

Volume I
No. 3



Wednesday
22nd July, 1964

PARLIAMENTARY DEBATES

DEWAN NEGARA (SENATE)

OFFICIAL REPORT

FIRST SESSION OF THE SECOND PARLIAMENT
OF MALAYSIA

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MALAYSIA
DEWAN NEGARA (SENATE)
Official Report

First Session of the Second Dewan Negara

Wednesday, 22nd July, 1964

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., J.P. (Johore).
- „ ENCHE' ABDUL SAMAD BIN OSMAN (Appointed).
- „ ENCHE' ABDUL WAHAB BIN IDUS, P.J.K. (Negeri Sembilan).
- „ TUAN HAJI AHMAD BIN HAJI ABDULLAH, A.M.N. (Penang).
- „ CHE' AISHAH BINTI HAJI ABDUL GHANI (Appointed).
- „ ENCHE' AMALUDDIN BIN DARUS (Kelantan).
- „ DATU JOSEPH AUGUSTINE ANGIAN ANDULAG, P.D.K. (Sabah).
- „ DATU TUANKU BUJANG BIN TUANKU HAJI OTHMAN (Sarawak).
- „ ENCHE' CHAN KWONG-HON, A.M.N., S.M.S., J.P. (Selangor).
- „ DATO' DR CHEAH TOON LOK, D.P.M.K., D.M.K., J.M.N., J.P. (Appointed).
- „ ENCHE' CHOO KOK LEONG (Appointed).
- „ DATO' J. E. S. CRAWFORD, J.M.N., J.P., Dato' Kurnia Indera (Appointed).
- „ ENCHE' DA ABDUL JALIL BIN HAJI AWANG (Trengganu).
- „ ENCHE' HOH CHEE CHEONG, A.M.N., J.P. (Pahang).
- „ ENCHE' HONG TECK GUAN (Appointed).
- „ ENCHE' ANDREW JIKA LANDAU (Appointed).
- „ ENCHE' KO TECK KIN (Singapore).
- „ ENCHE' KOH KIM LENG (Malacca).
- „ DATO' LEE FOONG YEE, J.M.N., P.P.T., J.P. (Negeri Sembilan).
- „ DATO' Y. T. LEE, D.P.M.S., J.M.N., P.J.K., J.P. (Appointed).
- „ ENCHE' LIM HEE HONG, A.M.N. (Appointed).
- „ ENCHE' MOHAMED ADIB BIN OMAR (Trengganu).
- „ DATU PENGIRAN MOHAMED DIGADONG GALPAM, P.D.K. (Sabah).
- „ ENCHE' MOHAMED SALLEH BIN MOHAMED ARIFF (Malacca).
- „ ENCHE' ATHI NAHAPPAN (Appointed).
- „ ENCHE' S. P. S. NATHAN (Appointed).
- „ NIK HASSAN BIN HAJI NIK YAHYA, J.M.N. (Appointed).
- „ TEMENGGONG OYONG LAWAI JAU (Sarawak).
- „ TOK PANGKU PANDAK HAMID BIN PUTEH JALI, P.J.K. (Appointed).

- The Honourable ENCHE' SAIDON BIN KECHUT, A.M.N. (Appointed).
 „ 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).
 „ DATO' T. H. TAN, P.M.N. (Appointed).
 „ DATO' E. E. C. THURASINGHAM, D.P.M.J., J.P. (Appointed).
 „ ENCHE' S. O. K. UBAlDULLA, J.M.N. (Appointed).
 „ WAN AHMAD BIN WAN DAUD, J.M.N., P.J.K., J.P. (Perlis).
 „ DATO' WAN IBRAHIM BIN WAN TANJONG, J.M.N., P.J.K., Orang Kaya Indera Maharaja Purba Jelai (Pahang).
 „ WAN SULAIMAN BIN WAN TAM, P.J.K. (Kedah).
 „ ENCHE' YEOH KIAN TEIK (Perak).

ABSENT:

- The Honourable the Minister without Portfolio, DATO' ONG YOKE LIN, P.M.N. (Appointed).
 „ ENCHE' ABDUL RAHMAN BIN AHMAD (Perlis).
 „ ENCHE' AHMAD BIN HAJI TAFF (Singapore).
 „ ENCHE' CHEAH SENG KHIM, J.P. (Penang).
 „ RAJA RASTAM SHAHROME BIN RAJA SAID TAUPHY (Selangor).
 „ ENCHE' WILLIAM TAN (Appointed).

IN ATTENDANCE:

- The Honourable the Minister of Health, ENCHE' BAHAMAN BIN SAMSUDIN (Kuala Pilah).
 „ the Minister for Local Government and Housing, ENCHE' KHAW KAI-BOH, P.J.K. (Ulu Selangor).
 „ the Assistant Minister of Culture, Youth and Sports, ENKGU MUHSEIN BIN ABDUL KADIR (Trengganu Tengah).

PRAYERS

(Mr President *in the Chair*)

ANNOUNCEMENTS BY
MR PRESIDENT

REPLY FROM HIS MAJESTY THE
YANG DI-PERTUAN AGONG TO
ADDRESS OF THANKS

Mr President: Yang Berhormat Ahli² Dewan Negara, saya suka hendak memberitahu bahawa saya telah menerima satu perutusan daripada Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong ia-itu ia-lah sa-bagai menjawab persembahan Dewan Negara menguchapkan terima kaseh kepada Kebawah Duli kerana

Titah Uchapan Baginda. Sekarang saya bachakan perutusan itu:

“KAU LUHUL HAK

Warakatul ikhlas walmuhibbah ia-itu daripada Beta Syed Putra ibni Almarhum Syed Hassan Jamalullail, Yang di-Pertuan Agong Malaysia.

Mudah²an barang di-wasalkan oleh rabbil 'alamin ka-majlis Yang Berhormat Dato' Haji Abdul Rahman bin Mohamed Yasin, S.P.M.J., P.I.S., J.P., Yang di-Pertua Dewan Negara Malaysia, yang ada beristerihat alakhir pada masa ini di-bandar Kuala Lumpur dengan beberapa selamat dan kesejahteraan-nya.

Waba'dah ehwal Beta sangat² sukachita menerima warkah Dato' yang bertarikh pada 4 haribulan Jun, 1964 kerana menyampaikan ketetapan Uchapan Terima Kaseh Majlis Dewan Negara Malaysia, kerana Titah Uchapan Beta pada masa membuka Penggal Pertama Parlimen Yang Kedua. Beta meminta kelapangan Dato' apa-lah jua kiranya Dato' menyampaikan terima kaseh Beta kepada sakalian Ahli² Majlis Dewan Negara Malaysia kerana membuat ketetapan yang tersebut, dan jua di-atas perasaan yang tulus ikhlas yang telah ditunjukkan kepada Beta itu akan di-kandungkan di-dalam ingatan Beta sa-lama²-nya.

Demikian-lah sahaja Beta ma'alumkan di-sudahi dengan salam ta'azim jua ada-nya.

Termaktub pada
30 haribulan Jun, tahun 1964."

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

Mr President: Ahli² Yang Berhormat, saya suka juga memberitahu kepada Majlis ini ia-itu saya telah menerima satu perutusan daripada Majlis Dewan Ra'ayat. Sekarang saya jemput Setiausaha Majlis membachakan perutusan itu.

(The Clerk reads the following message dated 11th July, 1964.)

"Mr President,

The House of Representatives has passed the following Bills:

- (1) to amend the Constitution of the Federation,
- (2) to amend the Internal Security Act, 1960,
- (3) to amend the laws relating to Income Tax in Malaysia.
- (4) to amend the Criminal Law (Temporary Provisions) Ordinance, 1955, of Singapore,
- (5) to apply sums out of the Consolidated Fund for additional expenditure for the service of the year 1963 and

1964 and to appropriate such sums for certain purposes,

- (6) to amend the National Service Ordinance, 1952,
- (7) to amend the Customs Ordinance, 1952,
- (8) to amend the Excise Act, 1961,
- (9) to provide for the assignment by the Federation Government to the State Governments of a portion of export duty collected by the Federation Government in respect of certain mineral-ores, and for matters connected therewith,
- (10) to amend the Financial Procedure Ordinance, 1957,
- (11) to make further provision for regulating the marketing of canned pineapple, to provide for registration of growers of pineapple and to amend the Pineapple Industry Ordinance, 1957,

and transmits them to the Senate for its concurrence.

(Signed) SYED ESA BIN ALWEE,
Speaker."

BUSINESS OF THE SENATE

Dato' T. H. Tan: Mr President, Sir, I beg to give notice that I will move the second and third readings of the following Bills at this meeting of the Senate:

- (1) The Constitution (Amendment) Bill.
- (2) The Criminal Law (Temporary Provisions) (Amendment) Bill.
- (3) The Internal Security (Amendment) Bill.
- (4) The Income Tax Bill.
- (5) The Supplementary Supply (1963 and 1964) Bill.
- (6) The Customs (Amendment) Bill.
- (7) The Excise (Amendment) Bill.
- (8) The Assignment of Export Duty (Mineral Ores) Bill.
- (9) The Financial Procedure (Amendment) Bill.

Mr President, Sir, I must say the statement by Dr Subandrio did not come as a surprise to us because we have heard it before. We, nevertheless, made our position doubly clear that Malaysia could not negotiate at the point of a gun.

The agreement to hold Ministerial and Heads of Government talks in Tokyo did not appear to inhibit the Indonesian Government's "Crush Malaysia" campaign. Anti-Malaysia propaganda increased rather than diminished in volume; new attacks were launched across the border from Indonesian Kalimantan resulting in further casualties among members of the Malaysian Security Forces.

After the first verification report had been received from Thailand confirming that 32 Indonesian troops had withdrawn across the border, a second Meeting of the Foreign Ministers was held, and it was agreed that a Heads of Government Meeting should be held the next day, 20th June, 1964.

Now, during the two Meetings of the Heads of Government, President Macapagal outlined his proposal for the establishment of an Afro-Asian Conciliation Commission. The Commission would be requested to study the existing problems between the three countries and to submit recommendations for the solution.

President Soekarno said that he would accept the Afro-Asian Commission, but that in the meantime "confrontation" would continue. Withdrawal of Indonesian guerillas, he said, would be in conformity with the progress of the political settlement.

Our Prime Minister explained at the Meetings that he could not understand the objection of President Soekarno to the formation of Malaysia on the grounds that it was created by the British. He further explained to the Meeting that Malaysia came into being in the same way as other countries in the Commonwealth through negotiations with the metropolitan power, that is the British Government. The same process had taken place when Malaya became independent in August, 1957. Indonesia did not object to Malaya nor

did she object to the presence of the British in North Borneo and Sarawak before the 16th September, 1963. The formation of Malaysia received further authentication of the desire of the peoples concerned from the Secretary-General of the United Nations. President Soekarno failed to adduce evidence that the Secretary-General had not fully implemented the Manila Accord.

It should be noted that there was agreement among the three Heads of Government on only one aspect of the proposed Afro-Asian Conciliation Commission, namely, that there should be a body of persons, who would constitute this Commission. There was no discussion and, therefore, no agreement on either the composition, or the terms of reference of the Commission. Now, it is to be stressed that that body will not be a Truce Commission.

The imposition of Indonesia's will on Malaysia by means of force and the threat of force cannot be justified under any circumstances and condemnable by the Charter of the United Nations and by the Bandung Declaration of which Indonesia claims to be the champion.

We proposed that all forms of confrontation and aggression should cease before consideration could be given to the appointment of this Commission.

Mr President, Sir, the Summit Conference on which so much hope had been attached by millions of people finally broke down without any agreement. We on our side, as I have stated earlier, had made repeated concessions and had done all we could to come to terms with Indonesia and we gave in several times, so that the Prime Minister could come face to face with Soekarno, to try to understand the reasons behind Soekarno's objection to Malaysia.

As a result of the Tokyo Meeting, we now know, and the world now knows, that despite his protestations that "all human beings have a right to live in peace and happiness", Soekarno's real ambition is to dominate this whole region. As soon as the Indonesians went back to Jakarta from Tokyo, Subandrio came out with a most cynical statement declaring that Indonesia is now no

longer bound to its previous commitments and is now free to intensify the "Crush Malaysia" campaign. So, it is "Crush Malaysia" again! By no stretch of imagination could one believe that those words came from a man who really desires peace.

Sir, we are now back where we were. We have demonstrated in no uncertain terms our overriding desire for peace with Indonesia consistent with our independence and sovereignty. It was obvious that Soekarno would only accept a solution that would end in the dismemberment of Malaysia. Nothing would be dearer to his heart than to see Sabah and Sarawak under his rule.

The situation in Sabah and Sarawak today may become more serious in view of the massive Indonesian build-up along the border and Indonesia's declarations to intensify their "confrontation". All Malaysians are called upon to give their utmost support to the Government in our efforts to defend this country and to choose this as the best of times to show their loyalty to this country. We must now be prepared for a protracted war of nerves and we must strengthen ourselves in the belief that democracy, justice, and our way of life, will in the end triumph. In this connection, we are taking the necessary measures to strengthen our defence forces to establish Vigilance Corps or *Pasokan Kawalan*, and to the immediate measures to call up all those persons registered under the Registration Ordinance from 1st August, both for military and civil defence.

Sir, before I conclude, I would like to take this opportunity in expressing our very deep appreciation and gratitude to the Government of Thailand, in particular to those personnel in the Thai Armed Forces, who were involved in the verification exercise.

Therefore, Mr President, Sir, in this hour of national crisis, on behalf of the Prime Minister and the Government, I ask all of you to stand solidly behind the Government in defence of our independence, our integrity and our honour. Let us show to the enemies that we are determined to resist their acts of hostilities, in whatever form they may appear, to the bitter end. We are

now a free and independent nation, and we cannot call ourselves worthy of our country unless we are prepared to defend that freedom and that independence with our lives. Thank you. (*Applause*).

Mr President: Ahli² Yang Berhormat, saya berchadang hendak menanggohkan meshuarat ini sampai pukul 2.30 petang ini dan pada masa itu nanti Menteri² yang bertanggung-jawab dalam berbagai² urusan dalam Atoran Urusan Meshuarat ini akan dapat hadir menerangkan perkara² yang tersebut itu ka-Majlis Dewan Negara ini.

Majlis ini di-gantongkan sa-hingga pukul 2.30 petang ini.

Sitting suspended at 10.40 a.m.

Sitting resumed at 2.30 p.m.

(Mr President in the Chair)

MOTION

THE PARLIAMENT (MEMBERS' REMUNERATION) ACT, 1960— AMENDMENT TO SCHEDULE

Dato' T. H. Tan: Mr President, Sir, I beg to move the motion standing in my name, appearing as item 1 in the Order Paper for today, viz:

"That this House pursuant to the provisions of section 4 of the Parliament (Members' Remuneration) Act, 1960, resolves that the following amendments be made to the Schedule to that Act:

In paragraph 9—

- (i) there shall be substituted for the words 'Members shall' the words 'A Member shall be exempted from the payment of hospital ward charges and shall'; and
- (ii) there shall be added the following new provisions—

'Where by reason of an emergency a Member is forced to obtain treatment (other than dental treatment) at a hospital, not being a Government hospital, there shall be reimbursed to the Member any sum paid by him to the said hospital in respect of the treatment.

In this paragraph, the expression 'Member' includes the spouse and children, if any, of such Member.'

Dato' J. E. S. Crawford: Sir, I beg to second the motion.

Question proposed.

Enche' Khaw Kai-Boh: Mr President, Sir, the purpose of the Amendment is to amend paragraph 9 of the Schedule to the Parliament (Members' Remuneration) Act, 1960.

