jadi, dua chupak masuk ka-dalam perut. (*Ketawa*). Ini tak ada guna sama sekali. Perkara ini harus

di-pelajari benar² akan masa'alah-nya, kerana kita sedang berjalan dalam ranchangan ini yang mana lebeh besar, daripada yang pernah di-jalankan selama ini. Saya suka beri satu mithalnya di-mana pada satu hari saya menaikki sa-buah becha yang di-kayoh oleh sa-orang pemuda Melayu. Saya bertanya dengan dia, dan dia menerangkan cherita-nya bahawa beliau ialah bekas Special Constable. Apabila sampai ka-rumah, saya menjemput dia dan mengajak minum teh. Saya bertanya kapada-nya mengapa dia tidak meminta tanah, kata-nya sudah sa-tahun lebeh dia sudah mendapat tanah di-mana di-Kelantan waktu itu pemerintah Kerajaan Perikatan yang dia sudah mendapat tanah sa-banyak 10 ekar di-jajahan Ulu Kelantan. Kemudian saya bertanya lagi, kenapa tidak buat atau mengerjakan tanah itu? Kata-nya: "Saya hidup dengan membawa taxi, menarek becha untuk menchari makan, dan mempunyai anak dua dan sa-orang isteri yang harus saya tanggong. Jadi, kalau saya pergi bekerja, bekalan tak ada, dan kalau saya bawa semua-nya ini apa yang saya hendak makan?" Maka sahingga sekarang sudah sa-tahun lebeh kurang dia tidak dapat pergi sedangkan masanya itu sudah dekat untuk tanah itu hendak di-ambil balek ia-itu apabila sampai tiga tahun, tanah itu akan di-ambil, sebab tak bekerja. Bukan ini berma'ana bahawa dia tidak ada kemahuan, dia belum ada sa-keping tanah pun, atau sa-inchi tanah pun, tetapi dia tidak sanggup pergi mengerjakan kerana tidak ada mempunyai persediaan untuk kehidupan-nya.

Oleh itu, saya harap supaya Kerajaan mempelajari, kalau perlu tubuhkan sa-buah Jawatan-Kuasa guna memberi kursus agar mempelajari perkara ini, mengapa dan kenapa gagal, supaya ranchangan yang besar yang akan kita buat ini jangan menemopoh kagagalan yang tidak sama sekali kita harap²kan.

Enche' Abdul Hamid bin Mahmud: Tuan Yang di-Pertua, saya juga bangun menyokong di-atas Rang Undang² ini, dan ini ada-lah satu Rang Undang² yang di-kehendaki oleh ra'ayat jelata pada masa ini. Dengan ada-nya undang²

ini, kita berharap pembahagian tanah di-masa yang akan datang tidak lagi di-bahagikan dengan pechah², tetapi di-bahagikan dengan peratoran yang tertentu yang khas-nya di-bahagikan dengan jumlah yang chukop bagi sa-suatu keluarga. Saya berasa sukachita yang mana telah hampir semua ahli di-sini termasuk wakil² PAS adalah menyokong terhadap undang² ini. Saya bersetuju benar sa-bagaimana kata wakil PAS yang telah berchakap tadi, ia-itu wakil Kelantan, bahawa pembukaan tanah dalam negeri Kelantan dan Trengganu harus-lah mendapat bantuan yang sama dari Kerajaan Persekutuan sa-bagaimana yang di-hadapi oleh lain² Negeri.

