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MALAYSIA
DEWAN NEGARA (SENATE)
Official Report

Vol. II

Second Session of the Second Dewan Negara

No. 12

Monday, 28th March, 1966

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).
- ” TUAN A. ARUNASALAM, A.M.N. (Appointed).
- ” TUAN ABDUL RAHMAN BIN AHMAD (Perlis).
- ” TUAN ABDUL SAMAD BIN OSMAN, P.J.K. (Appointed).
- ” TUAN HAJI AHMAD BIN HAJI ABDULLAH, A.M.N. (Penang).
- ” TUAN HAJI AHMAD BIN HAJI ABDUL MANAP, P.P.N. (Melaka).
- ” PUAN AISHAH BINTI HAJI ABDUL GHANI (Appointed).
- ” PUAN BIBI AISHA BINTI HAMID DON, A.M.N. (Appointed).
- ” TUAN AMALUDDIN BIN DARUS (Kelantan).
- ” DATU JOSEPH AUGUSTINE ANGIAN ANDULAG, P.D.K. (Sabah).
- ” TUAN AWANG DAUD MATUSIN (Appointed).
- ” DATU TUANKU BUJANG BIN TUANKU HAJI OTHMAN (Sarawak).
- ” TUAN CHAN KEONG HON (Appointed).
- ” TUAN CHAN KWONG-HON, J.M.N., S.M.N., J.P. (Selangor).
- ” DATO' DR CHEAH TOON LOK, D.P.M.K., D.M.K., J.M.N., J.P. (Appointed).
- ” DATO' J. E. S. CRAWFORD, D.P.M.P., J.M.N., J.P., Dato' Kurnia Indera (Appointed).
- ” TUAN D. S. DORAI RAJ, A.M.N., P.J.K. (Appointed).
- ” DATO' FOO SEE MOI, D.P.M.K., J.P. (Appointed).
- ” TUAN GAN TECK YEOW, J.M.N. (Appointed).
- ” TUAN GOH CHEK KIN, P.J.K. (Trengganu).
- ” TUAN HOH CHEE CHEONG, A.M.N., J.P. (Pahang).
- ” TUAN HONG KIM SUI (Appointed).
- ” TUAN C. D. ISMAIL, J.M.N., J.P. (Appointed).
- ” TUAN ANDREW JIKA LANDAU (Appointed).
- ” TUAN KOH KIM LENG (Melaka).
- ” DATO' LEE FOONG YEE, J.M.N., P.P.T., J.P. (Negri Sembilan).
- ” DATO' Y. T. LEE, D.P.M.S., J.M.N., P.J.K., J.P. (Appointed).

- The Honourable TUAN LIM HEE HONG, J.M.N., J.P. (Appointed).
- „ TUAN LIM JOO KONG, J.P. (Kedah).
- „ TUAN MOHAMAD ADIB BIN OMAR, P.J.K. (Trengganu).
- „ DATU PENGIRAN MOHAMED DIGADONG GALPAM, P.D.K. (Sabah).
- „ DATO' HAJI MOHAMED NOAH BIN OMAR, P.M.N., S.P.M.J.,
D.P.M.B., P.I.S., J.P. (Appointed).
- „ TUAN HAJI MOHAMED SAAID BIN HAJI ABU BAKAR
(Appointed).
- „ DATO' ATHI NAHAPPAN, D.P.M.S. (Appointed).
- „ TUAN 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).
- „ TUAN SAIDON BIN KECHUT, A.M.N. (Appointed).
- „ DATO' SHEIKH ABU BAKAR BIN YAHYA AL-HAJ, D.P.M.J.,
P.I.S., J.P. (Johore).
- „ DATO' G. SHELLEY, P.M.N., J.P. (Appointed).
- „ TUAN SYED DARUS BIN SYED HASHIM (Perlis).
- „ TUAN WILLIAM TAN (Appointed).
- „ DATO' T. H. TAN, P.M.N. (Appointed).
- „ DATO' TEH SIEW ENG, D.P.M.P., J.M.N., P.J.K., J.P.
(Appointed).
- „ DATO' E. E. C. THURASINGHAM, D.P.M.J., J.P. (Appointed).
- „ TUAN S. O. K. UBAlDULLA, J.M.N. (Appointed).
- „ DATO' WAN IBRAHIM BIN WAN TANJONG, J.M.N., P.J.K.,
Orang Kaya Indera Maharaja Purba Jelai (Pahang).
- „ WAN MUSTAPHA BIN HAJI WAN ALI, S.M.K. (Kelantan).
- „ TUAN YAHYA BIN AHMAD, P.J.K. (Negri Sembilan).
- „ TUAN YAHYA BIN HAJI AHMAD (Perak).
- „ TUAN YEOH KIAN TEIK (Perak).