Paragraph 9 of the Schedule provides that Members of Parliament shall be entitled to the same medical facilities as for Division I officers of the general public service. Division I officers have to pay ward charges when they are admitted as patients in Government hospitals. It is never intended that Members of Parliament should pay ward charges. It is, therefore, necessary to amend the paragraph so that Members of Parliament are exempted from this requirement. In addition, it is considered that there should be a provision in the Schedule to the effect that if a Member of Parliament is forced to obtain medical treatment in a private dispensary he should be reimbursed these expenses incurred by him. This privilege is restricted only in cases of emergency. In any other case the Member must obtain treatment at a Government hospital.

The other amendment is in respect of medical treatment for husbands and children of lady Members. At present, only wives and children of Members are entitled to free medical facilities. It is considered that this privilege should be extended to husbands and children of lady Members of Parliament.

Enche' Abdul Samad bin Osman: Tuan Yang di-Pertua, saya hendak bertanya satu perkara sahaja berkenaan dengan Bill ini, ada-kah di-katakan isteri itu, sa-kira-nya Ahli² Yang Berhormat dalam Dewan ini ada mempunyai tiga orang isteri, ada-kah isteri yang nombor dua dan nombor tiga akan di-bebaskan daripada bayaran wad sa-bagaimana tersebut dalam Undang² ini?

Dato' Sheikh Abu Bakar bin Yahya: Honourable Dato' President, Sir, I would like to ask for a clarification from the Minister concerned about the word "hospital" in the second paragraph, and also "children". Does the word "hospital" include a dispensary, because from what I understand "hospital" is a hospital.

With regard to "children," I would also like for a clarification whether the word "children" applies to children who are Government servants but are not entitled to hospital charges.

Enche' S. O. K. Ubaidulla: Sir, I would like to know whether this provision would apply to an Honourable Member who happens to be away from the country and there out of necessity he happens to avail the assistance of a private hospital, whether he can submit such bills to the Government.

Enche' Khaw Kai-Boh: Mr President, Sir, with regard to the question raised by the Honourable Senator, Enche' Abdul Samad bin Osman, pertaining to the question of more than one wife whether the second and the third wives will be eligible, the answer is "Yes" provided they are legal wives. (*Laughter*) If they are legal wives, the answer is that they are obviously eligible to the provision as stated in the Amendment.

Now, with regard to the second question raised regarding the interpretation of the word "hospital" whether it includes a dispensary, the answer is "Yes". This assurance has, in fact, been given in the Lower House by the Honourable Deputy Prime Minister. The word "hospital" does include a dispensary.

In connection with the third point raised whether when someone is away from this country, he will be entitled to have all the expenses reimbursed in connection with medical treatment in the hospital or dispensary abroad, the answer is "Yes" provided it is an emergency case. Obviously, if you know you have a certain ailment here and instead of going to a Government hospital here for treatment you arrange for a Harley Street specialist to see you in London, you will not get your bill reimbursed. But, if in the course of your travel and you happen to be indisposed, wherever you are, then I think my answer to the question is "Yes"; you are entitled, provided you fulfil the requirement that it is an emergency case. Thank you, Sir.

Dato' Sheikh Abu Bakar bin Yahya: I would like to ask the Minister, what about the children? I asked two questions just now.

Enche' Khaw Kai-Boh: I beg your pardon. In connection with children, I think the general interpretation of "children" must be adopted as generally applicable to all Government servants. As this is more or less parallel to Division I officers, the same interpretation obviously would apply; and generally the word "children" would confine to unmarried children up to the age of 21—in the case of girls, of course, if they are married, obviously the husbands will have to be responsible for their welfare. I think the general interpretation of the law must be applied in this case.

Enche' Abdul Samad bin Osman: Mr President, Sir, I heard the Minister said just now that provided they are legal wives they would get all these things. But, Sir, as far as I know all wives are legal. (*Laughter*).

Enche' Khaw Kai-Boh: Well, I am afraid I am not an expert on the finer points of legal wives as I am not one of those who is fortunate enough to go into that form of luxury. I think in the interpretation of this provision obviously the Government must have some form of yardstick, and if any Honourable Member is prone to have more than the necessary number of wives then of course the Government will have to look into the matter. (*Laughter*) But on the other hand, if an ordinary custom, depending on the Honourable Member himself, permits him to have more than one wife, of course he will be given the necessary allowance for treatment in connection with this provision. But on the other hand, if an Honourable Member has been married under the various laws pertaining to monogamy and allowing him to have only one wife, obviously the unfortunate illegal wives will be deprived of this treatment.

Question put, and agreed to.

Resolved,

"That this House pursuant to the provisions of section 4 of the Parliament (Members' Remuneration) Act, 1960, resolves that

the following amendments be made to the Schedule to that Act:

In paragraph 9—

- (i) there shall be substituted for the words 'Members shall' the words 'A Member shall be exempted from the payment of hospital ward charges and shall'; and
- (ii) there shall be added the following new provisions—

'Where by reason of an emergency a Member is forced to obtain treatment (other than dental treatment) at a hospital, not being a Government hospital, there shall be reimbursed to the Member any sum paid by him to the said hospital in respect of the treatment.

In this paragraph, the expression 'Member' includes the spouse and children, if any, of such Member.'

BILL

CONSTITUTION (AMENDMENT) BILL

Second Reading

Dato' T. H. Tan: Mr President, Sir, I beg to move that the Constitution (Amendment) Bill be read a second time.

Dato' J. E. S. Crawford: Sir, I beg to second the motion.

Enche' Khaw Kai-Boh: With your permission, Mr President, Sir, I would like to explain the Bill clause by clause.

Clause 2 of the Bill seeks to amend Article 9 of the Constitution on the movement of persons between the States of Malaya and Singapore. The effect of this amendment is that any legislation passed by the Federal Government restricting the movement of persons between the States of Malaya and Singapore will mean that it will be reciprocal.

This amendment seeks to implement the terms of Article 2 of the Supplementary Agreement relating to Malaysia made between the Governments of the former Federation of Malaya, Great Britain and Singapore.

Clause 3—Honourable Members are aware that clause (3) of Article 26 of the Constitution was repealed in 1962. This repeal overlooked the fact that there should be a consequential repeal

of clause (4) of the same Article. In addition, the clause is redundant, in that the provisions in that clause are also included in Articles 18 (3) and 19 (5). The provisions of Articles 18 (3) and 19 (5) ensure that a person registered or naturalised will for all purposes be a citizen from the date of such registration or grant of a certificate of naturalisation. His citizenship cannot be questioned unless proceedings are taken under Article 26B of the Constitution.

Clause 4—This clause seeks to amend Article 35 to provide that the remuneration of the Deputy Yang di-Pertuan Agong shall be charged on the Consolidated Fund in the same manner as the Civil List of the Yang di-Pertuan Agong. In other words, by this amendment it will not be necessary to debate the provision for the Timbalan Yang di-Pertuan Agong yearly. The House is aware that the remuneration of the Timbalan Yang di-Pertuan Agong is provided by law, i.e., by the Timbalan Yang di-Pertuan Agong (Remuneration) Ordinance, 1957.

Clause 5—This clause seeks to enact two new Articles, i.e., Articles 43B and 43C, to provide for the appointment of Political Secretaries and Parliamentary Secretaries. Honourable Members are aware that the responsibilities of the Ministers have increased tremendously with the formation of Malaysia. Because of this, it is necessary that they be assisted by Political Secretaries. It is, however, not intended to appoint Parliamentary Secretaries in the near future. The Prime Minister will have full discretion to appoint and to dismiss Political Secretaries and Parliamentary Secretaries. Article 160 is to be amended so as to include Political and Parliamentary Secretaries to be in the definition of "a member of the administration" and thus outside the jurisdiction of the Services Commission.

Clause 6—The Senate now consists of 22 members appointed under Article 45 (1) (b). Clause 6 of this Bill seeks to amend Article 45 (1) (b) so as to increase the number of appointed

members to 32. This increase is considered necessary in order to provide for wider representation in the Senate consequent upon the formation of Malaysia. His Majesty will thus be able to appoint more persons of wider experience and ability to take an active part in the Legislature.

Clause 7—Article 57 of the Constitution provides that the House of Representatives shall choose one of its members to be the Yang di-Pertua Dewan Ra'ayat (i.e., the Speaker) and one to be the Deputy Speaker. Clause 7 of this Bill seeks to amend this Article in order to enable the House of Representatives to appoint a person who may not be a member of that House to be the Speaker. Honourable Members are aware that a new Service called the Parliamentary Service has been established. Because of this, the duties, functions and responsibilities of the Speaker have become heavier. If the Speaker is chosen from among the members of the House he might not have sufficient time to look after the interests of the people of his constituency. When Article 57 is amended the House of Representatives may choose either a member of that House or a non-member who is qualified to be a member of that House to be the Speaker. But the Deputy Speaker must however be chosen from among the members of that House. A Speaker who is not a member of that House will not be entitled to vote on any matter before that House.

Paragraph 2 of clause 7 of the Bill enables the Speaker to continue in office after Parliament is dissolved, but he must vacate his office when the House of Representatives first meets after a general election. Further, the amendment also provides for the removal of the Speaker and Deputy Speaker if that House so resolves. The existing provision in the Constitution gives no power to that House to remove the Speaker or the Deputy Speaker once he has been elected.

Clause 8—The object of clause 8 is to correct an oversight when Article 99 of the Constitution was amended. The Eighth Schedule which contains

essential provisions, i.e., provisions which must be included in the State Constitution, should have been amended when clause (3) (c) was included in Article 99.

Dato' Y. T. Lee: Mr President, Sir, it is an honour and privilege to speak in this Upper House on the Constitution (Amendment) Bill. As has been pointed out by the Minister of Home Affairs, when he introduced the Bill in the Dewan Ra'ayat, this is a straightforward and simple document which nobody, not even the extreme left, should be afraid of. We are indeed conscious that the Constitution is a revered document, and the Government is equally conscious, because of its duty to the people, that amendments are necessary to meet changing conditions. There is no need for me to repeat in detail the various forms of confrontation from within and without which we are facing. May I remind Honourable Members that our very Constitution itself allows us to make changes to the Book of Rules. The very fact that it does so is an admission that the Book of Rules was never considered 100 per cent perfect, and those who framed the Constitution decided that opportunities must be afforded for changes to be made. If Members appreciate that point, then they cannot argue that we are violating procedure or acting contrary to anything. Although the amendments are of a minor nature, they are necessary in view of the larger responsibilities with which the Government is now faced.

In the Lower House Opposition Members of the P.M.I.P. opposed the Bill. In doing so, they did not clarify their position, but agreed with the views expressed by other Opposition Members of Parliament that the Senate was outmoded and therefore unnecessary. But if they do still hold that view, then, Mr President, Sir, I say that their representatives have no right to sit in this House and I challenge them, if they are really a honest party, to leave this Chamber. How can you condemn the Senate and still have members sitting here? I wish these Honourable Members would

practise what they preach; or is it, Mr President, Sir, that there are conflicting views within the P.M.I.P., one group believing that the Senate is a right and proper body and another against its existence? If there is no such division, then perhaps the Honourable Members opposite will make their stand clear.

The amendments are of a minor nature and there is no reason why this Bill has to wait for a six months period for study. This country is going through abnormal time. On the one hand there is active confrontation from Soekarno and on the other hand communist subversion is being intensified. These amendments are necessary to meet and counteract the difficulties confronting the new nation.

The main provisions in this Bill are to give great flexibility in the election of the Speaker and to strengthen Government administration by the appointment of Political and Parliamentary Secretaries to assist Ministers in their work. Ministers attending international conferences are so short handed that they have to do their own clerical work at times. Singapore is only a State of Malaysia, yet the Ministers there are provided with Parliamentary and Political Secretaries.

The appointment of additional Senators is to invite more brains into the Upper House, so that Bills which might escape the attention of the Lower House will receive further scrutiny in the Senate.

One is rather bewildered that on the one hand you find the Opposition Members raising such a hue and cry over minor amendments to the Constitution and yet, on the other hand, they suggest such major and sweeping changes to the Constitution as the scrapping of the Senate. Mr President, Sir, the scrapping of the Senate is a major change in the Constitution in any country. To scrap the Senate tantamounts to scrapping the Constitution.

The legislative authority of the Federation is vested in the Parliament which consists of the Yang di-Pertuan Agong and two Majlis (Houses of

Parliament) known as the Dewan Negara (Senate) and the Dewan Ra'ayat (House of Representatives). Subject to Clause (4), the Senate consists of elected and appointed members as follows:

- (a) two members for each State elected in accordance with the Seventh Schedule; and
- (b) sixteen members appointed by the Yang di-Pertuan Agong.

The members appointed by the Yang di-Pertuan Agong are persons who, in his opinion, have rendered distinguished public service, or have achieved distinction in the professions, commerce, industry, agriculture, cultural activities or social service, or are representatives of racial minorities, or are capable of representing the interests of aborigines.

The constitution of Parliament is part and parcel of the Constitution and may I, Mr President, Sir, at this juncture enlighten Honourable Members of the process which led to the creation of the Federation of Malaya Constitution?

The Report of the Federation of Malaya Constitutional Commission, consisting of recommendations for the future Constitution of the Federation was submitted to Their Highnesses the Rulers and to Her Majesty the Queen and published on the 21st February, 1957. The Conference of Rulers, the Government of the Federation of Malaya and Her Majesty's Government examined these recommendations for acceptance or modifications. Finally, a delegation consisting of the Chief Minister, the High Commissioner, the Attorney-General and representatives of Their Highnesses the Rulers and of the Government of the Federation went to London to finalise the Report. The talks lasted from 13th May to the 21st May and resulted in agreement being reached between all parties on all points of principle and accepted as the Federation of Malaya Constitution.

With the present form of Constitution, this country is enjoying a peaceful and prosperous era second to none in

Asia. I cannot imagine what is going to happen to this fair land of ours if the present Constitution is changed to another form. One look into some of our neighbouring countries will be sufficient to convince us that life is not worth living under such conditions.

This idea of scrapping the Senate constitutes the flouting of the authority of the Yang di-Pertuan Agong. Perhaps, the Opposition has in mind a complete change to the Constitution, in which case it will mean that this country will have a dictatorial form of Government ruled with an iron hand or that it will have a communistic form of Government. I challenge the Opposition Members to suggest a better form of Constitution to replace the Senate. Opposition Members have been so inconsistent in their speeches that it is sometimes difficult to reconcile their statements. They oppose for the sake of opposition.

Finally, Mr President, Sir, may I appeal at this stage to all Members of this House? Whatever party we may belong to, this is our country. Squabbles and petty political arguments we may have, but the time has come for us to sink our differences and rally behind the Government to defend this fair nation against a brutal aggressor.

If Soekarno takes over, let me remind the Opposition that there will not only be NO Senate, but there will also not be a Dewan Ra'ayat or any form of parliamentary democracy. (*Applause*). So, my hope is that this Bill gets the unanimous support that it deserves. (*Applause*).

Dato' J. E. S. Crawford: Mr President, Sir, I rise to give my full support to the Constitution (Amendment) Bill now before this House. I am convinced that, as a nation such as ours expands and develops, it is now and again—and will be from time to time—necessary to amend the Constitution to enable the Government running the country every facility to ensure that Malaysia is well and truly run.

Mr President, Sir, in another place an attack was launched on this House and its Members. Spearheading the offensive, it seemed to me, Sir, were certain renowned men of medicine. The smoke signals, as it were, emitted elsewhere by these medicine men tended not only to befog themselves but the Country in general.

I would mention, Sir, for the benefit of those in another place, who wish to write off the Senate because of the material therein, that four—what I might, aptly, describe as from our younger set—left these sheltered walls to contest the recent parliamentary elections, achieving one hundred per cent success. Sir, this House can now claim two full Ministers and two Assistant Ministers from its “old young boys”. (*Applause*).

In conclusion, Mr President, Sir, I venture to suggest to the doctor chaps from another place that before they mount a political post-mortem on the Constitution and this honourable House, they should be completely familiar with the Constitution they are examining and exercise particular care in selecting the body they wish to dismember. (*Applause*).