Saya datang dari negeri Kelantan yang mana satu daripada Negeri yang paling mundor sekali, maka tentu-lah saya bersimpati di-atas apa yang diminta oleh Yang Berhormat Enche' Amaluddin tadi, supaya Kerajaan Persekutuan memberi pandangan yang berat di-atas permintaan-nya itu. Tetapi, saya ragu² lagi berkenaan dengan bantuan yang harus di-beri oleh Kerajaan Persekutuan, kerana kemajuan negeri saya Kelantan harus-lah di-buat oleh Kerajaan PAS. Berkenaan bantuan wang luar negeri bukan sahaja PAS telah menolak dalam masa pilehan raya yang lalu, tetapi dalam masa satu bulan yang lalu pun Pengerusi Lembaga Tanah Kerajaan Kelantan sendiri, sa-orang kuat PAS, sa-orang yang bertanggung-jawab berhubong dengan tanah, dia telah membuat satu ranchangan supaya tanah di-berikan kapada orang² kaya, kapada orang yang banyak wang yang tak ada tanah, dan kapada orang² miskin yang tak ada tanah. Tujuan-nya supaya orang² miskin yang tidak ada tanah, tidak ada harta, boleh menolong membuat kerja orang² yang kaya, dan ia tidak berharap kapada pertolongan Kerajaan Persekutuan; tetapi malang-nya hari ini saya dengar wakil PAS yang di-lantek oleh Kerajaan Kelantan telah berlainan sekali dalam ucapan-nya dengan apa yang di-chakapkan oleh Pengerusi Lembaga Tanah Kerajaan Kelantan sedangkan Pengerusi Lembaga Tanah itu ia-lah Ahli Executive Council bagi Negeri itu. Ya, memang dia-lah yang tahu benar dasar Kerajaan Kelantan sekarang

amat bagus akuan Ketua² PAS sanggup hendak memajukan negeri Kelantan dengan tidak mengambil wang dari luar negeri sebab mereka perchaya mereka boleh mengendalikan-nya. Sekarang dia telah mengaku bahawa Kerajaan PAS Kelantan tidak berkuasa memajukan negeri Kelantan dengan tidak dapat pertolongan dari Kerajaan Pusat. Dari itu, kemenangan yang didapati dari ra'ayat yang telah memilih wakil² PAS ia-lah kerana mereka itu tertipu oleh janji² PAS yang lemak manis, janji² yang mustahil yang dapat di-buat. Oleh kerana tertipu daripada pegawai² tinggi PAS itu-lah maka ra'ayat negeri Kelantan telah menerima penderitaan sahingga sa-tahun malahan sampai ka-hari ini belum satu pun rancangan yang dapat di-buat, jangankan kemajuan

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, Ahli Yang Berhormat itu telah ketahuī sangat saperti yang telah saya nyatakan tadi, dan beliau telah berchakap terlalu kuat sangat. Oleh itu, saya berharap chuba-lah sedikit berchakap dari segi peratoran, sebab sudah terkeluar benar dari peratoran.

Mr. President: (*Kapada Enche' Abdul Hamid*) Tolong chakap berkenaan dengan Rang Undang² ini.

Enche' Abdul Hamid bin Mahmud: Tuan Yang di-Pertua, saya berchakap berkenaan dengan tuntutan wakil PAS supaya Kerajaan Persekutuan memberi bantuan kepada Kerajaan Kelantan, kerana apa yang telah di-chakapkan ketua² PAS dalam pilihan raya dahulu ada-lah chakap main², dan bukan chakap sunggoh². Saya fikir satu parti yang berchakap begitu ada-lah parti yang tidak boleh memegang tanggungjawab kepada ra'ayat jelata di-mana² kawasan yang memilih-nya. Dengan sebab itu, apa yang di-chakapkan oleh Penolong Menteri, Tuan Syed Ja'afar Albar baharu² ini di-Melor, Kelantan bukan-lah sa-bagai satu ucapan yang silap, tetapi ada-lah ucapan yang benar yang mana ia hendak tahu sunggoh² ada-kah Kerajaan Kelantan sanggup menerima pinjaman wang dari luar negeri yang telah di-tolak dan tidak mahu menerima-nya. Jikalau sunggoh Kerajaan PAS yang sekarang

mengakuī yang dia menyesal akan perbuatan-nya itu, dan jika dia sanggup

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, sa-benar-nya saya telah menerangkan dengan jelas dan saya telah dapat bersabar, oleh itu, saya harap kapada Ahli Yang Berhormat itu tolong-lah berhati² sedikit.

Mr. President: (*Kapada Enche' Abdul Hamid*) Saya fikir chukop-lah berchakap tentang perkara itu.

Enche' Abdul Hamid bin Mahmud: Dengan sebab itu, Tuan Yang di-Pertua, kerana wakil PAS telah bersetuju, maka saya menyokong-lah supaya Rang Undang² ini dapat di-lakukan ada-nya.