ABSENT:

- The Honourable the Minister without Portfolio, DATO' ONG YOKE LIN, P.M.N.
(Appointed).
- „ TUAN CHEAH SENG KHIM, J.P. (Penang).
- „ RAJA RASTAM SHAHROME BIN RAJA SAID TAUPHY (Selangor).
- „ TUAN SYED AHMAD BIN SYED MAHMUD SHAHABUDIN, J.M.N.,
S.M.K., J.P. (Kedah).

IN ATTENDANCE:

- The Honourable the Minister of Transport, DATO' HAJI SARDON BIN HAJI
JUBIR, P.M.N. (Pontian Utara).
- „ the Minister of Education, TUAN MOHAMED KHIR JOHARI
(Kedah Tengah).

The Honourable the Minister of Health, TUAN BAHAMAN BIN SAMSUDIN (Kuala Pilah).

.. the Minister for Welfare Services, TUAN HAJI ABDUL HAMID KHAN BIN HAJI SAKHAWAT ALI KHAN, J.M.N., J.P. (Batang Padang).

.. the Minister of Lands and Mines, TUAN ABDUL-RAHMAN BIN YA'KUB (Sarawak).

.. the Assistant Minister of Finance, DR NG KAM POH, J.P. (Telok Anson).

PRAYERS

(Mr President *in the Chair*)

ADMINISTRATION OF OATH

The following Senator made and subscribed the Affirmation required by Law: Tuan Wan Sulaiman bin Wan Tam.

ANNOUNCEMENTS BY THE PRESIDENT

ADMINISTRATION OF OATH UNDER STANDING ORDER 4 (3)

Mr President: Ahli² Yang Berhormat, saya ingin menyatakan kepada Dewan ini bahawa Yang Berhormat Tuan Hong Kim Sui telah mengangkat sumpah menjadi Ahli Dewan Negara di hadapan saya pada hari Thalatha, 17 haribulan Mach, 1966, menurut kehendak Peratoran Majlis Dewan Negara 4, bahagian (3), ia-itu pada bila² masa Majlis Meshuarat dalam tanggohan Ahli itu boleh-lah mengangkat sumpah di hadapan Yang di-Pertua; jika demikian Yang di-Pertua hendak-lah memberi tahu Majlis Meshuarat pada meshuarat akan datang mengatakan Ahli itu telah mengangkat sumpah di hadapan-nya.

Honourable Senators, I wish to inform the Senate that the Honourable Tuan Hong Kim Sui has taken the Oath as a Senator before me in accordance with the provisions of Dewan Negara Standing Order 4 (3) which provides:

A Senator may at any time when the Senate stands adjourned, take and subscribe the said Oath before the President; and in any such case the President shall report to the Senate at its next sitting that the Senator has so taken and subscribed the said Oath before him.

THE HONOURABLE DATO' ONG YOKE LIN, P.M.N.—LEAVE

Mr President: Ahli² Yang Berhormat, saya suka hendak mema'alumkan kepada Dewan Negara ia-itu menurut kuasa yang di-beri kepada saya, saya telah membenarkan Yang Berhormat Dato' Ong Yoke Lin, atas permintaannya sendiri, berchuti dengan rasminya daripada menghadiri meshuarat Dewan Negara daripada 9 haribulan April, 1966 hingga 7 haribulan August, 1966.