Enche' S. O. K. Ubaidulla: The Constitution (Amendment) Bill which is before us seeks among other things for the appointment of Political and Parliamentary Secretaries to Ministers.

When this Bill was taken up for discussion in the House of Representatives, Members of the Opposition found a very fertile field to talk ill of the Alliance Government. They made it appear that the Government was doing a very unholy act in a rather hush-hush manner.

Sir, the institution of appointing Political and Parliamentary Secretaries is not an invention of the Alliance Government. It is being practised in Singapore. Political and Parliamentary Secretaries are in office in many countries where parliamentary democracy is being practised.

After the formation of Malaysia, the duties of Ministers have increased

manifold; many of them are working even without the necessary and normal rest. At times they have to be away hundreds of miles in Northern and Eastern Malaysia. Someone with knowledge next to the Minister should stand by for him and be responsible to discharge some of his duties, at least those that are urgently expected of him, otherwise there will be breakdown and delay. A good, popular and ambitious Government could not be a party to such tardiness in the administrative machinery. The Opposition Members know too well that the Government is taking a much needed step at the right time, yet they spoke so gracelessly against the Bill.

Sir, to my mind, there could be only one reason for the negative attitude. The Opposition Members were markedly worried about the prospect of the Alliance Government bettering its working condition and streamlining its approach to the people by establishing increasing contact with them. To the Opposition Members further increase of the popularity of the Alliance Government means their further sinking into oblivion, and ultimately in some cases vanishing from the face of the Malaysian earth. When this fear was dominating their minds, I am not surprised in the least at their outcry against the Constitution (Amendment) Bill.

My only grouse against this Bill is that appointment of Parliamentary Secretaries should have been done much earlier than now. Sir, when the Constitution (Amendment) Bill was discussed in the Lower House, Honourable Members of the Opposition also took very serious objection to the provisions of increasing the seats in the Senate. They took time out to talk slightly of the Senate and Members of the Senate. They went to such an extent in their wild talk that they for a while forgot that they were Honourable Members of an august House. They forgot that the people who elected them expect of them a better language. By uttering such despicable words against Members of the Senate they should realise

that they have lowered the status and the dignity of the parliamentary system of which they are an integral part. Sir, bicameral parliamentary system is enshrined in our Constitution. This system has been chosen by many countries, after years of experience in the parliamentary system, as the most perfect method by which democracy can be well practised and best safeguarded.

Sir, when the present Constitution was introduced, it was discussed for many, many days in the then Parliament. Some of the Members of the Opposition who so vociferously attacked the Senate were there, and they took very active part in those discussions. Sir, at that time they did not say a word against the Senate and its constitution. It is now very surprising, and indeed very evident, that they are against the Senate, because they are very much disappointed. When they welcomed the Constitution and the formation of the Senate, they were hoping that their Party would do so well that some of their men would be able to sit in the Senate. Now, they are vindictive of the Senate, because none of their men are able to sit in the Senate, except the two Members of the Pan-Malayan Islamic Party (*Applause*). The Members of the Opposition in the Lower House spoke ill of the Senate. They even called it a flop. In what way has the Senate flopped? Is it because it did not repeat the same argument that has been put forward in the Lower House? Is it because it did not delay the Bills? Sir, it would be foolish on our part to repeat the same performance of the Lower House. It would be unworthy of us to delay Bills to merely show our authority. Sir, the Opposition Members can, of course, accuse the Senate for not being so lively as the House of Representatives. For this state of affairs, it is the Opposition group that should be solely blamed. The Opposition Parties in this country are a divided lot. Some of them are patriotic to this country and there are others who are not. All of them put together have not captured the imagination of the people. Their manifestoes

contained no constructive reforms or ideas for the betterment of the administration. As a result, they are so unpopular that their seats in Parliament and the States are becoming less and less, election after election. If they had won enough seats in the States they would have more representatives in the Senate—then we will have a notable Opposition to make the Senate a lively place. Now, we have only two persons from Kelantan as our Opposition Members. No sooner they get up, our Kelantan and Trengganu Members take positions to fix them up nicely. Then, we others here do not any more feel like flogging them over and again.

Of all the Members of the Opposition, it was one doctor who made very wild remarks about the Senate. Sir, this doctor, who has been working hard and dreaming the formation of a Government of his Party with him as its head, is the most frustrated Member of Parliament. He is sad and terribly disappointed, because so much of his money and energy has gone down the drain. He has also reasons to be vindictive about the Senate, because at least in the Lower House there are two Honourable Members of his Party, including himself, but there are none of his men in the Senate. This is the reason he chose to call the Senate a useless place.

One of the Honourable Members of the Opposition in the Lower House carried on his tirade and called the Senators "political stooges". Sir, may I politely remind him that it is thousand times better to be political stooges of this country than be treacherous stooges of a foreign country. (*Applause*). We do not know how to be agents of a foreign power when we eat the salt of Malaysia.

Sir, I wholeheartedly support the Constitution (Amendment) Bill. (*Applause*).

Dato' T. H. Tan: Mr President, Sir, I rise to support the Bill before the House.

The amendments which the Bill provides to the Constitution are

straightforward and not controversial. The major amendments are:

- (a) The Prime Minister will have powers to appoint or dismiss Political Secretaries and Parliamentary Secretaries, and
- (b) The membership of the Senate will be increased by 10.

That Political Secretaries and Parliamentary Secretaries are necessary is clear from the rapid growth of Party Government, and from the advance of parliamentary democracy itself in our country.

In the Government today, no fewer than 6 Cabinet Ministers hold multiple portfolios. They are carrying a greater load on their shoulders than need be the case. While this reflects a commendable effort on the part of Government to economise, it also shows the need for such Ministers to have Assistant Ministers, and Political and even Parliamentary Secretaries.

The system of Political and Parliamentary Secretaries is not new. It has been adopted by other democracies a long time ago, and in the context of Malaysia, it was introduced nearly five years ago in Singapore. There it started off with the appointment of those whom the Government felt obliged to please or felt it necessary to contain, at least for the time being. While agreeing with the appointment of Political and Parliamentary Secretaries, I wish to caution against finding jobs for Dick, Tom and Harry. As the expenditure of public funds is involved, the people have a right to expect that only capable, deserving persons will be appointed. Indeed, it will reflect no credit on a Minister if he chooses for his Political or Parliamentary Secretary one who will obviously not make the grade but for his patronage.

Sir, this House should welcome the increase of ten in its membership. Such increase is consistent with the establishment of Malaysia. The original Senate of 32 Members, it should be remembered, was designed for Malaya alone. It is only right that there should be greater representation, with the birth of Malaysia and with

the extension of parliamentary democracy to the Borneo territories.

Mr President, Sir, I should now like to take the opportunity to reply to critics of the Senate in the Lower House and to the "*Straits Times*".

Opposition Members in the Lower House laid much emphasis on their claims that "Senators were not answerable to the electorate". The Socialist Front leader, Dr Tan Chee Khoon, described the Senate as "a discredited and useless Upper House", and thought that there are no professional leaders of note in the Senate. He quoted the Dean of Law of the University of Singapore for saying that the Senate in Malaya was noted for not taking legislative action or initiative or departing from the legislative programme of the party in control of the House of Representatives. Dr Tan went so far as to say that the Senate was an anachronism and should be scrapped.

Another Opposition Member in the Lower House, Mr S. P. Seenivasagam, described the Senate as the "home for unwanted politicians". He claimed that the Senate's record for the first five-year term was "a flop". The lone United Peoples' Party representative, Dr Lim Chong Eu, said it was all right with him if the Minister of Finance was agreeable to providing another "\$100,000 a year to rubber-stamp anything from the Lower House".

Mr President, Sir, all our critics did not appear to have even an elementary knowledge of our Constitution and of the functions of the Senate. It is, therefore, necessary for me to explain for their benefit that the Senate is part and parcel of our Constitution; it is part and parcel of our parliamentary set-up under that Constitution. Some of our Members are elected by the State Governments, others are appointed by His Majesty the Yang di-Pertuan Agong. The main purpose of the Senate is to act as a brake against an over-exuberant Lower House, and to introduce legislation (except money bills) if necessary.

Because most of the Members of the Senate are representatives of the State Governments, and because most of these State Governments are in Alliance control, it is not difficult to understand why this Senate has not departed from the legislative programme of the Party in control of the Central Government.

I have quoted several Lower House Opposition members as having described Senators as "discredited politicians". I say that, man for man, we have here in this Senate more people who have rendered real service to the people and to the nation (*Applause*) than the Opposition members in the Lower House. At the time when we were fighting for independence, such people as Tan Chee Khoon, Toh Chin Chye, Seenivasagam were not heard of—they were tugging away at the feeding bottle of politics. Now as a result of parliamentary democracy brought to this country by some of the very people they criticised, the same people are behaving in a manner that reminds me of a recent rabies epidemic.

Dr Tan Chee Khoon tried to create an impression with his so-called exposure of the gift of Television sets to the Sungei Buloh Leper Settlement. All the inmates there know that he told a blatant lie when he said that I claimed to be the donor of the sets. The inmates of the Settlement know that the TV sets were the gift of the Malayan Leprosy Relief Association, of which, Sir, I happen to be the President. The inmates of the Settlement know also that Tan Chee Khoon the millionaire has not donated even a single TV set; that Tan Chee Khoon will only send his representatives to Sungei Buloh Settlement functions to which he is personally invited. He is that scared to be in public service.

Socialist Front sympathisers in that Settlement and outside know that Tan Chee Khoon and his other colleagues in the Lower House at best can continue blatantly to hoodwink them by making wild statements in the Lower House, knowing full well that two Socialist Front members can

achieve nothing for the people. In other words, Socialist Front supporters will soon realise, I hope, that beyond lip service, their M. P.s in the Lower House can achieve nothing. And Dr Tan Chee Khoon, in all good conscience, is dancing to the tune of the Socialist Front, not unlike the organ grenadiers performing monkey.

Sir, I am sorry that Opposition members of the Lower House were not mindful of the fact that some of us here are direct appointees of His Majesty the Yang di-Pertuan Agong. They should not have displayed disrespect towards His Majesty in their criticism of the Senate. I can now understand, even more clearly than before, why the Lower House critics never got into the Senate—they are totally unfit to be with us. I am glad, Sir, that the Opposition in this House does not misbehave to the extent of their counterparts in the Lower House.

I have, Mr President, Sir, already briefly explained why there has been an apparent lack of legislative initiative in the Senate. I would, however, like to say that it was this Senate that first suggested the death penalty for kidnappers, at a time when the menace of kidnapping with violence was at its height. Opposition members in the Lower House at that time were too scared to make this suggestion (*Applause*), for obviously if they did so, they would lose their supporters.

I say without fear of contradiction that here in this Senate, we used our powers sparingly. No one can ever lay a charge against us for having abused our powers. This is to our credit—not debit—as our critics were inclined to make out.

Sir, while I can forgive Dr Lim Chong Eu for his bad arithmetic—10 additional Senators will cost the Treasury \$50,000 a year, and not \$100,000—I must however rebut his statement that the Senate acts as a rubber-stamp. As I said before, this Senate gives the impression of rubber-stamping because of the Alliance strength in this House. Anyone who thinks that an Alliance-dominated Senate will make trouble for the

Alliance—dominated Lower House, should have his head examined, not necessarily by Harley Street specialists but by the local experts in Tanjong Rambutan (*Laughter*).

Mr President, Sir, I have much pleasure in giving my full support to the Bill before the House.

Dato' Sheikh Abu Bakar bin Yahya: Honourable Dato' President, Sir, I would like to associate myself with the speeches made by the various members of this House. I rise to agree with the Explanatory Statement to this Bill that the whole issue could be divided into three major sections: (i) the appointment of Parliamentary and Political Secretaries; (ii) the appointment as Speaker of the Dewan Ra'ayat; a person who may not be an elected member of that House; and (iii) the appointment of 10 additional members to the Senate.

Sir, I am unable to see that there is any difficulty with regard to the provisions of the Bill as had been imagined by certain members of the Lower House. Appointment of Political and Parliamentary Secretaries has been going on in Singapore for the last few years as has been stated by some members of this House, and also in other countries all over the world. But as soon as a Bill to make similar provisions came into our Parliament, a row was created by the Opposition members. Some members said that be noted with deep anxiety the rapidity with which the constitution was being amended. Sir, so far as I can gather, the Constitution of a State could be regarded as the law of the State, under which the affairs of the State have to be administered. As everyone knows, Sir, law is flexible and, I may add, that its flexibility, if properly administered, does not harm anybody but will do good to the citizens of the State concerned. It is a known secret that Ministers have left undone a great part of the essential work placed upon them by the Government. It is not their fault, I must say, but because there is so much to do and to perform all the duties imposed upon them. But the Opposi-

tion members, as usual, cannot see this. One member had the audacity to say, with regard to the appointment of Political Secretaries, that it was jobs for the boys with a vengeance. God knows what he meant, Sir—I don't know!

The second point is the appointment of the Speaker. There is no hard and fast rule on this point, and I don't see any objection to the matter.

The third point, Sir, is the addition of 10 members to the Senate. With your permission, Sir, I would like to bisect the issue into two parts: one on the law and the other on the facts. There is nothing in the Constitution which debars the Government to increase or decrease the members of the Senate. Article 44 *et seq* of the Constitution is quite clear on this. As I have said a few minutes ago, Sir, the law is flexible on the increase and decrease of the number of the Senate members. Reasons have been given by various members of this House a few minutes ago for the increase in the membership of the Senate and it is not necessary for me to dwell on the same thing again. But what we are really against is the mud-throwing-tactics of the Opposition Parties on anything pertaining to this House when it comes to the Lower House. Every time anything comes up before them about us, the Opposition will start shouting and screaming against this House and allege that we are nothing but a crowd of trash or rubber-stampers.—I don't know what they meant by that also.

In all probability, because we do not give them a chance to get a seat in our House, so their jealousies must have eaten them up. No doubt, Sir, we have some Opposition members—they are on my right—but they are constructive and mild Opposition members. In fact, they are so cooperative that we have no difficulty in making them realise that the Alliance Government is right and democratic (*Applause*). But, Sir, not with the Socialist Front and the Peoples' Progressive Party. As has been stated just now, they believe themselves to

be parties who are above all of us. Yes, Sir, they are so smart that their numbers have dwindled from nine or ten to only two for each party. I have a premonition, Sir, that at the next elections, these parties will be wholly exterminated from Parliament. Sir, I beg to support the Bill.

Enche' Koh Kim Leng: Mr President, Sir, I wish to associate myself with the sentiments expressed by the previous speakers concerning the passage of the Constitution (Amendment) Bill. However, I shall confine myself to section 6 of this Bill and to the statements made in connection therewith.

Sir, if anyone would care to read the Bill and the Explanatory Statement therein, he will see that Clause 6 proposes an increase in the number of persons to be appointed by the Yang di-Pertuan Agong to the Senate. The purpose of this Clause is explained in the Explanatory Note which reads:

"It is considered desirable to have more persons of wide experience who have voluntarily dedicated themselves to public service and welfare to participate actively in Parliament."

It is as simple as that—just to have people of wide experience who have dedicated themselves to public service and welfare.

Mr President, Sir, at the time like this, when the nation is facing a grave crisis, let us not prevent more men from serving the country. I contend that it is always better to have more "brains" to resolve a situation like this. Only a very selfish and unpatriotic person can harvest the thought that people who serve the country in their own different capacities—in this case the Members of the Senate—are a burden to the nation. Such a person—and I beg him to do some heart searching and answer to himself sincerely whether or not he himself is an asset and can contribute to the well-being of our nation—by his own mischievous utterances elsewhere, becomes a burden, as he is apt to blame our House, to the progress of the nation.