Nik Hassan bin Nik Yahya: Tuan Yang di-Pertua, saya minta ma'af-lah kalau saya bangun berchakap nanti orang kata barisan East Coast, sa-benar-nya tidak begitu. Kerana, saya rasa elok-lah satu undang² yang sa-umpama ini di-sambut baik oleh Ahli² Dewan ini dan Ahli² Dewan ini tidak-lah akan di-tudoh "Rubber Stamp" chuma "chop" sahaja, jadi ada juga ahli yang boleh mengeluarkan pendapat, fikiran-nya di-Dewan ini yang merupakan Dewan ini hidup, bukan-nya mati (*Tepok*). Tuan Yang di-Pertua, dalam masa saya menatap undang² ini, saya teringat pada suatu masa dahulu satu gambar cartoon dalam Straits Times yang menunjokkan Tun Abdul Razak sa-bagai Menteri Pembangunan Luar Bandar bersama dengan Tunku Abdul Rahman memegang satu senjata chuba hendak meruntuhkan pagar² kemiskinan ra'ayat dalam negeri ini. Jadi apabila saya memandang kapada undang² ini, teringat-lah saya kapada cartoon itu ia-itu Menteri Pembangunan Luar Bandar kita hendak meruntuhkan pagar kemiskinan ra'ayat negeri ini. Jadi senjata yang ada di-tangan Menteri Pembangunan Luar Bandar, pada pendapat saya itu-lah senjata yang dipegang oleh Tun Abdul Razak sa-bagai Menteri Pembangunan Luar Bandar, dengan gambar cartoon dalam Straits Times itu-lah senjata yang chuba hendak meruntuhkan kemiskinan ra'ayat negeri ini. Dan saya rasa

patut-lah chubaan yang sa-umpama ini kita beri sokongan dengan sa-penohnya, bangun berdiri memberi segala tenaga dan sokongan kepada Kementerian yang berkenaan. Jadi tidak-lah ada satu benda yang boleh kita katakana senjata ini tidak patut di-gunakan, senjata ini patut di-gunakan dan patut di-gunakan dengan sa-chukup-nya.

Manakala saya mendengar jawapan wakil dari Trengganu saudara Senator Da Jalil menjawab di-atas hal hutang, luar bandar, bagitu-bagini dan saudara saya dari Kelantan juga telah menjawab dan saya sendiri juga hendak menjawab berlainan dari wakil Trengganu itu. Saya teringat kepada satu cherita orang tua² dahulu, orang tua saya ada bercherita ia kata, "To' Cha tidak makan barang yang hidup," jadi ia hendak makan kura², kena-lah di-lepaskan kura² itu berjalan di-atas papan supaya jatuh dalam ayer panas, bila kura² itu mati—ia makan—tidak salah, jadi, itu-lah rupa-nya jawapan wakil dari Trengganu (*Ketawa*) ia tidak boleh makan barang yang haram, tetapi biar jatuh dahulu, kemudian di-makan, tidak ada orang yang menyalahkan. Jadi wang hutang-piutang yang di-pinjam daripada luar negeri oleh Kerajaan Persekutuan ini pada mula-nya tidak di-makan, tetapi apabila sudah mati di-kira-nya halal, boleh di-telan, ini jawapan saya kepada cherita orang tua² itu, jadi lain sedikit daripada jawapan Senator dari Kelantan, beliau itu straight forward, bagus, saya puji dan berterima kaseh, kerana menunjokkannya dengan terang². Kita tidak mahu hutang ini, bukan tidak mahu—mahu, tetapi waktu itu apa boleh kita buat, kita mahu undi lebeh daripada hutang (*Ketawa*).

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, saya suka menegaskan perkara ini, apa yang di-tentang oleh PAS itu benar, tetapi dari kacha mata politik PAS, saya tidak mahu memanjangkan chakap, perkara ini cukup jelas, bukan kerana meman-ching undi.

Mr. President: Sudah-lah, bahathkan perkara yang di-hadapan ini.