Honourable Senators, I wish to inform the Senate that in accordance with the authority delegated to me, I have granted the Honourable Dato' Ong Yoke Lin, upon his application, formal leave of absence from meetings of the Senate from 8th April, 1966 to 7th October, 1966.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

Mr President: Ahli² Yang Berhormat, saya hendak menyatakan kepada Dewan ini bahawa saya telah menerima satu perutusan daripada Dewan Ra'ayat. Sekarang saya jemput Setiausaha Dewan Negara membachakan perutusan itu.

(Whereupon, the Clerk reads the following message)

“Mr President,

The House of Representatives has passed the following Bills:

- (1) to make provision relating to the preservation of books and to provide for matters connected therewith;

- (2) to amend the law on diplomatic privileges and immunities by giving effect to the Vienna Convention on Diplomatic Relations (signed in 1961) and for other matters connected therewith;
 - (3) to amend the Registration of Guests Act, 1965;
 - (4) to amend the Minor Offences Ordinance, 1955;
 - (5) to amend the Cinematograph Films Ordinance, 1952;
 - (6) to amend the laws relating to common gaming of the States of Malaya, Sabah and Sarawak;
 - (7) to amend the Civil Law Ordinance, 1956, and to repeal certain written laws relating to apportionment and assignment;
 - (8) to apply sums out of the Consolidated Fund for additional expenditure for the service of the year 1965 and to appropriate such sums for certain purposes;
 - (9) to amend section 4 of the Education (Amendment) Act, 1963;
 - (10) to amend the Medical Registration Ordinance, 1952;
 - (11) to amend the Companies Act, 1965;
 - (12) to amend the Federation of Malaya Rubber Exchange (Incorporation) Act, 1962;
 - (13) to provide for the registration of rubber exported from the States of Malaya and for matters incidental thereto;
 - (14) to provide for the control and licensing of the business of housing developments in the Federation and for matters connected therewith;
 - (15) to prescribe minimum standards of housing for workers, to require employers to provide nurseries and to allot land for workers and their dependents in a place of employment, and to provide for matters incidental thereto;
 - (16) to regulate the employment of children and young persons;
 - (17) to amend the National Land Rehabilitation and Consolidation Authority Act, 1966;
 - (18) to amend the Judges' Remuneration Act, 1963;
 - (19) to establish and incorporate the National Family Planning Board and to provide for matters incidental thereto;
 - (20) to amend the Internal Security Act, 1960;
- and transmits them to the Senate for its concurrence.

(Sgd.) C. M. YUSUF,
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 Internal Security (Amendment) Bill.
2. The Registration of Guests (Amendment) Bill.
3. The Minor Offences (Amendment) Bill.
4. The Cinematograph Films (Amendment) Bill.
5. The Common Gaming Houses (Amendment) Bill.
6. The Civil Law (Amendment) Bill.
7. The Preservation of Books Bill.
8. The Family Planning Bill.
9. The Diplomatic Privileges (Vienna Convention) Bill.
10. The Workers (Minimum Standard of Housing) Bill.

11. The Children and Young Persons (Employment) Bill.
12. The Supplementary Supply (1965) (No. 3) Bill.
13. The Judges' Remuneration (Amendment) Bill.
14. The Education (Amendment) Bill.
15. The Medical Registration (Amendment) Bill.
16. The Companies (Amendment) Bill.
17. The Rubber Export Registration Bill.
18. The Federation of Malaya Rubber Exchange (Incorporation) (Amendment) Bill.
19. The Housing Developers (Control and Licensing) Bill.
20. The National Land Rehabilitation and Consolidation Authority (Amendment) Bill.

Mr President: So be it.