Furthermore, Sir, such additional Senators shall represent various interests and shall exert their sphere of influence on patriotism on their own communities. In this connection, Sir, I wish to quote the closing paragraph of the Statement made by the Honourable Minister this morning, which reads:

"Sir, in this hour of national crisis, I ask all of you to stand solidly behind the Government in defence of our independence, our integrity and our honour. Let us show to the enemies that we are determined to resist their acts of hostilities, in whatever form they may appear, to the bitter end. We are now a free and independent nation, and we cannot call ourselves worthy of our country unless we are prepared to defend that freedom and that independence with our lives."

To this, I wish to add the following:

"Also with our services to our country, Sir, let no man stop us from doing so."

Sir, I strongly support this Bill.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, Bil yang di-hadapan kita ini ada-lah mengenai pindaan Perlembagaan. Pindaan ini bukan kali ini sahaja, tetapi telah berkali² semenjak dari zaman Persekutuan Tanah Melayu sampai memasuki Persekutuan Malaysia. Tentu-lah agak memeranjatkan juga, sebab boleh di-pandang sedikit ganjil, apabila satu Perlembagaan bagi sa-sabuah negara yang menjadi hukum tertinggi dalam negara itu telah terpaksa di-ubah² boleh di-katakan pada tiap² tahun ada pindaan² yang di-buat. Sa-olah² Perlembagaan yang telah di-buat pada mula²-nya memang merupakan satu benda yang tidak masak dan maseh mentah sama sa-kali. Dengan kerana itu kita membuat pindaan demi pindaan, dan saya perchaya akan tiba masa-nya akan datang, banyak lagi yang akan di-pinda, di-antara-nya soal perbezaan ra'ayat di-negeri² Tanah Melayu dengan Sarawak dan Sabah yang hari ini di-chatitkan di-dalam Perlembagaan mesti pergi ka-sana dengan kebenaran yang tertentu, semua-nya itu akan di-pinda dan tentu-lah tidak patut sa-lama²-nya di-kekalkan orang dari Malaysia ka-Malaysia di-anggap sa-bagai orang yang bersalah kerana tidak ada surat kebenaran. Nyata-lah Perlembagaan yang

di-buat akan menemui pindaan² pada masa depan.

Tuan Yang di-Pertua, saya berserta dengan anggota² lain bahawa Perlembagaan sa-bagai Undang² ada-lah hidup dan boleh di-pinda². Tetapi saya menyatakan perasaan saya bahawa pindaan yang di-buat dari masa kamasama dalam tempoh yang begitu singkat, menjadikan satu perkara yang sangat ganjil bagi negara kita pada pandangan orang yang lain dalam dunia ini. Perkara yang di-pinda sekarang ini ia-lah soal memasokkan Setia-usaha Parlimen dan Setia-usaha Politik seperti yang di-amalkan dalam negara² demokrasi, dan kalau kita bising² di-sini, jawab-nya apa yang patut di-bising²kan, sedangkan di-Singapura telah bertahun² mengamalkan. Saya tidak menentang, tetapi keadaan apakah yang sa-benar-nya membawa kapada Kerajaan mengemukakan pindaan² ini yang mengkehendaki ada-nya Setia²-usaha Parlimen dan Setia²-usaha Politik dalam waktu² yang akhir ini. Perlantikan Setia²-usaha ini dapat di-buat dahulu bertahun² yang lepas kalau mahu sa-waktu pindaan² pernah di-di-buat khusus-nya waktu wujud-nya Malaysia, kerana waktu itu tentu-lah Kerajaan sadar tanggung-jawab² Menteri² itu telah begitu berat oleh kerana ada-nya Malaysia timor dan Malaysia utara, tetapi malang-nya itu semua telah tidak di-buat, melainkan sa-sudah election—mungkin sa-suatu yang berlaku di-belakang mereka, back benchers dan sa-bagai-nya yang menyebabkan Kerajaan garu kepala dan memikirkan sa-suatu dengan menambah Setia²-usaha Parlimen dan Setia²-usaha Politik dan sa-bagai-nya. Jadi, itu-lah agaknya yang menarek perhatian kapada pembangkang² di-Dewan Ra'ayat mengecham Kerajaan, oleh kerana pindaan, ini boleh di-buat dan patut di-buat beberapa tahun dahulu, baharu di-buat sa-lepas pilihan raya. Jadi, menunjukkan ada sa-suatu yang menyebabkan Kerajaan tergesa² bertindak mengubah Perlembagaan.

Tuan Yang di-Pertua, dari sudut lain pindaan telah di-buat dengan Perlembagaan Persekutuan sa-lain daripada menamakan dia Persekutuan Malaysia

dengan menambahkan 6 orang lagi Ahli Dewan Negara yang di-tunjuk atau di-lantek oleh Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong, dan hanya baharu beberapa bulan berjalan, sekarang kita melalui suatu peroses baharu Perlembagaan di-pinda lagi untuk menambah jumlah 10 orang lagi Ahli Dewan Negara. Mengapa tidak dahulu sa-kali gus di-pinda sa-jumlah yang di-kehendaki seperti sekarang ini. Ini menunjukkan sa-suatu ada di-belakang yang menyebabkan Kerajaan tergesa² meminda dalam waktu yang terlalu singkat. Pada hal soal penambahan Ahli² Dewan Negara ini telah pun berlaku pindaan-nya dahulu pada permulaan membentok Malaysia. Tuan Yang di-Pertua, ini-lah soal yang menjadi tanda tanya, maka dengan kerana itu saya suka menarek perhatian Dewan ini bahawa kita akan menambah perlantikan 10 orang lagi Ahli Dewan Negara menjadikan jumlah perlantikan di-buat oleh Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong sa-ramai 32 orang melebihi daripada jumlah yang di-pilih oleh negeri² ia-itu yang mewakili negeri masing² dua orang sahaja menjadi 28 orang daripada 14 buah negeri dalam Malaysia. Dalam Perlembagaan yang asal ada menyebutkan bahawa Anggota² Dewan Negara mungkin dengan pindaan yang akan di-buat oleh Parlimen boleh di-pilih semua sa-kali, sama ada dengan election atau pun oleh negeri², itu boleh di-tafsirkan dari apa yang saya faham dalam Perlembagaan yang asal. Sekarang ini dengan lulus-nya pindaan ini jumlah orang yang di-tunjuk oleh Duli Yang Maha Mulia itu lebeh ramai daripada jumlah orang² yang di-pilih yang mewakili negeri² di-seluruh Malaysia, maka ini juga satu perkara yang ganjil, sa-patut-nya kalau Kerajaan berhajat untok menambahkan Ahli² Dewan Negara mengapa tidak di-naikkan sa-hingga tiap² negeri dapat mewakili 3 orang di-pilih oleh Dewan Negeri masing², tetapi Kerajaan tidak membuat begitu, bahkan sa-balek-nya menunjukkan sa-jumlah 10 orang lagi akan di-lantek oleh Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan

Agong dan tentu-nya saperti biasa mengikut nasihat Perdana Menteri.

Tuan Yang di-Pertua, sa-kali pun di-tambah 10 orang Anggota Dewan Negara, Dewan Negara akan kekal bagini sejok, oleh kerana pembangkang saperti kami dari PAS tidak-lah memberi atau bersikap membangkang sa-chara melulu, asalkan mahu bangkang, kami pehak pembangkang tidak bagitu, soal-nya kita akan berchakap bagi kepentingan negara ini, ada dasar² Kerajaan yang dapat di-terima dan di-sokong dengan kuat-nya oleh PAS, ada yang di-tegor dan ada yang di-tentang, tetapi lebeh banyak di-tegor dan di-terima daripada di-tentang. Itu-lah yang di-amalkan di-Dewan Ra'ayat mahu pun di-Dewan Negara ini, sebab kita ada tanggung-jawab yang besar melihat negara ini aman dan damai dan berjalan dengan majunya di-dalam alam demokrasi. Sebab itu dengan mengatakan pembangkang dalam Dewan ini tidak menyebabkan Dewan ini panas, itu tidak betul, tetapi kalau mahu kita panaskan, kita tambah lagi bilangan orang² yang dapat berchakap dengan bebas tidak terkongkong dari gulungan mana sa-kali pun, dan Kerajaan dapat buat bagitu sa-hingga tidak menjadikan Dewan ini sa-bagai rubber stamp saperti yang di-tudoh oleh Ahli² Dewan Ra'ayat. Kerajaan boleh bertindak menjadikan Dewan ini panas dan bagi muslihat kepentingan negara ini dia akan jadi lebeh baik dengan jalan sa-baik²-nya orang yang di-lantek dan di-tunjok oleh Seri Paduka Baginda Yang di-Pertuan Agong itu biar-lah tidak daripada nasihat Perdana Menteri. Mithal-nya sa-lain daripada puncha besar yang kita nampak menjadi puncha kewangan negeri ini, getah dan bijeh masing² ada wakil²-nya. Tetapi satu benda dalam negeri ini yang manusia tidak boleh hidup melainkan dengan dia ia-itu beras, dan dalam negeri ini banyak orang menanam padi dan ada kepentingan di-dalam negeri ini, dan wakil² daripada orang itu tidak ada di-dalam Dewan ini. Ini patut di-fikirkan oleh Kerajaan dengan melaksanakannya sa-suatu dengan baik jangan kita memikirkannya kepentingan pemodal²

lombong sahaja, tetapi juga kepentingan petani² dan orang² miskin yang berjumlah berpuluh² ribu dalam negeri kita ini.

Tetapi, Tuan Yang di-Pertua, sa-kali pun Yang di-Pertuan Agong akan melantek dengan nasehat Perdana Menteri sa-orang yang mewakili kepentingan petani² di-dalam Malaysia, pun tidak akan memberi guna kepada Dewan ini—tidak akan memberi kesan kepada Dewan ini untuk menjadikan Dewan ini panas kerana kalau dia di-tunjok dengan nasehat Perdana Menteri maka dia akan datang daripada anggota Perikatan juga. Apa yang lebeh baik yang boleh kita amalkan dalam negara Malaysia ini biar-lah beberapa orang datang ka-dalam Dewan ini di-tunjok oleh Yang di-Pertuan Agong daripada mereka yang di-pilih oleh gulungan² yang tertentu. Mithal-nya daripada petani² menanam padi dalam negeri ini, persekutuan mereka itu memilih sa-orang daripada mereka mewakili mereka akan berchakap bagi pehak mereka bagi kepentingan mereka dan kepentingan negara kita ini dan Yang di-Pertuan Agong melantek orang² saperti ini.

Orang² yang mewakili perniagaan biar-lah Dewan Perniagaan sendiri memilih sa-orang daripada mereka yang layak pada pandangan mereka di-wakili oleh mereka untuk berchakap bagi kepentingan perniagaan dan kepentingan negara ini bukan di-tunjok oleh Perdana Menteri dan di-lantek oleh Yang di-Pertuan Agong. Biar-lah dia di-pilih oleh persatuan Dewan Perniagaan oleh orang² yang berkepentingan dan nama itu dikemukakan kepada Yang di-Pertuan Agong dan di-lantek oleh Yang di-Pertuan Agong.

Demikian juga orang² yang telah bersara mithal-nya, kita mempunyai banyak orang² yang telah bersara daripada jawatan² Kerajaan yang telah mempunyai pengalaman—pengalaman dalam berbagai hal, mereka itu bukan-nya di-wakili kerana menghormati tua umur mereka dan jasa mereka kepada negara ini tetapi mahu pengalaman mereka yang boleh

mereka menegor terhadap pentadbiran negara kita ini bagi kepentingan negara kita. Tetapi mereka tidak boleh menegor dengan bebas kalau mereka itu di-tunjok oleh Yang di-Pertuan Agong dengan nasehat Perdana Menteri sebab dia akan attend pre-Council yang sama, dia akan di-panggil satu petang kerana berchakap bagaimana menghadapi perkara besok maka dia tidak akan dapat berbuat apa², maka bila dia tidak dapat buat apa² maka negara ini tidak dapat untong apa² dari orang² seperti itu.

Dan, Tuan Yang di-Pertua, saya tentu boleh menyokong dengan sa-kuat²-nya Pindaan Perlembagaan kalau sa-kira-nya jumlah tambahan anggota² Dewan Negara boleh di-fikirkan sa-bagaimana saya bayangkan itu bagi kepentingan negara ini, bagi memastikan—to warm Dewan ini dan bagi kepentingan negara ini sendiri, kita menghendaki orang² yang bebas kaki dan tangan-nya daripada kepentingan² yang tertentu sa-hingga dia walau pun mempunyai perasaan yang lain tetapi mulut-nya akan berchakap lain dalam Dewan ini. Maka, Tuan Yang di-Pertua, dengan keadaan sa-macam ini saya merasa sa-suatu yang telah di-pinda beberapa bulan yang lalu sa-waktu akan membentok Malaysia tidak perlu di-pinda pada waktu ini hanya sa-mata² untuk menambah jumlah orang² yang tertentu bagi maksud yang tidak akan menguntongkan Dewan Negara dan negara kita sendiri melainkan sejok dan akan kekal sejok Dewan ini. Sekian dan saya membangkang pindaan ini.

Enche' Saidon bin Kechut: Tuan Yang di-Pertua, saya bangun dengan sa-penoh-nya menyokong Pindaan Perlembagaan yang sedang kita hadapi ini. Menurut pendapat saya kechaman² dan tentangan² yang di-lemparkan oleh wakil² daripada parti Pembangkang di-dalam Dewan Ra'ayat yang baharu lalu berhubong dengan masalah melantek Setia-usaha Parlimen, Yang di-Pertua Dewan dan juga Ahli² Dewan Negara ini, maka saya menyatakan tentangan dan juga lemparan kechaman hebat yang di-berikan

terhadap Kerajaan sa-mata² di-dorongkan oleh perasaan yang berkehendakan supaya perjalanan Kerajaan ini menjadi pinchang dan tidak dapat di-jalankan dengan menurut lunas² yang tertentu. Bagaimana yang kita tahu di-masa yang telah sudah, jawatan² yang menjadikan pindaan di-dalam Perlembagaan ini belum lagi di-adakan dengan sempurna, dengan sebab Kerajaan pada masa itu memikirkan tugas² yang di-jalankan—yang di-pikulkan oleh sa-saorang daripada Kerajaan terutama-nya daripada Menteri²-nya tidak-lah lebar dan meluas sa-bagaimana sa-telah negara kita menjadi satu negara yang lebeh besar ia-itu Malaysia. Dan sa-telah tanggungan ini bertambah berat, pindaan ini di-jalankan dan jawatan² ini hendak di-adakan, maka pehak Pembangkang berpendapat dengan sebab ada-nya Setia²-usaha yang akan membantu beberapa lapangan yang akan di-adakan oleh Kerajaan ini, maka akan sempurna-lah segala tugas² dan tujuan² yang hendak di-jalankan oleh Kerajaan. Maka pehak Pembangkang bermaksud biar-lah kalau boleh dengan sa-boleh²-nya, sa-lagi Kerajaan Perikatan ini terdiri, hendak-nya jangan ada sa-suatu pembantu atau pun sa-suatu tanggong-jawab di-jalankan dengan sempurna, dengan keadaan yang demikian, segala usaha² kebaikan Kerajaan ini akan berjalan dengan pinchang dan terganggu, maka di-situ-lah puak² Pembangkang yang tidak jujur dan tidak bertanggung-jawab ini akan dapat mengambil peluang dan kesempatan. Bagi pehak saya sendiri berpendapat, dengan Pindaan yang di-adakan oleh Kerajaan ini dengan meminda Perlembagaan ini berkali², mungkin bukan kali ini sahaja, bagaimana yang kita dengar sa-onang daripada pehak Pembangkang dalam Dewan ini mengatakan sa-kejap di-pinda dan sa-kejap di-ubah dan mungkin berpuluh² kali dan saya juga bersetuju mungkin beratus kali lagi akan di-ubah kalau mustahak, dan perubahan Perlembagaan ini bukan satu perkara yang ganjil. Tiap² manusia menurut proses alam ada-lah mengandongi kelemahan dan beberapa perkara yang tidak dapat kita elakkan, sa-bagai yang saya tahu di-dalam

dunia ini hanya Kor'an sahaja yang tidak boleh di-ubah. Kalau Perlembagaan ini untuk menyesuaikan keadaan, untuk kebaikan perjalanan Kerajaan sa-terus-nya untuk kebaikan negara memang keadaan ini bukan-lah haram dan bukan-lah mendatangkan sa-suatu yang agak menyulitkan kalau keadaan itu hendak menyesuaikan dengan perjalanan Kerajaan untuk kebaikan masyarakat dan negara. Kalau Perlembagaan ini di-katakan di-karang dan di-chiptakan dengan chara sa-tengah masak, dan Dewan ini hendak menambahkan lagi Ahli²-nya dengan sa-chara hendak memanasakan lagi Dewan ini di-masa akan datang, saya rasa tidak guna Dewan ini hanya panas sahaja jikalau kita tidak dapat masakkan barang itu. Untuk memanaskan sahaja, saya harap puak Pembangkang berjemor di-luar di-tengah hari pukul 12.00 (*Ketawa*) dia tahu macham mana panas-nya nanti. Jadi masalah panas ta' panas ini untuk menambahkan anggota² Dewan ini dan kalau kita memilih dengan di-ambil gulungan petani, hendak kita ambil gulungan dari orang² yang telah bersara, kita hendak ambil orang² perniagaan, saya rasa bagi pehak kita di-sini pun yang menjadi Ahli² Dewan ini dan juga Dewan Ra'ayat, orang² yang faham betul² dan orang² yang berkechimpan hari² di-dalam gulungan masyarakat terutama orang² Melayu sendiri, sa-bahagian besar ada-lah gulungan daripada apa yang di-minta oleh salah sa-orang daripada pehak Pembangkang yang duduk dalam Dewan ini, yang saya berasa kesal sedikit walau pun kechaman daripada pehak Pembangkang dalam Dewan Ra'ayat itu di-tegaskan khas-nya kepada Ahli² Dewan Negara ini, tetapi Yang Berhormat itu maseh lagi hati-nya di-luar sa-paroh di-dalam sa-paroh—sa-paroh kepada Pembangkang dan sa-paroh kepada Ahli Dewan Negara ini.