Nik Hassan: Tuan Yang di-Pertua, politik itu saya faham-lah. Sa-lain daripada itu, saya rasa, kerana saya datang daripada Kelantan, perkara pembangunan luar bandar mengenai tanah itu ada-lah satu perkara yang saya nampak boleh di-lalukan, boleh di-jalankan. Sebab kita sudah chuba di-Ayer Lanas, kita beri 10 ekar tanah, 6 ekar untok tanam getah, 10 ekar yang di-kerjakan oleh orang² di-Ayer Lanas itu pada hari ini getah-nya sudah besar dan mana orang² yang bekerja betul di-atas tanah itu hari ini boleh di-katakan sudah ada harapan, चाहaya kesenangan itu sudah timbol. Jadi ini-lah satu ranchangan perchubaan yang saya nampak cukup-lah baik dan bagus, chuma satu perkara yang patut Kerajaan ingat, apabila hendak adakan ranchangan² haruslah di-pandang perhubungan tempat yang hendak di-buat ranchangan itu. Sebab di-Ayer Lanas, umpama-nya, bila kita mengadakan satu ranchangan yang besar di-Ayer Lanas, jalan daripada Kelantan ka-Grik itu belum lagi di-buka. Jadi perhubungan hendak mengeluarkan hasil² ada-lah satu masa²-alah yang penting, sa-kira-nya kita ada getah dan tanam²an yang cukup, tetapi hendak di-dagangkan, kita tidak dapat dengan chara yang baik, ini perkara yang menyusahkan bagi orang² yang kita beri tanah, walau pun kita katakan perkara menyusun ini ada-lah hal lain, perkara ini tidak begitu mustahak, tetapi pada dasarnya undang² ini hendak memberi tanah, hendak meruntuhkan pagar kemiskinan ra'ayat, ini patut di-junjung tinggi dan hari ini patut-lah Dewan ini memberi satu pujian yang tinggi kepada Menteri Pembangunan Luar Bandar, kerana telah menunjokkan dengan sa-chara perektik—bukan dengan chara teori, tetapi dengan chara bekerja melakukan usaha²-nya bagi meruntuhkan kemiskinan dan kelaparan ra'ayat di-kawasan luar bandar (*Tepok*).

Enche' Abdul Wahab bin Idus: Tuan Yang di-Pertua, saya ta' fikirkan perbinchangan ini boleh jadi sampai bagini panjang, jadi saya berdiri menambah sedikit—terlanjor sudah panjang—biar-lah ia lebar (*Ketawa*).

Sa-lama saya datang ka-Dewan ini, ini-lah kali-nya saya berasa chukup suka dan gembira di-sebabkan ada dua perkara yang terjadi dalam Dewan ini. Yang pertama-nya, harus-lah barangkali sedikit masa lagi pertentangan chara langsung pembangkang² dalam Majlis ini akan habis tempoh-nya, sebab saya nampak pada hari ini yang dahulu-nya di-sangka sa-bagai puak pembangkang, tetapi hari ini nampak-nya sudah merupakan—bukan hendak membangkang sahaja bahkan sama² hendak elok, barangkali chara membangkang akan terhindar di-masa akan datang.

Yang kedua-nya, saya dapati dalam pembahagian tanah sa-lepas mati itu ada-lah satu peratoran yang barangkali mendukachitakan orang² yang daripada negeri yang kurang 1 chukup 10 itu, termasuk-lah saya. Sebab ini betul² berlawanan dengan kelaziman 'adat orang di-sana, tetapi oleh sebab ini barangkali "kesusahan-nya timbol, kerana hendak senang, yang di-sangka burok, kerana hendak elok" jadi saya sa-bagai orang yang datang daripada negeri yang kurang 1 chukup 10 itu, suka juga-lah hendak menerima-nya (*Tepok*).

Pada akhir-nya dengan kata yang pendek saya berpendapat sudah sa-layak dan sa-patut-nya-lah kita sakalian Ahli² dalam Dewan ini menyambut undang² atau peratoran ini dengan segala sukachita, kerana, umpamakan-lah sa-bagai guroh yang berbunyi menunjokkan hari hendak hujan dalam musim kemarau yang telah lama kita alami, sa-kian-lah sahaja (*Tepok*).