ORAL ANSWERS TO QUESTIONS

ROYAL MALAYSIAN POLICE

Number of Expatriate Officers Holding Rank of Assistant Superintendents and above in Sarawak

1. Enche' Andrew Jika Landau (Sarawak) asks the Minister of Home Affairs to state the number of Expatriate Officers holding the appointments of Assistant Superintendent, Deputy Superintendent, Superintendent and above, in the Royal Malaysian Police, in Sarawak.

The Minister of Lands and Mines (Enche' Abdul-Rahman bin Ya'kub): Mr President, Sir, expatriate officers at present serving with the Sarawak Constabulary are as follows: One Commissioner, one Deputy Commissioner, two Assistant Commissioners, five Superintendents, fifteen Deputy Superintendents and one Assistant Superintendent. Twenty-four of these officers

are serving on short-term contracts and another is on temporary loan from the States of Malaya. In addition to these twenty-five, seven British Army officers are seconded to the Sarawak Constabulary for para-military duties with the Border Scouts and the Police Field Force.

Enche' Andrew Jika Landau: Are these twenty-five expatriate officers all permanent; and if not, how many are permanent and how many are on contract?

Enche' Abdul-Rahman bin Ya'kub: Mr President, Sir, eight of the officers I have just mentioned are on permanent and pensionable establishment. I think sixteen are on short-term contract.

Dato' Haji Mohamed Noah bin Omar: Soalan tambahan, saya hendak bertanya ada-kah benar atau pun tidak ra'ayat Sarawak atau Kerajaan Sarawak lebih suka mengekalkan pegawai² dagang daripada bangsa British dalam jawatan-nya daripada menerima pegawai² polis daripada Malaya?

Enche' Abdul-Rahman bin Ya'kub: Tuan Yang di-Pertua, bagi ra'ayat Sarawak kita perchaya mereka lebih suka orang Malaysia sendiri daripada pegawai² yang berwarga negara bukan Malaysia sama ada British atau pun bukan British. Kerajaan negeri Sarawak ada-lah terikat oleh Perjanjian yang sama² kita ketahui di-gelar Inter-Governmental Committee Report. Sabenar-nya dalam masaalah ini, Tuan Yang di-Pertua, pegawai² tempatan dalam pendapat Kerajaan tidak men-chukupi dan oleh kerana itu-lah pegawai² dagang ini telah di-ambil dan maseh lagi di-benarkan terus bekerja. Menurut Perjanjian Inter-Governmental Committee Report, beberapa orang pegawai² dagang ini di-benarkan bekerja meneruskan pekerjaan mereka sa-hingga, kalau saya tidak salah, tahun 1967 tetapi ada juga yang lain telah berhenti terlebih awal daripada tarikh tersebut.

Dato' Athi Nahappan: It has been reported that some of the expatriate

officers in Sarawak are being very supercilious and are being very bossy in their administrative attitude. Will the Minister state what the Government intends doing about this, and will the Minister give an assurance that suitable measures will be taken to strip this kind of undesirable attitude on the part of the expatriate officers?

Enche' Abdul-Rahman bin Ya'kub: That question relates to expatriate officers as a whole in Sarawak. The original question here relates to police officers. The Honourable Senator must have seen in the papers this morning a report purported to have been made by the Honourable the Minister for Sarawak Affairs to the same effect and also a report in the *Suara Merdeka* purported to have been made by the Honourable Tun Haji Abdul Razak, the Deputy Prime Minister, that he would go to Sarawak and look into this complaint.

Enche' Andrew Jika Landau: How many contract officers were engaged before and after Malaysia?

Enche' Abdul-Rahman bin Ya'kub: Mr President, Sir, five contract officers were appointed before Malaysia Day. They are as follows: One Assistant Commissioner on contract, two Superintendents on contract and two Deputy Superintendents on contract. Those appointed after Malaysia Day number eleven. All of them hold the ranks of Deputy Superintendents.