Jadi, walau bagaimana pun bagi pehak saya sendiri di-dalam keadaan—kedudukan Kerajaan dan kedudukan negara kita yang baharu dan muda di-dalam serba lapangan, walau pun ini hendak di-katakan sa-

tengah masak atau tidak, walau pun hendak di-katakan ini chekap atau tidak, walau pun Perlembagaan ini hendak di-ubah atau tidak, bagi pehak saya sendiri ada-lah menguchapkan shukor ka-hadzrat Allah, kerana dengan pimpinan Kerajaan Perikatan ini kita nampak-lah walau pun pehak² Pembangkang pada zahir-nya barangkali tidak mahu mengakui bahawa kita dapat menchiptakan keamanan dan ketenteraman untuk kebahagiaan hidup masyarakat dan negara di-masa sekarang dan di-masa akan datang di-waktu selama-nya Kerajaan Perikatan memegang tampok kekuasaan negara ini.

Saya kkuatir nanti kalau² peluang² akan di-dapati, tetapi saya tahu tidak akan di-dapati, menengok keadaan² yang ada sekarang dalam pilehan raya, puak² Pembangkang walau pun di-dalam Dewan Ra'ayat kita nampak berapi², di-waktu yang dahulu dan juga di-waktu yang sekarang, mithal-nya wakil Batu yang berkepala batu, wakil dari Ipoh yang bodoh itu dan juga dari Singapura, walau bagaimana panas dan hebat-nya, oleh kerana tenaga raksaksa daripada Perikatan, walau bagaimana di-tempek dan di-sorak pun, walau bagaimana di-ejek², di-hembus dan di-ketawakan sahaja oleh orang² Perikatan, suara Pembangkang langsung tidak berguna dalam Dewan Ra'ayat ini, malah kita di-Dewan ini menguchapkan shukur kepada semua rakan² kita dari Ahli² Yang Berhormat, walau pun kita diam tidak panas dan walau pun di-katakan rubber stamp, kita dapat berjalan juga dan kita dapat masakkan senyap² sahaja dan dapat kita rasakan ne'emat-nya.

Sakian-lah, Tuan Yang di-Pertua, terima kaseh.

Tuan Syed Ahmad bin Syed Mahmud Shahabudin: Tuan Yang di-Pertua, saya menyokong Bill yang dikemukakan oleh Yang Berhormat Menteri tadi. Saya mengambil peluang berchepak kali ini oleh sebab tatkala Bill ini di-bahathkan dalam Dewan Ra'ayat pada masa yang lalu ahli² Pembangkang membuat kechaman yang hebat dan tidak patut terhadap Dewan Negara ini. Ahli² Pembangkang nampak-nya sengaja memperhinkan Dewan

ini dengan perkataan² yang kurang sedap. Saya rasa sa-kira-nya tujuan mereka itu hendak menjadikan Majlis Dewan Ra'ayat itu untuk melepaskan segala kekechiwaan mereka, maka boleh-lah di-fahamkan perbuatan mereka itu, tetapi sa-kira-nya fikiran dan tujuan mereka itu untuk memberi tegoran yang membena kepada Kerajaan menurut konsep demokerasi, maka saya kata mereka itu telah gagal, mereka telah bankrupt dengan fikiran dan tidak ada modal.

Sa-orang ahli Pembangkang, saya telah dengar, berkata bahawa Dewan Negara ini tidak aktif (active) atau tidak ada guna-nya dan tidak pernah mengeluarkan perkara² yang berfaedah. Saya suka memberitahu Ahli itu bahawa seperti mana kita terma'alum telah termaktub dalam Perlembagaan, tanggung-jawab Dewan ini ia-lah untuk mengkaji dan memeriksa dengan halus lagi di-atas segala kerja² Dewan Ra'ayat yang di-pilih oleh orang ramai itu, dan juga memberi masa kepada Parlimen ini supaya tidak dapat segala Bill di-setemrolkan (steam-roll) begitu sahaja dan memberi masa Parlimen ini membahathkan dan memutuskan apa² masalah dengan tidak terburu². Parlimen telah memper-setujukan chara² ini sa-bagai satu chara yang baik dan demokratik, tetapi ahli² Pembangkang hendak menchabul-nya. Saya rasa ahli² Pembangkang boleh bersama² memelihara demokerasi dalam negara kita yang muda ini sa-kira-nya mereka tidak menchonteng arang terhadap Dewan Negara ini di-hadapan khalayak ramai, sa-kira-nya mereka berfikir dahulu sebelum melaungkan kata² mereka yang tidak sedap itu dan sa-kira-nya mereka sedar di-atas akibat dengan perbuatan mereka yang bodoh itu.

Saya rasa memelihara demokerasi bukan-lah senang, tetapi menjahanamkan demokerasi memang mudah, sa-bagaimana yang di-jalankan oleh ahli² Pembangkang dalam Dewan Ra'ayat.

Tuan Yang di-Pertua, saya memberi sokongan di-atas chadangan untuk menambah Ahli² Dewan Negara, supaya dengan itu dapat banyak lagi ahli² cherdek pandai memberi khidma-

tan untuk memimpin negara yang muda ini. Saya bukan-lah menyokong pendapat sa-orang daripada ahli Pembangkang dalam Dewan ini, tetapi saya berpendapat juga bahawa lebeh baik lagi jika sa-kira-nya wakil yang mewakili Dewan² Negeri atau pun yang di-pilih oleh Dewan² Negeri itu ditambah juga, sa-kurang²-nya, kata-lah, sa-bahagian Ahli Dewan ini di-pilih oleh Dewan² Negeri dan sa-bahagian lagi di-lantek oleh Yang di-Pertuan Agong. Dengan ini saya rasa dapat membuktikan hasrat Kerajaan hendak menjalankan asas² demokerasi, sebab saya berpendapat Ahli² yang di-pilih oleh Dewan² Negeri walau bagaimana pun ada-lah boleh di-anggap sa-bagai di-pilih dengan tidak sa-chara langsung oleh orang ramai. Maka menurut Perlembagaan yang ada sekarang ini Ahli² yang di-pilih oleh Dewan² Negeri adalah lebeh banyak daripada Ahli² yang di-lantek, tetapi sekarang telah menjadi sa-balek-nya. Saya suka jika sa-kira-nya dapat penjelasan yang terang berhubung dengan pindaan ini. Yang sa-baik-nya patut-lah Ahli² yang di-pilih oleh Dewan² Negeri lebeh banyak daripada Ahli² yang di-lantek oleh Yang di-Pertuan Agong. Andaikata-nya, patut Kerajaan menchuba sa-beberapa chepat mungkin supaya dapat di-pinda Perlembagaan supaya dapat Ahli² Dewan Negara ini di-pilih oleh orang ramai menerusi Pilihan Raya.

Tuan Yang di-Pertua, saya juga menyokong di-atas chadangan mengadakan Parliamentary dan Political Secretaries, sebab seperti kita terma'alum sekarang ini sampai-lah masa-nya bagi Kerajaan mengadakan banyak ahli² Kerajaan yang bertanggung-jawab bagi memikul bebanan yang memang bertambah berat itu, dan saya rasa sangat-lah patut di-ambil beberapa orang di-antara Ahli Dewan Negara yang cherdek pandai supaya menjadi Parliamentary Secretary itu. Dengan ini akan ada orang² yang bertanggung-jawab atau ahli Kerajaan yang bertanggung-jawab sentiasa dalam Dewan Negara ini dan dapat memberi penjelasan dan keterangan kepada Dewan ini sa-kira-nya berbangkit atau pun di-bangkitkan apa² masalah oleh Ahli². Jika tidak, sa-bagaimana biasa

sangat-lah susah bagi Menteri² hendak menghadhiri Dewan Negara ini dan dengan itu Ahli² Dewan ini tidak mendapat kenyataan² dan keterangan yang chukup jelas, umpama-nya, pada hari ini hanya sa-orang Menteri sahaja dapat hadir dalam Dewan ini.

Bagitu juga, Tuan Yang di-Pertua, saya menyokong di-atas chadangan supaya Speaker Dewan Ra'ayat dipileh daripada orang yang bukan menjadi Ahli Dewan itu. Dan jika boleh saya shorkan sa-patut-nya President Dewan Negara hendak-lah dibuat bagitu juga, dan kalau boleh lagi patut-lah di-ambil Ahli Dewan Negara ini menjadi Speaker Dewan Ra'ayat, dengan itu dapat Ahli Dewan Negara ini mengawasi kerja Dewan Ra'ayat bersama² (*Tepok*) khas-nya kerja² Pembangkang.

Dato' Dr Cheah Toon Lok: Mr President, Sir, I think it is seldom realised by the Opposition that the greatest responsibility of Government is the responsibility of maintaining the highest ethical behaviour by those who conduct the public business. If that is so, I am afraid that the Opposition Members in the Lower House have lowered the tone of ethical behaviour in Parliament, and I believe that this Upper House has maintained that ethical behaviour which is a tradition of all Parliaments in the world. There is agreement with the principle that all officials who conduct public business must conduct their business with unwavering integrity, absolute impartiality and complete devotion to the public interests. I think this Upper House has done it and I am afraid that, with the Opposition members in it, the Lower House has not done it. I hope that Opposition members will keep up this moral, ethical tone of Parliament so that we will not lose our prestige, not only in South East Asia but throughout the world.

Mr President, Sir, changing conditions of society must be met with changing conditions in the Constitution. Changing conditions of life and environment must be met by the changing of the Constitution and it is necessary at this stage of

confrontation that all of us must be united together to preserve our liberty, our dignity and our way of life. For this there must be change in our Constitution. If we do not change it, we will not be able to get all those people who have got experience in the various professions, in the various businesses and in the various lines of professional duties to come and help us to build a strong Malaysia against confrontation. I believe that if we look around, confrontation is not of our choosing. Indonesia is confronted not by us; Indonesia is confronted by Sumatra, by Celebes, by Kalimantan and by other Indonesian islands surrounding them. Soekarno is not afraid of Malaysia, which is only a geographical unit, but he is afraid of the formation of Malaysia, which is a national entity, because by the formation of Malaysia, Sumatra may break away from Indonesia, Celebes may break away from Indonesia, Kalimantan and other islands of Indonesia may break away from Indonesia because of the bad government of Indonesia and because of the misuse and misrule by Soekarno through his guided democracy. So I believe that this is a good Bill. This is an improvement on our previous Constitution, and I hope that this change in our Constitution will receive the support of all thinking men in this country and we deserve support from everybody to help us to progress to a better world for all of those who are Malaysians. Thank you.

Enche' Abdul Samad bin Osman: Tuan Yang di-Pertua, saya bangun untok bersama² menyokong Rang Undang² yang ada di-hadapan kita ini. Saya chuma hendak berchapak atas Clauses 5, 6 dan 7 sahaja. Berkenaan dengan Clause 6 ia-itu untok menambahkan 10 orang bagi di-lantek oleh Yang di-Pertuan Agong dan akan menjadi 32 orang di-dalam Senate ini. Saya sangat-lah bersetuju kerana dengan tambahan 10 orang lagi, dapat-lah Yang di-Pertuan Agong kita memileh orang², saperti kata rakan saya daripada Alor Star (Kedah) dan lain² lagi, supaya dapat memileh orang² yang belum lagi ada dalam Senate ini sa-bagai mewakili

petani², atau soal² yang lain lagi umpama-nya yang ta' (belum) ada lagi dan supaya boleh memilih orang², atau pegawai² Kerajaan yang telah memberi khidmat yang penting kepada Kerajaan; mereka yang ada kebolehan, pakar² berkenaan dengan sa-suatu perkara dilantek dalam Senate ini supaya dengan yang demikian dapat-lah mereka itu mengambil tempat dan ada-lah 'ilmu untuk berbath dan supaya dapat Dewan kita ini boleh berbath dengan lebeh sempurna lagi daripada masa yang lepas².

Saya juga bersama² dengan kawan² kita hari ini—saya suka-lah mendengar yang kawan² kita mengecham balek Ahli² Dewan Ra'ayat ia-itu pehak² Pembangkang di-sana yang telah mengecham hibat kepada kita. Saya fikir ta' patut-lah sangat bagi Ahli² Dewan Ra'ayat mengecham di-dalam Dewan Ra'ayat, kerana kita tidak ada di-sana untuk menjawab-nya. Jadi, ya ta' ya, kita ta' boleh jawab. Jadi, hari ini saya berasa suka hati, kerana kawan² kita hari ini ada mengambil balas—serang balas, walau pun mereka tidak boleh jawab, tetapi mereka boleh dengar.

Satu perkara yang saya tahu juga yang Ahli² Pembangkang di-Dewan Ra'ayat ada berkata yang kita di-Dewan Negara ini jarang² berchakap jika di-bandingkan daripada Dewan Ra'ayat. Itu benar, kerana apa, saya pun dudok dalam Dewan Ra'ayat selama lima tahun—saya tahu. Bila di-dalam Dewan Ra'ayat, tiap² sa-orang Ahli yang hendak berchakap, dia ada sa-kurang²-nya dua fasal. Fasal yang pertama sa-kali dia berchakap ia-lah supaya orang² di-kawasan-nya boleh dengar, mengatakan dia minta sana, minta sini, sekian²—dia hendak menjukkan! Yang kedua, dia hendak berchakap, kalau dia Pembangkang, dia hendak hentam balek dengan policy dia itu, dia chuma hendak menegakkan benang basah; itu sahaja. Jadi, kita di-sini bukan ada kawasan di-mana², jadi ta' ada guna kita hendak berchakap bagi kawasan² itu. Kita tidak ada kawasan—itu yang pertama.