Enche' Ahmad bin Said: Tuan Yang di-Pertua dan Ahli² Yang Berhormat sakalian, saya chuma satu perkara sahaja hendak sebutkan di-Majlis ini ia-lah perkara berkaitan dengan pembahagian tanah di-dalam kawasan² yang besar kapada ra'ayat jelata. Saya tahu dan saya perchaya Kerajaan juga tahu, kebanyakan tanah² dalam kawasan² negeri, tanah² kepunyaan Kerajaan atau State Land, boleh di-katakan telah habis di-keluarkan kapada ra'ayat dari masa yang telah lalu. Maka ada tempat² tanah ada-lah chuma di-dalam kawasan Forest Reserve atau pun

Hutan Simpan yang maseh banyak kayu²-nya. Manakala saya sebutkan kayu², tentu-lah berkait dalam soal hendak mengeluarkan tanah untuk pembahagian itu terlebih dahulu mestilah menempohi Pegawai Kehutanan untuk mengeluarkan kayu²-nya daripada tanah² itu. Jadi, soal ini pun soal yang menjadi rumit bagi mengendalikan atau pun bagi melambatkan ranchangan Kerajaan bagi mengeluarkan tanah² itu kapada orang ramai.

Sa-belum dapat di-keluarkan pun, saya rasa, ada juga baik-nya bagi pehak Kerajaan Negeri akan meminta bekerjasama dengan Pegawai² Kehutanan Negeri untuk mengeluarkan kayu² itu dengan sa-berapa segera yang boleh atau jangan menahan daripada membenarkan kawasan hutan itu di-keluarkan atau pun di-jadikan State land untuk pembahagian kapada ra'ayat. Saya rasa, ini satu halangan juga daripada perkara yang hendak di-jalankan oleh ranchangan Kerajaan Persekutuan ini.

Enche' Athi Nahappan: Mr. President, Sir, I would like some clarification from the Honourable the Deputy Prime Minister. I have made a note with reference to proviso under Clause 19 (2). It says: "And provided further that any person who is in occupation of a rural holding shall not be disqualified from continuing in occupation by reason only of subsequent acquisition of any land or interest therein by inheritance or gift *inter vivos*." Does it mean that if a man, after getting land under this scheme, saves enough to acquire land subsequently, he would become disqualified to own land under this scheme? I feel that the last sentence which confines to subsequent acquisition of land by inheritance or gift, is with reference to acquisition only. I should be grateful for a clarification from the Honourable the Deputy Prime Minister. If it means to disqualify a person from the acquisition of land by saving, it would penalise savings.

Tun Abdul Razak: Mr. President, Sir, I am very grateful to a number of Honourable Members for giving their support to this Bill. Now my honourable friend Dato' Dr. Cheah Toon Lok

enquired whether, as a result of provision of Clause 19 of this Bill, people who have settled in the New Villages and who have not yet been given titles to their land, will be deprived of their entitlement or, in other words, they will be asked to clear out from the land. As the Honourable Enche' Yeoh Kian Teik has explained, under Clause 3, sub-clause (3) of this Bill, this Bill does not prejudice the rights of any person in lawful occupation of land.

Dato' Dr. Cheah Toon Lok: Mr. President, Sir, on a point of order, I was referring to squatters who are not in lawful occupation of land—not in the New Villages, as in New Villages they occupy land with permission from the Government. There are squatters who occupy land near the fringes of forest, and who are occupying land illegally. Those are the persons I am concerned about.

Tun Abdul Razak: Mr. President, Sir, if the Honourable Member would have been patient, I would have explained the whole matter clearly. *(Laughter)*. As I have said when introducing this Bill, this provision of this Bill will only affect those lands which have been declared group settlement areas and not any other land. It will not be, I am quite certain, the intention of the State Governments or the Federal Government to declare, as a group settlement area, land which has already been settled. Obviously those people in New Villages have been asked by Government to settle on the land. So it will not be proper for the Government to clear up them out of the land. But this, of course, will not prejudice the right of a State Government to clear out squatters from illegal occupation of land. This is quite a different matter entirely. So I hope the Honourable Member is clear on this—that Clause 19 only affects those lands which have been declared group settlement areas under this Ordinance.