Enche' Saidon bin Kechut: Tuan Yang di-Pertua, pertanyaan tambahan. Ada-kah benar atau pun tidak pegawai² dagang British yang ada di-Sarawak itu berlagak sa-bagai Tuan Besar, sa-olah² dia maseh menjajah Sarawak?

Enche' Abdul-Rahman bin Ya'kub: Tuan Yang di-Pertua, saya telah menjawab soalan itu.

Enche' Andrew Jika Landau: When will the contract officers' terms expire and for how long more the permanent officers will remain in Sarawak?

Enche' Abdul-Rahman bin Ya'kub: I am told that one of the permanent officers, namely Mr Frith, the Deputy Superintendent, who is the Director of Music of the Sarawak Constabulary, is due to retire this year. He will be replaced temporarily by a fully-qualified Malayan officer from the States of Malaya until such time as an officer from the band of the Sarawak Constabulary successfully completes a three-year course at the Royal Military School of Music and thus qualifies himself to take over the band.

With regard to the seven remaining officers, they are all, what is called, under the Inter-Governmental Committee "entitled officers". This is under the scheme of retirement benefits for members of Her Majesty's Overseas Civil Service and also for officers designated under the Overseas Service (North Borneo and Sarawak) Agreement, 1961. Now, all these are set forth on pages 53 to 70 of the Inter-Governmental Committee Report of 1962. Under paragraph 3 of that scheme, the officers concerned were offered continued employment for a minimum period of four years from Malaysia Day, namely up to 1967. This minimum period may be extended, as provided in paragraph 3 of the scheme. The officers themselves may, of course, retire at any time after giving six months notice as provided in paragraph 10 of the scheme. As previously mentioned, the officers named are all Sarawak State officers on secondment to the Federal Service. As regards the contract officers, they are all on short-term contracts from twenty-four months to about thirty-six months. One of them, that is to say Mr A. T. D. Prince, is leaving the service in May 1966 on completion of his contract. He is being replaced by a Malayan officer from the States of Malaya.

As regards the remaining fifteen contract officers, their current contracts are for one tour of duty only with provision for renewal by mutual agreement. Each tour approximately, as I said just now, would be twenty-four to thirty months depending on age.

The current contracts are all due to expire between now and the end of 1967, but, as previously stated, there is provision for renewal if required. I would like to mention here also, Mr President, Sir, paragraph 17 of Annex B of the Malaysia Report of the Inter-Governmental Committee, 1962. This provides for the employment of expatriate officers on contract in the Borneo States to fill gaps in the Services while Borneanisation proceeds; such officers are recruited under the Overseas Service Aid Scheme.

Dato' Haji Mohamed Noah bin Omar: Tuan Yang di-Pertua, saya tidak tahu bagaimana Menteri boleh menjawab soalan tambahan begitu panjang dengan tidak bertulis sa-kali? (*Ketawa*).

Enche' Abdul-Rahman bin Ya'kub: Mr President, Sir, I anticipated all these questions would come. Not only under this Ministry, but even under my own Ministry, I always prepare and try to anticipate what Honourable Members are going to ask as supplementary questions. (*Applause*).

Enche' Andrew Jika Landau: Is it not true that one of the Assistant Commissioners who was engaged on contract before Malaysia held the rank of Superintendent before Malaysia and that after Malaysia he was promoted to the rank of Assistant Commissioner?

Enche' Abdul-Rahman bin Ya'kub: Mr President, Sir, I was so advised.

Dato' Dr Cheah Toon Lok: Mr President, Sir, just now the Minister said that they would be retired on reaching certain ages. I would like to know what the ages of retirement for these officers are; secondly, what services they have done; and thirdly, will they be fairly treated on retirement?

Enche' Abdul-Rahman bin Ya'kub: Very likely question, Mr President, Sir. As regards the ages the ages are flexible, I cannot give you the details with respect to that—in that respect I fail in my duty. As regards the services

that they have done, Sir, I have already mentioned that they are Deputy Superintendents and also Superintendents.