Yang kedua, kita di-sini sa-belum kita datang bermeshuarat di-Dewan Negara, kita sudah dengar perbahathan²

di-Dewan Ra'ayat atas Undang² yang kita hendak bawa itu sa-lama berminggu² dan sa-belum kita datang bermeshuarat di-sini, kita boleh berfikir, ada-kah patut di-segerakan, atau tidak, jikalau kita hendak sokong sa-suatu perkara itu. Jadi, kita berasa tentu-lah ta' elok hendak bawa balek segala hujah² yang telah di-keluarkan oleh Dewan Ra'ayat itu di-bawa ka-sini. Jadi, oleh sebab itu-lah kita ta' mahu berchakap panjang, kerana kalau kita hendak sokong ini, kita boleh sokong. Jadi, itu-lah sebab-nya kita berchakap kurang di-sini—itu saya perchaya, Tuan Yang di-Pertua.

Perkara Clause 7 ini ia-itu perkara yang kita hendak angkat (lantek) sa-orang Speaker menjadi Yang di-Pertua Dewan Ra'ayat ini. Saya sangat-lah bersetuju, kerana apa, saya tahu baik², Speaker kita ini yang telah lepas itu, katakan-lah mital-nya dia sudah tua, kalau di-adakan sa-bagai undang² lama, dia kena di-pileh oleh ra'ayat; baharu-lah dia jadi Speaker. Jadi, sangat-lah susah, kerana dia kena pergi masok bertanding dan juga hendak pergi kempen dan sekian².

Sa-tahu saya di-England di-mana² tempat yang Parlimen mengamalkan demokrasi tiap² sa-orang jadi Speaker itu semua ahli, baik pun pehak pembangkang, hormat kepada Speaker itu. Apabila mari election Speaker itu ditarohkan di-tempat dia dan pehak opposition pun tidak pergi bertanding di-tempat Speaker itu kerana hormat kepada Speaker itu. Jadi, senang-lah dia masok menang uncontested sahaja. Tetapi kita di-Malaya ini kalau kita buboh siapa pun mereka lawan. Jadi, oleh kerana itu jangan-lah di-beri Speaker itu bertanding dan saya bersetuju dengan Rang Undang² ini boleh angkat siapa pun jadi Speaker walau pun dia dalam Dewan Negara supaya dapat dia bekerja sunggo² tidak gaduhkan hendak berkempen atau melihat kawasan-nya dan dia boleh penohkan tenaga-nya sa-bagai Speaker Dewan Ra'ayat.

Berkenaan dengan clause 5, saya sangat-lah bersetuju di-adakan Setia-usaha Parlimen dan Setia-usaha Politik. Saya perchaya kerana kita mengikut Cabinet sistem dalam Malaysia ini

lebeh kurang kita buat sa-bagai Cabinet system di-England, mana² Menteri yang di-angkat itu patut-lah orang yang pakar di-atas satu² perkara. Kita beri mithal di-sini, ada di-sini sa-tengah² itu sa-orang Peguam di-angkat menjadi Menteri Pengangkutan, jadi, dia tidak tahu apa pun. Kemudian sa-orang doctor yang membuat private practice di-angkat menjadi Menteri Perusahaan. Dengan itu segala kerja² yang di-buat itu kena-lah di-buat oleh Setia-usaha-nya dan Menteri itu kena-lah selalu bertanya kepada Setia-usaha-nya sendiri. Sa-kira-nya Menteri itu tidak ada Setia-usaha Parlimen atau Setia-usaha Politik maka kena-lah Menteri itu bertanya kepada Setia-usaha Kementerian-nya. Saya beri mithal, ada satu orang Menteri hendak bertanya perkara kechil tetapi mustahak dan rasa malu, kata-lah Menteri Pertanian, dia dapat satu huruf di-dalam report berkenaan dengan pokok getah, dalam report itu mengatakan pokok getah winter. Jadi, winter ma'ana-nya kata orang puteh musim sejok, pokok getah winter, ada-kah hendak di-ma'anakan pokok getah itu sejok. Kalau orang tidak tahu atau Menteri Yang Berhormat itu tidak tahu tentu-lah di-katakan pokok getah sejok (*Ketawa*). Yang sa-benar-nya bila masa panas pokok getah meluroh semua daun-nya, jadi itu di-panggil "winter". Jadi, kita ada Setia-usaha Parlimen yang di-angkat daripada Ahli Dewan Ra'ayat atau Dewan Negara ia-itu dari parti-nya sendiri, kalau silap pun Menteri tidak-lah malu kerana orang parti dia, oleh kerana itu saya fikir sangat mustahak-lah di-adakan Setia-usaha Parlimen itu untuk menolong Menteri² dan Penolong² Menteri juga kerana kita sekarang ini ada Menteri Muda.

Sa-lain daripada itu saya nampak mustahak di-dalam Kementerian² itu hendak-lah ada orang yang pakar di-dalam satu² bahagian dan saya berharap kepada Yang Berhormat Menteri yang hadir pada hari ini minta-lah kalau boleh usulkan kepada Yang Teramat Mulia Perdana Menteri kita bila mengangkat Setia-usaha Parlimen itu minta-lah di-angkat satu orang yang betul² ada pengalaman di-atas kerja dan ada 'ilmu di-dalam bahagian itu.

Pendek-nya kalau hendak angkat Setia-usaha Parlimen bagi Kementerian Pelajaran, orang itu mesti-lah daripada orang yang pakar dalam pelajaran atau pun sudah biasa menjadi guru dan sa-bagai-nya di-dalam lapangan pelajaran, jadi dapat-lah memberi kepentingan yang penoh kepada Kerajaan.

Berkenaan dengan Setia-usaha Politik pula saya fikir tidak berapa hendak di-gaduhkan, orang mana pun boleh di-angkat, kalau anggota politik sahaja pun tidak apa, kerana kerja-nya itu kurang daripada Setia-usaha Parlimen, dan Setia-usaha Parlimen itu ada-lah di-angkat daripada Ahli Parlimen ia-itu orang yang ada pengetahuan di-dalam ekonomi-kah, pertanian-kah dan lombong-kah dan sa-bagai-nya. Maka dengan kerana itu saya sokong-lah, saya nampak ada tiga clauses pada hari ini ia-lah clause yang sangat berguna kita pinda supaya dapat kita mengadakan kerja² yang lebeh sempurna yang berguna kepada Kerajaan.

ADJOURNMENT

(Motion)

Dato' T. H. Tan: Mr President, Sir, I beg to move that the Senate do now adjourn.

Dato' Y. T. Lee: Sir, I beg to second the motion.

KELAS² PELAJARAN PERTOLONGAN CHEMAS

Datu Joseph Augustine Angian: Tuan Yang di-Pertua Dewan Negara, masa ini kita menghadapi anchaman² terhadap negara sekarang. Maka pendapat saya, Kerajaan harus mengambil perhatian mengajak dan membuka kelas² pelajaran pertolongan chemas, juga mempelajari memegang senjata. Bahawa pelajaran ini amat penting kepada penduduk seluruh Malaysia, disa'at negara sedang menempoh gelora peperangan.

Dengan ada-nya pelajaran ini kira-nya rumah² sakit kekurangan kakitangan untuk menolong orang² yang chedera dalam perjuangan. Maka kita dapat-lah membantunya, walau pun Kerajaan belum mengadakan sa-barang

peruntokan untuk menubuhkan pasokan itu. Kerana ini memandang tentera² Indonesia sedang bersedia di-sempadan² Sarawak dan Sabah. Maka di-sini harus-lah jangan berleghah lagi untuk mempelajari chara² memegang senjata. Bukan kita ingin berperang, tetapi apabila negara kita telah diserang, dapat-lah kita mempertahankan. Kita tidak ingin mati; kalau kita tahu memegang senjata dapat-lah kita membantu kaum kita menentang musuh.

BANTUAN KEPADA PETANI DAN PELADANG

Tuan Yang di-Pertua, di-sini satu perkara lagi mengenai pertanian², kalau Kerajaan memberikan perhatian yang besar daripada galakan kepada peladang serta menyuruh mereka supaya menggunakan kemudah²an yang telah di-sediakan seperti alat² jentera di-bawah Rancangan Bantuan Pekebun² Kechil. Kita berharap peladang² dan petani² di-negeri ini supaya bekerja dengan bersungguh-sungguh untuk memperbanyakkan hasil² pengeluaran petani² sa-bagai persediaan jika berlaku sa-barang kemungkinan yang tidak di-ingini akibat konfrantasi Indonesia. Seperti di-negeri Sabah; bukan-nya kekurangan untuk tanah sawah, ia-itu di-Keningau sa-buah daerah di-pendalaman Malaysia ya'ani Kampong Bingkor sa-luas 6,000 ekar untuk sawah. Dengan Kerajaan Colony tahun 1960 telah membahagikan tanah² itu di-buat scheme (sekim lot) dengan di-bantu bekalan tali ayer hingga Kerajaan Malaysia Sabah, sekarang ini sudah pun di-jalankan. Tetapi mereka² itu tidak berjaya mengerjakan dengan menggunakan tenaga mereka sendiri membersehh hutan² dengan changkul dan kerbau bagi memperchepatkan mendapat hasil-nya.

Tuan Yang di-Pertua, oleh itu patut-lah Kerajaan mengambil perhatian yang sa-berat²-nya bagi membantu mereka dengan jalan mengadakan jentera-jentera persawahan untuk menolong mereka² supaya kira-nya lebeh chepat membuka serta mengambil hasil² tanah yang sudah pun di-bahagi²kan kepada penduduk-penduduk yang saya nyatakan sa-luas tanah yang demikian. Dengan membantu mereka sa-demi-

kian, dapat-lah mereka membuka tanah² yang lain dengan lebeh luas lagi daripada ternyata di-jajahan Pendalaman, ia-itu keluasan yang di-chadangkan dapat membantu untuk kepentingan negeri, juga Malaysia 'am-nya, terima kasih.

Enche' Bahaman bin Samsudin (Minister of Health): Tuan Yang di-Pertua, Ahli Yang Berhormat dari Sabah telah menyentoh Kementerian saya dalam ucapan penanggohan-nya. Berkenaan dengan shor Ahli Yang Berhormat itu supaya di-adakan kelas² pelajaran Pertolongan Chemas, saya suka menyatakan Kementerian Kesihatan Malaysia sedia memberi kerjasama yang penoh dan bantuan yang mustahak untuk memberi latehan pelajaran Pertolongan Chemas atau First Aid itu.

Berkenaan dengan penyelenggaraan kelas² latehan Pertolongan Chemas atau First Aid, lebeh kemas-lah rasanya sa-kira di-serahkan kepada Pasokan² St. John's Ambulance, Pasokan Palang Merah dan Persekutuan² Pengkap dan Pemandu² Wanita.

The Minister for Local Government and Housing (Enche' Khaw Kai-Boh): Mr President, Sir, with reference to the points raised on agriculture and mechanisation to assist the farmers, on behalf of the Minister of Agriculture and Co-operatives, I can assure Honourable Members that all these are being looked into in Sabah and Sarawak.

I would also like to draw the attention of the Honourable Member that under the Constitution land is a matter for the State and, therefore, on the question of more land for conversion and things like that I would advise that the Honourable Member, together with his colleagues in the State, should take it up with the State Authority. No doubt, on any expansion programmes financial assistance and things like that would be forthcoming from the Central Government, and in that respect I can assure the Honourable Member that the Ministry of Rural Development is looking into the question of rural development in both Sabah and Sarawak.

Adjourned at 4.36 p.m.

WRITTEN ANSWERS TO QUESTIONS

MINISTRY OF COMMERCE AND INDUSTRY

Companies Granted Pioneer Status

1. Enche' S. P. S. Nathan asks the Minister of Commerce and Industry to state the number of pioneer status certificates issued to companies so far and how many of them are local, foreign and joint establishments.

The Minister of Commerce and Industry (Dr Lim Swee Aun): The number of pioneer status certificates issued up to 30th June, 1964, to local, foreign and joint venture companies are as follows:

Local companies	43
Foreign companies	14
Joint ventures	48
Total			105

In addition the issue of 37 certificates have been approved in principle to joint venture companies.

Companies' Capital

2. Enche' S. P. S. Nathan asks the Minister of Commerce and Industry to state the total amount of nominal and subscribed capital involved in such establishments and whether there had been any loans given by Government to any of such firms.

Dr Lim Swee Aun: The total amount of nominal and subscribed capital of the 105 pioneer companies are as follows:

		<i>Nominal</i>	<i>Called-Up</i>
Local	...	\$110,500,000	\$ 25,623,363
Foreign	...	61,210,000	15,394,226
Joint venture	...	474,950,000	117,455,303
		\$646,660,000	\$158,472,892

The 37 companies which have been approved pioneer certificates in principle involve a total nominal capital of \$117,000,000. No capital has yet been subscribed as their projects have not yet started. The Government does not grant any loan to any of these pioneer firms.

Firms Existing and Ceased

3. Enche' S. P. S. Nathan asks the Minister of Commerce and Industry to state the number of firms on the books of the Registrar of Companies with their subscribed and nominal capital separately and the number of them which went bankrupt or ceased to function last year.

Dr Lim Swee Aun: (i) *Number of Companies on Register*—As on 30th June, 1964, the number of local companies on the register was 4,017 and the number of foreign companies, that is, companies incorporated outside the States of Malaya, was 1,225.

(ii) *Subscribed and nominal capital*—From 1947 to 30th June, 1964, a total of 4,029 local companies were registered with a total nominal share capital amounting to \$5,427,013,863.00. It is not possible to give the total amount of their subscribed capital as it would require time to collect the information.

It is also not possible to give the total nominal and subscribed capital of the foreign companies as under the existing law foreign companies are not obliged to file returns of allotment of shares.

(iii) *Number of companies that went into liquidation or ceased*—During the year 1963, 35 local companies with a total nominal capital of \$26,191,500 went into voluntary liquidation and 4 companies with a total nominal share capital of \$910,000 went into compulsory liquidation. 11 companies were dissolved under section 229 (4) of the Companies Ordinances, 1940-46 and 34 companies were struck off from the register under section 281.

86 foreign companies were removed from the register under section 306 as having ceased to have a place of business in the States of Malaya.

MINISTRY OF FINANCE

Companies failing to pay Income Tax

4. Enche' S. P. S. Nathan asks the Minister of Finance to state the number of companies not paying income tax and what steps are being taken to

collect the tax from those who do not pay.

The Minister of Finance (Enche' Tan Siew Sin): Most companies which were assessed to tax in 1963 paid the tax by due date. Defaulting companies are given a final reminder and a late payment penalty is imposed. If payment is not made within a further month the Comptroller proceeds by way of civil suit to recover the tax.

The number of companies trading in Malaya which were assessed as not liable to tax for 1963 is 876. A substantial number of those companies had no liability to tax for 1963 because of the special tax treatment of rubber and tin companies in such matters as capital allowances. For example:

Rubber Industry—

- (i) Replanting costs are allowed as a deduction in the year of expenditure.
- (ii) Since 1962 certain capital expenditure is allowed as a deduction over two years instead of over ten years as previously.

Tin Industry—

Tin mining companies benefit from

- (i) Enhanced depreciation allowances on newly acquired plant which on due claim can amount to 72% of the cost in the year of acquisition.
- (ii) Deductions for contributions to the Buffer Stock.
- (iii) Total capital outlay excluding the cost of plant and machinery is allowed proportionately for each year over the life of the mine.

Tax evasion cases

5. Enche' S. P. S. Nathan asks the Minister of Finance to state the number of tax evasion cases detected so far and those pending investigation and the amount collected as a result of investigation and initiative.