Now, Sir, my Honourable friend Enche' Athi Nahappan has asked for an explanation of the difference between urban and rural areas and he has also asked why should non-Federal citizens be allowed to occupy urban holdings but not rural holdings. Well, Sir, as

can be seen under this Bill, an urban holding really means an area where people carry out business, shop-houses, etc., and in such an area naturally we want the people to do business, not only by individual persons but by corporations, co-operative societies and others. Therefore, it will not be fair to limit these holdings only to Federal citizens. Also, Sir, the Honourable Member will see clearly from this that the limitation under Clause 19 only holds good so long as the land remains a State land. Once a title is granted, there is no limitation, that is to say, that a land can be sold to a non-Federal citizen.

Now, Sir, the Honourable Mr. Athi Nahappan also spoke about the assignment of rights. Assignment of rights under this Bill will only be given to *bona fide* cultivators. To my mind, there will be little opportunity for speculation. I think it is quite clear in the Ordinance that the cultivator will only grant or approve assignments to *bona fide* cultivators—people who really want to work on the land.

Now, Sir, the Honourable Mr. Crawford did ask that we should make sure that there should be a proper test for people who want to own land under this Ordinance, that is to say, we must be sure that people who are genuinely landless are given land. That, Sir, is the Government's policy and every effort will be made to see that genuine people, people with no land, will be given land. It is intended to have a list prepared of people who have no land, and to these people only preference will be given for alienation of land. Of course, Sir, I cannot guarantee that it is 100 per cent safe, so to speak. But as I have said, every effort will be made to see that people who do not have land are being given land.

My Honourable friend Mr. Lim Hee Hong asked that in implementing this policy we should not overlook the people in the New Villages. As I have already said, Sir, Government's rural development policy is national in scope and national in extent. That is to say, all people in the rural areas, whatever their race, will benefit from this rural development policy. *(Applause)*.

Now, Sir, my Honourable friend Enche' Abu Bakar from Penang raised the question of water supply charges in the rural areas in Penang. Water supply, Sir, is a State matter and in this respect, I believe, water supply in Penang is a matter for the Municipality there. The Federal Government has very little control. But it is a surprise to me that the Socialist Government there charges a higher water rate to the poorer people in the rural areas than to the rich people in the town. (*Laughter*). As regards the suggestion that we should build more secondary schools in the rural areas, I think that is definitely the Government's policy and I know that my colleague the Minister of Education is very much interested in this subject.

Tuan Yang di-Pertua, ada beberapa Ahli Yang Berhormat yang telah mendatangkan pandangan² di-atas Rang Undang² ini, dan saya suka-lah mengucapkan terima kaseh kepada Ahli² Yang Berhormat yang telah memberi sokongan yang kuat pada undang² ini kerana sangat-lah mustahak. Berkenaan dengan pandangan Ahli Yang Berhormat Engku Muhsein, saya suka memberi pandangan bahawa Kerajaan adalah memberi peruntokkan khas kepada bekas bekas tentera Pasokan Keselamatan, bekas Special Constable, bekas Tentera Keselamatan ia-itu Kerajaan Persekutuan menguntokkan 20 peratus kepada ahli² bekas Pasokan Keselamatan dan Kerajaan² Negeri 15 peratus, tetapi malang-nya peruntokkan itu sahingga pada masa ini tak dapat di-penuhi kepada bekas² Pasokan Keselamatan itu. Saya berharap mereka itu akan mendapat faham lebeh² lagi berkenaan dengan fa'edah daripada rancangan Kerajaan ini dan di-samping mendapat peluang yang berharga di-terima oleh mereka itu.

Yang Berhormat Enche' Mohd. Zahir ada memberikan pandangan terhadap pentadbiran Rang Undang² ini. Beliau ada berkata bahawa pada fikiran-nya tidak-lah elok kalau kuasa bagi menjalankan rancangan ini—Group Settlement di-serahkan semua sekali kepada pehak Kerajaan² Negeri, kerana Kerajaan² Negeri ada beberapa kesulitan dan kesukaran di-atas melaksanakan