Dato' Dr Cheah Toon Lok: Will they be fairly treated on retirement?

Enche' Abdul-Rahman bin Ya'kub: Treated by the Government? Oh, yes, the Malaysian Government is very famous for treating their officers very favourably (*Applause*).

Local Officers—Suitability to Hold High Ranks

2. Enche' Andrew Jika Landau asks the Minister of Home Affairs to state in view of the increase of expatriate officers in the rank of Assistant Superintendent, Deputy Superintendent, Superintendent and above, in the Royal Malaysian Police in Sarawak, whether Government considers that local officers, particularly in Sarawak, are unsuitable to hold these posts.

Enche' Abdul-Rahman bin Ya'kub: Mr President, Sir, from Malaysia Day to date, eight inspectors of the Sarawak Constabulary have been promoted substantively to the rank of Assistant Superintendents and thirteen more have been promoted in an acting capacity.

Appointment of Police Inspectors of Ten Years' Service to Higher Ranks

3. Enche' Andrew Jika Landau asks the Minister of Home Affairs whether Government would consider appointing local officers who have served as Police Inspectors for ten years to be appointed to higher appointments.

Enche' Abdul-Rahman bin Ya'kub: Mr President, Sir, it is not necessary for an inspector to have ten years' service before becoming eligible for consideration for promotion to Assistant Superintendent. All suitable inspectors will be considered for promotion to vacancies in higher ranks as soon as they qualify themselves by passing the prescribed examinations. The appointing and promotion authority under Article 140 of the Malaysian Constitution is the Police Force Commission.

BILLS

THE INTERNAL SECURITY (AMENDMENT) BILL

Second Reading

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

Dato' Y. T. Lee: Tuan Yang di-Pertua, saya menyokong.

Enche' Abdul-Rahman bin Ya'kub: Mr President, Sir, this Bill seeks to amend the provisions of Sections 41C, 59 and 60 of the Internal Security Act, 1960. The Internal Security (Amendment) Act, 1964, requires any student seeking admission to any of the specified institutions of higher learning to apply for a certificate of suitability before he can be considered for admission. This Act contains no provision exempting any of the three categories of persons mentioned in Clause 2 (a) of the Bill before the Senate, from obtaining a certificate of suitability. At present, therefore, members of the teaching staff, who intend to do post graduate studies and students proposing to attend extra-mural classes organised by the institutions of higher learning have to obtain a certificate of suitability, if the regulations of the institutions provide that they have to be registered or enrolled for attending the post graduate course, or any course of study at the specified institutions. It is considered desirable that members of the teaching staff proposing to do post graduate studies in prescribed institutions of higher learning and students proposing to attend extra-mural classes, which do not lead to qualifications of any kind but which are normally held outside the normal teaching hours of the institution for the benefit of the general public, should be exempted from the provisions of this Act. The amendment to Section 41C seeks to exempt members of the teaching staff of the institutions of higher learning, who intend to do post graduate work and persons who intend to attend extra-mural classes organised by such institutions or such other

persons as may be exempted by the Minister from obtaining a certificate of suitability as required by Section 41C of the Act. A new sub-section (6) is added to Section 41C in order to make it clear that a student whose studies have been interrupted for a year on disciplinary or other grounds must obtain a certificate of suitability before he can resume his studies.