Enche' Tan Siew Sin: Particulars of tax evasion cases for the period 1st

January, 1961 to 31st May, 1964 are given below:

No. of cases completed ...	3,868
Amount of tax and penalties assessed	\$15,910,997
Tax and Penalties collected including sums collected in advance of settlement	\$16,321,818
No. of cases registered for investigation but not yet commenced	998
No. of Investigation cases working but not yet settled	560

During the years 1954 to 1960:

No. of cases investigated	793
Tax and penalties assessed	\$9,596,563

Rewards to Informers

6. Enche' S. P. S. Nathan asks the Minister of Finance to state the maximum amount paid to any individual or individuals for information received on tax evasion and the amount collected as a result of it.

Enche' Tan Siew Sin: I regret that I cannot divulge the maximum amount paid to any individual informer. Payment of rewards is made by the Comptroller from a Secret Vote and disclosure of the amount may enable a person who has paid a large sum of back duty after an investigation, to identify his case as the one for which the reward was paid and this in turn may lead to the identification by him of the informant.

Feasibility of Investing EPF funds

7. Enche' S. P. S. Nathan asks the Minister of Finance to state whether, in view of large amounts of money accumulated by the Employees Provident Fund, he will, in consultation with the Minister of Labour, set up a special committee to consider the feasibility of investing a percentage of the EPF funds in establishments which would directly benefit the labour more than the employers; if the answer is negative, to give the reasons.

The Minister of Finance (Enche' Tan Siew Sin): It is not considered necessary to set up such a special committee, since the investment policy of the Board of the Employees' Provident

Fund is governed by the provisions of the Employees' Provident Fund Ordinance, 1951. It would be noted from sub-section 2 (c) of section 4 of the Ordinance that the Board can invest in loans to an approved company and that the definition of an approved company specifically includes a company set up with the sole or primary object of promoting home ownership. The Board can also lend money to co-operative housing societies. As such, there is already provision in the Ordinance to enable the Board to invest part of its funds in schemes which would directly benefit labour. By virtue of this provision in the Ordinance the Board has provided loan funds to the Malaya Borneo Building Society and to co-operative housing societies. Further, the present investment policy followed by the Board directly benefits labour as the contributors of the Fund are now paid interest at the rate of 5 per cent per annum which is indeed a very attractive rate of interest. Furthermore, the Board as presently constituted, is fully representative, since it comprises six representatives of employers, employees and the Government. There is therefore no danger that the interests of employees will not be properly looked after. For the reasons

given above, it is considered undesirable to interfere with the present investment policy pursued by the Board.

MINISTRY OF HEALTH

Group Hospitals

8. Enche' S. P. S. Nathan asks the Minister of Health to state whether the Health Ministry has any plans to take charge of group hospitals and run them as Government establishments.

The Minister of Health (Enche' Bahaman bin Samsudin): The Ministry of Health is having under consideration the re-organisation of estate hospitals. No decision has been made as to whether or not they should be run as Government establishments.

Statistics of Deaths in Government Hospitals

9. Enche' S. P. S. Nathan asks the Minister of Health to give the number of deaths which happened in Government hospitals in 1963, and the causes of death.

Enche' Bahaman bin Samsudin: Details on the number and causes of deaths in Government hospitals in the States of Malaya in 1963, are as under:

NUMBER OF DEATHS IN GOVERNMENT HOSPITALS IN 1963 AND CAUSES OF SUCH DEATH

Schizophrenic disorders (dementia praecox)	3	Aneurysm of aorta	1
Benign neoplasm of other female genital organs	2	Other cardiovascular syphilis	4
Syphilis unqualified	15	Other syphilis of central nervous system	6
Tuberculosis Lymphatic system	1	Typhoid fever	59
Tuberculosis of respiratory system	1,021	Cholera	12
Tuberculosis of meninges and central nervous system	72	Clinical Cholera	4
Tuberculosis of intestines, peritoneum and mesenteric glands	13	Bacillary dysentery	14
Tuberculosis of bones and joints	2	Amoebiasis	52
Tuberculosis of skin and subcutaneous cellular tissue	1	Other protozoal and unspecified forms of dysentery	20
Tuberculosis of genito-urinary system	1	Erysipelas	1
Tuberculosis of adrenal glands	1	Septicaemia and pyaemia	97
Tuberculosis of other organs	6	Diphtheria	200
Disseminated tuberculosis	3	Whooping Cough	3
Congenital syphilis	1	Meningococcal infections	3
Tabes dorsalis	1	Leprosy	83
General paralysis of insane	4	Tetanus of the new-born	58
		Tetanus, other forms	177
		Acute Poliomyelitis	4

NUMBER OF DEATHS IN GOVERNMENT HOSPITALS IN 1963 AND CAUSES OF SUCH DEATH—(cont.)

Acute infectious encephalitis ...	4	Leukaemia and Aleukaemia... ..	66
Late effects of acute poliomyelitis and acute infectious encephalitis...	5	Lymphosarcoma and reticulosarcoma	16
Measles	2	Hodgkin's disease	11
Infectious hepatitis	27	Other neoplasm of lymphatic and haematopoietic system	2
Rabies	1	Benign neoplasm of buccal cavity, pharynx and digestive system ...	4
Mite-borne typhus	2	Benign neoplasm of other male genital organs	1
Other and unspecified typhus ...	20	Benign neoplasm of other and unspecified organs and tissue ...	8
Vivax malaria (benign tertian) ...	83	Neoplasm of unspecified nature of digestive organs	7
Falciparum malaria (malignant tertian)	5	Neoplasm of unspecified nature of other unspecified organs	24
Mixed malaria infections	23	Nontoxic goitre	1
Other and unspecified forms of malaria	2	Thyrototoxicosis with or without goitre	10
Hydatid disease	1	Diabetes mellitus	109
Ascariasis	1	Beriberi	5
Other diseases due to helminths ...	1	Malnutrition	201
Food poisoning infection and intoxication	3	Kwashiorkor	1
Gas gangrene	4	Other deficiency states	27
Leptospirosis	6	Prencious and other hyperchromic anaemias	11
Chickenpox	1	Iron deficiency anaemias (Hypo-chromic)	32
Herpes Zoster	1	Other specified and unspecified anaemias	144
Dermatophytosis	2	Asthma	78
All other diseases classified as infective and parasitic	4	Angioneurotic oedema, urticaria and other allergic disorders	4
Malignant neoplasm of small intestine, including duodenum	2	Other diseases of thyroid gland ...	2
Malignant neoplasm of large intestine, except rectum	33	Disorders of pancreatic internal secretion other than diabetes mellitus	4
Malignant neoplasm of rectum ...	29	Diseases of parathyroid gland ...	1
Malignant neoplasm of larynx ...	16	Diseases of adrenal gland	4
Malignant neoplasm of trachea, bronchus and lung not specified as secondary	98	Other metabolic diseases	4
Malignant neoplasm of breast ...	27	Haemophilia	4
Malignant neoplasm of buccal cavity and pharynx	82	Purpura and other haemorrhagic conditions	11
Malignant neoplasm of oesophagus	62	Diseases of spleen	2
Malignant neoplasm of stomach ...	118	Other diseases of blood and blood-forming organs	17
Malignant neoplasm of cervix uteri	54	Senile psychoses	5
Malignant neoplasm of other and unspecified parts of uterus ...	4	Other and unspecified psychoses ...	4
Malignant neoplasm of prostate ...	9	Other drug addiction	3
Malignant neoplasm of skin... ..	2	Mental deficiency	2
Malignant neoplasm of bone and connective tissue	7	Cerebral haemorrhage	406
Malignant neoplasm of liver ...	95	Cerebral embolism and thrombosis...	195
Malignant neoplasm of pancreas ...	18	Other vascular lesions affecting central nervous system	115
Malignant neoplasm of peritoneum...	1	Non-meningococcal meningitis ...	152
Malignant neoplasm of unspecified digestive organs	5	Epilepsy	26
Malignant neoplasm of other and unspecified female genital organs...	11	Otitis media and mastoiditis ...	3
Malignant neoplasm of other and unspecified male genital organs ...	11	Other inflammatory diseases of ear	1
Malignant neoplasm of kidney bladder and other urinary organs ...	13	All other diseases and conditions of eye	1
Malignant neoplasm of all other and unspecified sites	54	Intracranial and intraspinal abscess	10

NUMBER OF DEATHS IN GOVERNMENT HOSPITALS IN 1963 AND CAUSES
OF SUCH DEATH—(cont.)

Encephalitis, myelitis and encephalomyelitis	122	Other acute upper respiratory infections	10
Paralysis agitans	6	Lobar pneumonia	83
Other cerebral paralysis	25	Broncho-pneumonia	1,046
Motor neurone disease and muscular atrophy	3	Primary atypical, other and unspecified pneumonia	54
Other diseases of spinal cord	13	Acute bronchitis	25
Other and unspecified forms of neuralgia and neuritis	2	Bronchitis unqualified	23
Diseases of peripheral autonomic nervous system	4	Chronic bronchitis	29
All other diseases of the nervous system and sense organs	24	Empyema	15
Rheumatic fever without mention of heart involvement	4	Abscess of lung	18
Rheumatic fever with heart involvement	14	Pleurisy	13
Chorea	1	Other disease of upper respiratory tract	29
Diseases of valves specified as rheumatic	39	Spontaneous pneumothorax	6
Other endocarditis specified as rheumatic	2	Pulmonary congestion and hypostasis	18
Other myocarditis specified as rheumatic	10	Bronchiectasis	45
Other heart disease specified as rheumatic	15	All other respiratory diseases	41
Arteriosclerotic heart disease, including coronary disease	293	Other diseases of teeth and supporting structures	1
Chronic endocarditis not specified as rheumatic	8	Ulcer of stomach	119
Other myocardial degeneration	105	Ulcer of duodenum	24
Acute and subacute endocarditis	8	Gastritis and duodenitis	4
Acute myocarditis	40	Appendicitis	21
Acute pericarditis	7	Hernia of abdominal cavity without mention of obstruction	6
Functional disease of heart	377	Hernia of abdominal cavity with obstruction	20
Other and unspecified diseases of heart	533	Intussusception	15
Hypertension with heart disease	202	Volvulus	2
Hypertension without mention of heart	113	Other intestinal obstruction	103
General arteriosclerosis	5	Gastro-enteritis and colitis between 4 weeks and 2 years	730
Aortic aneurysm, non-syphilitic, and dissecting aneurysm	4	Gastro-enteritis and colitis, ages 2 years and over	242
Other aneurysm, except of heart and aorta	4	Chronic enteritis and ulcerative colitis	7
Peripheral vascular disease	6	Cirrhosis of liver without mention of alcoholism	192
Arterial embolism and thrombosis	12	Cirrhosis of liver with alcoholism	24
Gangrene of unspecified cause	7	Cholelithiasis	2
Other diseases of arteries	1	Cholecystitis and cholangitis without mention of calculi	9
Phlebitis and thrombophlebitis	1	Stomatitis	1
Pulmonary embolism and infarction	58	Other diseases of buccal cavity	1
Other venous embolism and thrombosis	8	Functional disorders of oesophagus	2
Other diseases of circulatory system	17	Stricture or obstruction of oesophagus	8
Other diseases of lymph nodes and lymph channels	4	Disorders of function of stomach	1
Acute pharyngitis	2	Other diseases of stomach and duodenum	8
Acute tonsillitis	6	Other functional disorders of intestines	3
Acute laryngitis and tracheitis	8	Abscess of anal and rectal regions	2
		Peritonitis	136
		Other diseases of intestines and peritoneum	19
		Acute yellow atrophy of liver	4
		Degeneration of liver	8

NUMBER OF DEATHS IN GOVERNMENT HOSPITALS IN 1963 AND CAUSES OF SUCH DEATH—(cont.)

Hepatitis	29	Abortion with sepsis	14
Other diseases of liver	74	Ectopic pregnancy	4
Other diseases of gall-bladder and biliary ducts	15	Anemia of pregnancy	3
Diseases of pancreas	16	Pyrexia of unknown origin during the puerperium	5
Other diseases of digestive system ...	16	Mastitis and other disorders of lactation	1
Acute nephritis	39	Other complications of pregnancy, childbirth and the puerperium ...	76
Nephritis with oedema, including nephrosis	29	Boil and carbuncle	2
Chronic nephritis	58	Cellulitis and abscess	13
Nephritis not specified as acute or chronic	18	Other infections of skin and subcutaneous tissue	1
Other renal sclerosis	3	Rheumatoid arthritis and allied conditions	2
Infections of kidney	64	Osteomyelitis and periostitis ...	3
Culculi of kidney and ureter ...	3	Other acquired musculoskeletal deformities	1
Calculi of other parts of urinary system	3	Chronic ulcer of skin (including tropical ulcer)	4
Hyperplasia of prostate	4	All other diseases of skin and subcutaneous tissue	11
Diseases of breast	2	All other diseases of musculoskeletal system	1
Other diseases of kidney and ureter	21	Spina bifida and meningocele ...	6
Cystitis	2	Congenital malformations of circulatory system	35
Other diseases of bladder	4	Monstrosity	15
Stricture of urethra	2	Congenital hydrocephalus	14
Other diseases of urethra	1	Other congenital malformations of nervous system and sense organs ...	3
Other diseases of prostate	12	Cleft palate and harelip	2
Other diseases of male genital organs	1	Congenital hypertrophic pyloric stenosis	6
Other diseases of ovary and Fallopian tube	2	Imperforate anus	30
Other diseases of uterus	5	Other congenital malformations of digestive system	13
Disorders of menstruation	2	Congenital malformations of genito-urinary system	4
All other diseases of the genito-urinary system	20	Congenital malformations of bone and joint	3
All other and unspecified effects of external causes	22	Other and unspecified congenital malformations, not elsewhere classified	27
Other infections of genito-urinary tract during pregnancy	3	Intracranial and spinal injury at birth	24
Sepsis of childbirth and the puerperium	5	Other birth injury	13
Puerperal pulmonary embolism ...	5	Postnatal asphyxia and atelectasis ...	325
Albuminuria of pregnancy	1	Pneumonia of newborn	35
Eclampsia of pregnancy	16	Diarrhoea of newborn	25
Hyperemesis gravidarum	2	Umbilicall sepsis	13
Other toxæmias of pregnancy	11	Other sepsis of newborn	3
Puerperal eclampsia	11	Haemolytic disease of newborn ...	45
Other forms of puerperal toxæmia	6	All other defined diseases of early infancy	148
Placenta prævia	5	Congenital debility	82
Other hæmorrhage of pregnancy ...	7	Premature birth	1,555
Delivery complicated by placenta prævia or antepartum hæmorrhage	31		
Delivery complicated by retained placenta	28		
Delivery complicated by other postpartum hæmorrhage	76		
Abortion without mention of sepsis or toxæmia	14		

NUMBER OF DEATHS IN GOVERNMENT HOSPITALS IN 1963 AND CAUSES OF SUCH DEATH—(cont.)