rancangan ini. Saya suka menerangkan bahawa hal tanah ini ia-lah kuasa penoh-nya pada Kerajaan² Negeri dan bagi pehak Kerajaan Persekutuan telah menubuhkan Federal Land Development Authority di-mana akan menjalan kuasa-nya bagi mengadakan satu Settlement Scheme, mengadakan dengan sa-berapa yang boleh, tetapi oleh kerana orang² yang berkehendakkan tanah terlalu banyak, jadi di-fikirkan oleh Kerajaan bahawa Federal Land Development Authority ini tidak berupaya, atau memuaskan hati kepada semua orang, oleh sebab itu di-adakan rancangan Group Settlement Areas dan ada-lah di-harap Kerajaan² Negeri akan menjalankannya tetapi tidak-lah berma'ana yang Kerajaan Persekutuan akan melepaskan tangan, kerana rancangan tanah itu. Saya katakan tanah itu ada-lah satu bahagian yang penting sekali, jadi Rancangan Kemajuan Luar Bandar yang perkara ini pentadbiran-nya ada-lah di-bawah Jawatan-Kuasa Negeri, Jawatan-Kuasa Jajahan, dan juga di-bawah Jawatan-Kuasa National Rural Development Council. Jadi, jikalau di-dapati beberapa kesulitan², Kerajaan Persekutuan akan memberi bantuan dengan sa-berapa yang boleh, tetapi saya fikir tak payah-lah di-adakan tambahan dalam Rang Undang² ini, kerana kerjasama atau pertolongan daripada Kerajaan Persekutuan ini akan di-jalankan yang menurut yang biasa-nya di-jalankan di-tiap² Negeri ia-itu jikalau Kerajaan² Negeri tak dapat hendak menjalankan sa-suatu perkara berhubung dengan kerja² itu umpama-nya sa-suatu perkara, atau pun Kerajaan² Negeri kekurangan wang maka tentu-lah Kerajaan Persekutuan akan memberi bantuan wang, kerana Kerajaan Persekutuan sendiri memikirkan bahawa rancangan ini mustahak di-jalankan. Oleh itu, saya berharap dengan ada-nya langkah pentadbiran berkenaan dengan Pembangunan Luar Bandar yang mana perkara yang sarupa itu dapat di-atasi, saya fikir perkara ini akan memuaskan hati pada semua Ahli² di-samping itu saya berharap supaya Kerajaan² Negeri akan mengutamakan menjalankan rancangan² ini kerana pekerjaan ini kalau berkehendakkan

hasil yang sepenoh²-nya, mustahak-lah Kerajaan² Negeri menjalankan sendiri. Saya sifatkan Kerajaan² Negeri itu sabagai motor-car, kalau dia tidak chukop minyak maka Kerajaan Persekutuan akan memberi minyak, tetapi dia sendiri mesti berjalan, kalau Kerajaan² Negeri itu tak berjalan maka ranchangan pun tak berjalan-lah. Sebab saya terpaksa mensifatkan perkara Ranchangan Luar Bandar yang Pekerjaan mereka itu menunggu sahaja pertolongan daripada Kerajaan Persekutuan, sebakel-nya bukan, perkara ini ada-lah ranchangan Kerajaan² Negeri dan Kerajaan Persekutuan boleh memberikan pertolongan dengan sa-berapa daya-nya yang boleh.

Yang Berhormat Enche' Mohd. Zahir ada memberikan pandangan berkenaan dengan definition "Commissioner" yang mana kata-nya tidak ada satu provision bagi melantek "Commissioner" itu. Saya telah di-nasehatkan oleh Attorney-General yang mana kata-nya tak payah-lah di-adakan provision bagi appointment of Commissioner, kerana Commissioner itu dari State Officer dan hanya yang di-kehendakki di-sini ia-lah Ruler in Council to designate a Commissioner as the Commissioner of Lands. Itu sahaja yang di-adakan, kerana sudah ada State Officer yang di-namakan Commissioner of Lands.

Yang Berhormat dari Melaka yang mengatakan berkenaan dengan Federal Land Development Authority, saya tak tahu ranchangan yang mana yang telah di-sebutkan itu yang di-katakan hanya ada ranchangan tanam getah, tak ada bertanam yang lain dan ini-lah ke-khilapan daripada Federal Land Development Authority. Saya tak dapat keterangan yang lebeh lanjut dalam perkara ini, tetapi biasa-nya kalau perkara yang semacham ini juga berlaku, bukan-nya sebab Federal Land Development Authority, tetapi Kerajaan² Negeri tak ada menguntokkan tanah, umpama-nya bertanam padi, atau pun bertanam barang atau benda² yang lain dan ranchangan—scheme yang saperti ini biasa-nya di-tadbirkan oleh satu Jawatan-Kuasa Land Development Board yang mengandongi wakil² Negeri, jadi Federal Land Development Authority menjalankan tugas-nya dari atas sahaja.