Mr President, Sir, amendments to Section 59 are required in order to restrict the punishment of life imprisonment for conviction under this Section to cases where the supply in respect of which a person is convicted does not consist of fire-arms, ammunitions and explosives, so that if it does so consist, the punishment should be death. The provisos to Section 59, sub-section (3) and also Section 60 also require amendments, so that immunity from conviction under these two sections should be restricted only to cases where a person has made a voluntary statement to the police officer prior to his arrest. Thus immunity from conviction will not be available if the statement was made after his arrest, though it was made prior to his being charged or accused of an offence. Amendments to Sections 59 and 60 of the Internal Security Act, 1960, arose from two appeals decided by the Federal Court. In these two appeals, two persons were convicted of having fire-arms, ammunitions and explosives under their control contrary to Section 57 (1) sub-section (1), paragraphs (a) and (b) of the Internal Security Act and, as such, were sentenced to death by the Trial Court sitting at Johore Bharu. Accepting the contention of the Counsel for the appellants, the Federal Court substituted this conviction with convictions under sub-section (1) of Section 59 of the Act, for receiving supplies, which expression according to the definition contained in Section 2 includes ammunitions, explosives, fire-arms and other articles. As a result, both the appellants escaped death penalty and were therefore sentenced to life imprisonment in accordance with Section 59, sub-section (1). It is, therefore, considered desirable that punishment for persons convicted under

Section 59 should be death penalty in cases where the supplies in respect of which he is convicted consist of fire-arms, ammunitions or explosives, so that life imprisonment should only be restricted to cases where the supplies concerned are not fire-arms, ammunitions or explosives.

The provisos to Sections 59, sub-section (3) and 60, as they stand now, have also given rise to some difficulties because as the law stands at the moment a person who has given voluntary statement to the police before he is charged with or accused of an offence under Sections 59 and 60 cannot be convicted. Thus, if a person makes a statement after his arrest but prior to his being charged, he cannot be convicted of the offence. It is felt that the provisos to Section 59, sub-section (3) and Section 60 should be amended so that a person can escape convictions only if he gives a statement before his arrest, so that if a statement is made after his arrest, though before he was charged, he can still be convicted.

Dato' Athi Nahappan: Mr President, Sir, I rise to welcome this Bill, which I guess has been introduced in the light of experience gained. I limit my comment to the amendment relating to the suitability test for admission of students to the institutions of higher learning. This is, unfortunately, a gap in the parent Ordinance itself in not providing a definition of the word "student", and as a result this amendment presumably has been introduced; though under Section 41c of the parent Ordinance it has been stated that "any person who wants to seek admission in a higher institution . . .", it is now made clear that it should extend to members of the teaching staff of such institution, who are already there and persons not being students already admitted who propose to attend extramural classes. We have heard once again serious attacks against this principle as being an undesirable inroad into the concept of full liberty in seeking higher education. It has been argued in the past for and against, but it has been proved to be a Bill after all not abused by the Govern-

ment of the day, though the power is retained to meet any emergency situation; and in so far as the Government here is concerned, I understand—and I am subject to correction—that no person has been subjected to this suitability test in an unfavourable manner.

Now, Sir, it was mentioned that nowhere in the world such a test is required; and as we have here a democratic system and we pay great regard to the concept of fundamental liberties, why should we have this? In so far as the Constitution is concerned, under Article 12, it makes it quite categorical that there should be no discrimination in regard to education on the grounds of any religion, race, descent or place of birth in the administration of educational institutions or in the admission of pupils or students or the payment of fees. Now, this particular provision is not anywhere in contradiction with the provision of Article 12. This is not introduced on the grounds of religion, race, descent or place of birth. It is primarily intended against those elements, and I quote Section 41c, sub-section (2), ". . . if admitted to the institution in question would be likely to promote or otherwise participate in action prejudicial to the interests or security of the Federation or any part thereof." So, he can come, of course, from any racial background, from any linguistic background; and it does not matter about his background, but if his conduct is prejudicial to the security and the interests of the country, then he should not take advantage of the opportunity granted through the institutions of higher learning. In fact, all our institutions of higher learning are being helped with taxpayers' money, including the University. Now, the taxpayers in the elections under the democratic system, have shown in no uncertain terms that they prefer this system, and if their money is used in an institution, naturally the taxpayers have the right to expect that those who take advantage of the education offered in higher institutions should not be abused by elements who would try to undermine the very system. I think

that is the logical reasoning behind this, and the taxpayers are perfectly entitled to it.