Other ill-defined diseases peculiar to early infancy and unmaturation unqualified	88	Accidental mechanical suffocation ...	2
Senility without mention of psychoses	253	Lack of care of infants under 1 year of age	1
Infantile convulsions	25	Accidents caused by bites and stings of venomous animals and insects	2
Effects of poisons	22	Accidents caused by snake-bites ...	9
Pyrexia of unknown origin	213	Other accidents caused by animals ...	1
Observation without need for further medical care	4	Hunger, thirst and exposure ...	1
Malingering	6	Lightning	2
Other ill-defined and unknown causes of morbidity and mortality ...	135	Agricultural and forestry accidents ...	2
Motor vehicle accidents	215	Accidental injury by crushing or landslide	1
Railway accidents	1	Other and unspecified accidents ...	2
Other transport accidents	1	All other accidents causes	5
Accidental poisoning by morphia and other opium derivatives	2	Suicide and self-inflicted poisoning by analgesic and soporific substances	2
Accidental poisoning by other analgesic and soporific drugs	1	Suicide and self-inflicted poisoning by other solid and liquid substances	26
Accidental poisoning by other and unspecified drugs	1	Suicide and self-inflicted injury by hanging or strangulation	4
Accidental poisoning by corrosive aromatics, acids and caustic alkalies	35	Suicide and self-inflicted injury by cutting or piercing instruments ...	6
Accidental poisoning by lead and its compounds	1	Assault by firearm and explosive ...	1
Accidental poisoning by arsenic and antimony and their compounds ...	5	Assault by cutting or piercing instruments	10
Accidental poisoning by other and unspecified solid or liquid substances	6	Assault by other means	2
Other accidental poisoning	22	Fracture of skull	214
Accidental falls	32	Fracture of spine and trunk	22
Accident caused by fire and explosion of combustible material ...	3	Fracture of limbs	20
Accident caused by hot substance, corrosive liquid, steam and radiation	20	Head injury excluding fracture ...	85
Accidental drowning and submersion	3	Internal injury of chest, abdomen and pelvis	35
Accidents caused by cutting or piercing instruments	2	Laceration and open wounds ...	4
Accidents caused by electric current	1	Superficial injury, contusion and crushing with intact skin surface ...	2
		Effects of foreign body entering through orifice	2
		Burns	111
		TOTAL	14,837

Resident Doctors in Estate Hospitals

10. Enche' S. P. S. Nathan asks the Minister of Health to state whether the Government will consider introducing legislation to the effect that qualified doctors be resident on estates rather than hospital assistants or estate dressers, to be in charge of hospitals providing for indoor treatment.

Enche' Bahaman bin Samsudin: In view of the acute shortage of doctors

in the country as a whole, it is not proposed to introduce legislation to require qualified doctors to reside on estates and be in charge of hospitals providing for indoor treatment.

MINISTRY OF HOME AFFAIRS

Promotions of Officers in the Sarawak Police Force

11. Enche' Andrew Jika Landau asks the Minister of Home Affairs whether

he is aware that there is frustration and resentment among some members of the Inspectorate and Gazetted ranks of the Sarawak Police Force because some of their junior counterparts have been promoted over their heads, and if so, whether he would take steps to clear misgivings and misunderstandings among these officers particularly over promotions of local officers of Gazetted ranks.

The Minister of Home Affairs (Dato' Dr Ismail bin Dato' Haji Abdul Rahman): Selection for promotion to vacancies in the Inspectorate and Gazetted ranks of the Sarawak Constabulary, as elsewhere in the Royal Malaysia Police, is on the basis of official qualifications, experience and merit. Only where two candidates are adjudged of equal merit is preference given to the senior. Promotions made in the Sarawak Constabulary from Malaysia Day to the present time in respect of the Inspectorate and Gazetted ranks are as follows—

- (i) One Superintendent promoted to assistant Commissioner. He was the most senior Superintendent and no supersessions were involved.
- (ii) Three Deputy Superintendents have been appointed to act as Superintendents. No supersessions are involved.
- (iii) One Chief Inspector promoted to Assistant Superintendent of Police. He superseded five other Chief Inspectors, but these five officers had not passed the necessary examinations to qualify for substantive promotion.
- (iv) Seven other members of the Inspectorate have been appointed to act as Assistant Superintendents of Police. Twenty-seven members of the Inspectorate were superseded by these acting appointments. All members of the Inspectorate were considered for these acting opportunities and the necessary selection was made on the basis of official qualifications, experience and merit.
- (v) Thirty-six members of the Rank and File have been promoted to the Inspectorate. These did not

supersede any members of the Rank and File with the qualifications required for the Inspectorate. Similarly, a total of seven members of the Rank and File have been appointed to act in the Inspectorate; no supersessions of qualified Rank and File were involved.

Since all the selections for promotions and acting appointments have been made on the proper basis of official qualifications, experience and merit and since preference is only given to the senior when merit is adjudged to be equal, no members of the Sarawak Constabulary have any valid grounds to feel frustrated and resentful in regard to the promotions and acting appointments made.

MINISTRY OF INFORMATION AND BROADCASTING

Indian Section of TV Malaysia

12. Enche' S. P. S. Nathan asks the Minister of Information and Broadcasting to state:

- (a) what steps are being taken to increase the time allotted for Indian programmes now that rural users of TV have increased especially in the estates and mines and when will it take effect;
- (b) if he will also consider recruiting more qualified staff to the Indian section to enable it to produce more programmes and scout local talents for spot programmes.

The Minister of Information and Broadcasting (Enche' Senu bin Abdul Rahman): (a) The policy of TV Malaysia is to provide programmes that would cater for the needs of the nation as a whole and not merely for any individual section of the community. However, the special interests of all sectors of the viewers are not disregarded in the programming—this is already evident in the provision of time for programmes in Tamil.

It should be appreciated that TV Malaysia had functioned hitherto as a pilot project, transmitting only for some 25 hours weekly to viewers within a

limited area of coverage. The transmissions have recently been extended to a total of 40 hours and further expansions will take place subject to the availability of staff and technical facilities.

Consideration will then be given to provision of more time for all types of programmes including those in Tamil. But it must not be forgotten that programmes in other languages, especially in Malay and English, are also popular with viewers of Indian origin.

(b) There is an acute shortage of trained personnel to fill vacancies in all branches of our television service. It is however the policy of the Department of Television to increase further progressively the quality and variety of the programmes, as more staff become available. Local talent already receives the greatest possible encouragement and any expansion in programming and recruitment of staff will naturally take into account the availability of local talent.

TV Staff

13. Enche' S. P. S. Nathan asks the Minister of Information and Broadcasting to state:

- (a) if he will consider recruiting staff experienced in Industrial Reporting;
- (b) whether it is true that TV Malaysia's reportorial staff is entirely on a part-time basis instead of full time trained members;
- (c) whether he will give break-down figures of staff, both permanent and part-time, employed by TV Malaysia, especially in the editorial section of the various language-media;
- (d) whether he is aware that it has not been the policy of the Government to employ staff in the Government departments on a day-to-day basis which gives no security of tenure, and, if so, what steps are being taken to remedy this situation;
- (e) whether there is difficulty in recruiting experienced staff, and, if so, will he give urgent consi-

deration to taking steps to absorb efficient men and women now working part-time, on a permanent basis.

Enche' Senu: (a) News coverage by the mass media in Malaysia is not undertaken at present on any specialised basis because of the shortage of sufficiently trained personnel in all its branches. It is the objective of the official mass media to branch out to specialised reporting as and when this would be possible. Meanwhile, TV Malaysia is providing very good and objective coverage of main news events in the country and there has been no criticism of its speed, objectivity or quality of news reporting.

(b) It is not correct to say that TV Malaysia employs reportorial staff entirely on a part-time basis although the services of a number of trained journalists are being utilised on a part-time basis, in order to diversify and enrich its news coverage. This is a practice which is universally being adopted by Television and Radio services everywhere. The utilisation of part-time reporters, however, will decrease as more reportorial staff are made available to the Department.

(c)

News Staff—

Total number of appointments on the establishment	30
Total number now on staff	16
Permanent	5
Temporary	11
Part-time	4
Freelance (full-time)	13

Editorial Staff—

1964 Provision in 1964 Estimates

Penyunting Berita Kanan	1	Filled on permanent basis.
Penyunting Berita	8	(1) 4 filled on permanent basis. (2) A selection exercise by P.S.C. for a further 4 was undertaken in May, 1964, and we are awaiting results.

The recruitment of staff for TV Malaysia is still under way and, meanwhile, it will be necessary to engage news editors and reporters on a part-time basis in order to meet the programme commitments.

(d) The Department of Television is a new department requiring special skills in the personnel employed. It is felt that immediate employment of all staff on a permanent basis will not be in the interests of the service until such time as the officers and staff now engaged on temporary basis are trained and assessed for capability. When proven, they can compete with others for posts on the permanent establishment which are filled by the Public Service Commission.

(e) It is obvious that the personnel already working on a part-time basis in the Department of Television will be in an advantageous position when recruitment for such posts on a permanent basis takes place. This will however depend on the qualifications laid down by the Federation Establishment Office in each case and the extent to which staff employed on a part-time or temporary basis fulfil those qualifications.

In view of the conditions for recruitment of staff for the public service as laid down in the Constitution, it is not possible to give urgent consideration for the filling of posts on the permanent establishment on an *ad hoc* basis.

PRIME MINISTER'S DEPARTMENT

Malayanisation Policy in Government Services and Private Industries

14. Enche' S. P. S. Nathan asks the Prime Minister to state:

- (a) if he would make a general statement on the Malaysiansation Policy in Malaysia not only in the Government Services but also in the Private Industries and establishments;
- (b) whether the Government has any statistics to show that satisfactory Malayansation is taking place in the Private Industry;

(c) whether it is true that the number of expatriates in the Private Sector has increased considerably after the Malaysiansation Policy was announced by the Government in proportion to the new firms opened in Malaysia under the pioneer status or otherwise;

(d) whether Government will issue a policy statement on the limitation of the employment of expatriate officers in the private industries including estates and mines.

The Prime Minister: (a) Government has already appointed a Committee to review the progress of Malayansation in Commerce and Industry in as far as the States of Malaya are concerned. All application for employment permits to join commercial and industrial firms are now referred to this Committee for consideration and decision.

(b) It is difficult to produce statistics to show that the pace of Malayansation is satisfactory as foreign firms and industries are expanding and multiplying in number. As such more expatriates are required initially to run the firms. The Ministry of Commerce and Industry has undertaken a survey of employment in firms in the States of Malaya the results of which are awaited.

(c) It may be true that the number of expatriates have increased but at the same time more Malaysian Executives are now being appointed and trained in Commerce and Industry. The increase in the number of expatriates only applies to technical and management personnel necessary to run and train local men in industry. These expatriates have been told that their employment will be for a specific period and that they should make every effort to train local men to take their places.

(d) The Government Committee on Malayansation in Commerce and Industry is now examining the number of expatriates employed in private industries including estates and mining and while it is the intention to reduce them this must not be done at the

risk of efficiency and good management. All applications from expatriates to join these industries are being carefully scrutinised by the Committee in conjunction with the Ministry of Commerce and Industry and only in cases where the Committee is satisfied that no local men are available for the post, approval will be given for employment visas to be issued.

MINISTRY OF TRANSPORT

Labour Disputes at Port Swettenham

15. Enche' S. P. S. Nathan asks the Minister of Transport to state whether, in view of the Off and On labour disputes at Port Swettenham involving work-to-rule, go-slow and strikes, he will consider the establishment of an Industrial Relations Department within the Port Authority.

The Minister of Transport (Dato' Haji Sardon bin Haji Jubir): The Port Swettenham Authority is deeply concerned over the frequent labour disputes in the Port. The question of appointing an Industrial Relations Officer and establishing an Industrial Relations Department is currently and actively engaging the attention of the Authority.

MINISTRY OF LABOUR

Workers Representative for ILO Expert

16. Enche' S. P. S. Nathan asks the Minister of Labour to state whether he will consider recommending to the Prime Minister to have at least one representative of the workers as a staff in his special department set up this month to assist and advise the ILO expert who is looking into the social security schemes and problems connected with it.

The Minister of Labour (Enche' V. Manickavasagam): No special department has yet been set up to look into social security schemes and problems connected therewith. However, preliminary work in connection with the introduction of the schemes has already commenced. An actuary is now studying the costs of the various contingencies to be covered. ILO

experts have been sought to advise the Government on the drafting of the legislation connected with social security and for the formulation of the administrative organisations required to implement the schemes. These experts would work with the present officers of the Ministry of Labour. The question of employing a representative of the workers does not, therefore, arise.

Daily Rated Workers

17. Enche' S. P. S. Nathan asks the Minister of Labour to state whether the Government has any intention to tell employers in Malaysia that their employees should be on a monthly-paid basis and not on a daily-rated scale.

Enche' V. Manickavasagam: This matter is one for agreement between employers and workers, under the existing voluntary system of industrial relations. It is left to the parties themselves to decide on such matters, depending on the circumstances of each industry.

Employment Conditions of Workers

18. Enche' S. P. S. Nathan asks the Minister of Labour to state if he will give a categorical statement on Government's policy on the employment of workers on a day-to-day basis, and whether he himself is satisfied with the present employment conditions of hiring and firing of workers at the whims and fancies of some of the employers.

Enche' V. Manickavasagam: The policy of the Government, in so far as its own employees are concerned, is to engage its employees on a monthly basis.

I have had some complaints regarding the exercise of the right of employers to hire and fire workers and have grounds to believe that this right of the employers is not, at times, exercised justly. It is for this reason that I propose to submit to the National Joint Labour Advisory Council a recent International Labour Organisation Recommendation concerning the

Termination of Employment of Workers. I hope that out of the discussions in the Council, effective procedures governing the circumstances and method of termination of employment can be evolved.

Recognition of a Legally Constituted Trade Union

19. Enche' S. P. S. Nathan asks the Minister of Labour to state whether he will consider introducing legislation by which foreign and local employers will recognise a legally constituted trade union which represents the majority of the workers.

Enche' V. Manickavasagam: I am advised on such matters by the National Joint Labour Advisory Council, which consists of representatives of employers and workers. If this Council raises this issue, I will consider whatever recommendations it makes.

Dispute over Recognition of NUCW by 13 Japanese firms

20. Enche' S. P. S. Nathan asks the Minister of Labour to state, in regard to the recent dispute over the recognition of the National Union of Commercial Workers by 13 Japanese firms, what steps his Ministry had taken to bring about conciliation.

Enche' V. Manickavasagam: The Ministry of Labour has held a series of meetings with both the 13 firms concerned and the Union; joint-meetings were also arranged, the last of them being on 4th July, 1964.

Through this Ministry's efforts, one of these firms has already indicated its willingness to recognise the Union. The Ministry is still endeavouring to resolve the issue with the other firms concerned.

Violation of Immigration Ordinance

21. Enche' S. P. S. Nathan asks the Minister of Labour to state whether the Government will investigate immediately into the charges by the National Union of Commercial Workers that some or all of the 13 Japanese firms involved in the dispute with the Union

over recognition have violated the Immigration Ordinance by employing more employees from Japan than Malaysians, and, if so, what immediate steps will be taken to remedy the situation.

Enche' V. Manickavasagam: Immediate investigations have been carried out and these disclosed that from the individual company records only one of the 13 Japanese firms employs more than two Japanese at any one time. There might have been additional Japanese in some of the firms from time to time, who might have come from their Singapore Branch Offices. Many of the firms have Branches in Singapore as well and it is a normal practice for their employees to travel to and from Singapore in the course of their trading and commercial activities.

The one firm which employs more than two Japanese is Aji-no-moto (Malaysia) Ltd. The extra Japanese personnel were permitted to enter the country for the purpose of implementing the first phase of factory construction at Sungei Besi, Selangor.

The Immigration Ordinance as such makes no reference to the limitation in the number of foreign personnel entering the country for employment purposes. But, it is the policy of the Ministry of Commerce and Industry to restrict the number of foreign firms opening Branch Offices in the States of Malaya and to permit the entry of only two foreigners to each Branch Office, unless there is justification on other grounds—e.g., size of firm and investment—to allow more than two foreign personnel to be employed.

Recruitment of workers from outside Malaysia

22. Enche' S. P. S. Nathan asks the Minister of Labour to state whether any State Government had sought the concurrence of the Central Government for recruitment of workers from outside Malaysia, if so, what are the views of the Federation Government on this matter.

Enche' V. Manickavasagam: No.

Malaysian Estate Labour for Sabah

23. Enche' S. P. S. Nathan asks the Minister of Labour to state whether it is a fact that the Sabah Government has banned the recruitment of Malaysian Estate Labour of certain categories from Malaya.

Enche' V. Manickavasagam: No. The Sabah Government has not imposed any such ban.

24. Enche' S. P. S. Nathan asks the Minister of Labour to state what representations had been made by the Federation Government in this regard and what was the result of such representation.

Enche' V. Manickavasagam: The need for representation does not arise.