Yang Berhormat wakil dari Trengganu ada memberi pandangan terhadap bekas ahli² perahu besar atau ahli² pelayaran yang berkehendakkan supaya dapat mengambil bahagian untok ranchangan ini. Saya rasa ranchangan itu di-untokkan pada semua pehak ra'ayat jelata yang suka mahu mengambil bahagian ranchangan tanah yang mana akan di-beri peluang dengan sa-berapa yang boleh, dan juga wakil dari Kelantan ada memberikan pandangan ia-itu patut-lah di-beri jaminan tanah yang di-punyai oleh orang² kampung yang menurut dalam undang² ini tak di-benarkan di-jual kepada orang² yang bukan ra'ayat. Perkara ini saya fikir tak dapat-lah hendak di-tentukan terhadap Rang Undang² ini, kerana mengikut dasar yang besar yang mesti, kalau dasar yang semacham itu hendak di-jalankan maka kena-lah di-pinda Undang² Land Code—perkara in ta' boleh di-buat di-bawah undang² ini—Group Settlement Areas.

Dan akhir-nya, Tuan Yang di-Pertua, saya pun berasa hairan mendengar pandangan wakil dari Trengganu dan juga wakil Kelantan ia-itu wakil² pehak Parti Islam sa-Malaya berhubung dengan pinjaman dari luar negeri. Wakil dari Trengganu telah menyatakan yang Parti Islam sa-Malaya menentang pinjaman wang dari luar negeri, akan tetapi jikalau Kerajaan Persekutuan telah meminjam wang itu Kerajaan PAS ada-lah menerima sahaja, dan bagitu juga wakil dari Kerajaan Kelantan yang mana ada berkata menentang pinjaman wang dari luar negeri itu ada-lah dari segi kacha mata politik sahaja. Yang sa-benar-nya Parti PAS menerima wang pinjaman ini dan kalau Parti PAS berkuasa maka dia pun akan meminjam wang juga dari luar negeri. Jadi,

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, saya pohon hendak menjelaskan sekali lagi pengertian dari kacha mata politik itu sengaja saya tak huraiakan dengan panjang, tetapi tentu-lah ada maksud erti-nya pandangan dari sudut berhutang, dari satu kuasa yang barangkali di-dalam-nya ada beberapa syarat yang boleh

mengikat, jika bertentangan dengan fahaman politik dalam negeri, atau parti² politik sa-bagaimana PAS. Itu ada-lah dari kacha mata politik, bukan dari kacha mata politik sahingga boleh menimbulkan tafsiran kempen politik, atau pun kempen menchari undi.

Tun Abdul Razak: Tuan Yang di-Pertua, saya faham-lah perkara di atas chara perbuatan politic sahaja. Biasa-nya kalau parti politik berchakap menerangkan sa-suatu dasar yang kita ketahui datang-nya dari parti itu sendiri sampai bila² masa sahaja, tetapi kalau perkara yang di-chakapkan itu berlainan daripada perkara yang di-perchayai-nya sendiri, atau yang hendak di-jalankan-nya sendiri maka saya tak faham-lah.

Walau bagaimana pun, biar-lah saya memendekkan perkara ini, kalau Parti PAS benar² bersetuju hendak menerima wang pinjaman ini maka elok-lah di-tarek balek dasar yang salah yang di-sebutkan itu dan betulkan balek supaya sekarang ini istiharkan-lah bagi pehak Parti Islam sa-Malaya agar menerima pinjaman wang dari luar negeri itu. (*Hear! Hear! Tepok*).

Question put, and agreed to.

Bill accordingly read a second time.

Mr. President: The Senate is adjourned till 10 a.m. to-morrow on Tuesday, 10th May, 1960.

Senate adjourned at 4.30 p.m.