The only concern was whether this power, which can be a dangerous weapon, would be abused—but, as I said, and as has been mentioned on behalf of the Government and the Ministers concerned, it has been very, very carefully exercised and there has been no abuse at all. This is again a clear indication that in running a democratic Government, a Government has got to be vigilant. Freedom often mismanages itself; it does not have the ability to protect itself; and, therefore, it is necessary to have such legislations and to use them whenever situation dictates. It is no use trying to be wiser after the event and, I think, on the whole this has proved to be a success and any reasonable person should welcome it. Thank you very much.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr President *in the Chair*)

Clauses 1 to 4 inclusive ordered to stand part of the Bill.

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

THE REGISTRATION OF GUESTS (AMENDMENT) BILL

Second Reading

Dato' T. H. Tan: Mr President, Sir, I beg to move that a Bill intituled "an Act to amend the Registration of Guests Act, 1965," be now read a second time.

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

Enche' Abdul-Rahman bin Ya'kub: Mr President, Sir, the object of this Bill is to amend section 3, sub-section (3) and also section 4 of the

Registration of Guests Act, 1965. This Act came into force on the 1st of October, 1965. Since the passing of the Registration of Guests Act, it has been found that sub-section (3) of section 3 of that Act is of a restrictive nature and is not conducive to speedy Police investigations. It imposes a condition that a register kept by a hotel or lodging house owner may be examined by such an officer only at reasonable hours of the day. This, it is considered, may give rise to arguments when speed may be the decisive factor in obtaining the information that is being sought. With a view to overcoming this difficulty so that the aims of justice are not frustrated, it is felt that a Police officer in the performance of his duties under this Act should be empowered to have access to such register at all times and Clause 2 (a), therefore, seeks to remedy this defect. Honourable Senators will note that apart from a Police officer, a Registration Officer, or a person duly authorised by the latter does not enjoy this right, and he continues to exercise his functions for the examination of hotel or lodging house register as provided in the old legislation.

The Explanatory Statement also gives detailed explanation as to the necessity of adding Clauses 2 (b), (c) and (d) to the main Act and I, therefore, do not propose to enlarge upon what has been already stated therein.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr President *in the Chair*)

Clauses 1 and 2—

Dato' Athi Nahappan: Mr Chairman, Sir, will the Minister state—I am afraid I do not have the Principal Ordinance with me—whether the definition of a "Police officer" is mentioned in that Ordinance, or whether it is limited to an officer of a certain rank and above that officer, because the

person concerned naturally should know to whom he is responsible—to any officer who comes from the Police?

Enche' Abdul-Rahman bin Ya'kub: Which clause?

Dato' Athi Nahappan: Clause 2 (b) says, "(3A) "Any police officer . . .".

Enche' Abdul-Rahman bin Ya'kub: Mr Chairman, Sir, the Principal Act does not define the expression "Police officer".

Dato' Athi Nahappan: Mr Chairman, Sir, does it mean then that "any Police officer" means a sergeant, a corporal, an Inspector, a sub-Inspector, or anybody—is it?

Enche' Abdul-Rahman bin Ya'kub: I think that is the correct interpretation.

Dato' Athi Nahappan: What about an ordinary constable? Is he to be treated as an officer, because in some countries he is called an "officer"?

Enche' Abdul-Rahman bin Ya'kub: I may be wrong in this respect, but I am inclined to think that it is so—that seems to be the usual meaning of this. The reason behind that is this: if we are to confine the powers to Police officers above a certain rank, it may defeat this question of speedy action which is very necessary in these sort of cases. In another Bill, something is also mentioned in connection with ranks of Police officers—I think it is under the Minor Offences Ordinance. There it is restricted to a Police sergeant. But I think in this respect—I may be wrong; I stand to be corrected, Mr Chairman, Sir, the expression "Police officer" may be wide enough to include a constable.

Enche' Abdul Samad bin Osman: If this Clause means any Police officer—from constable—then, I am afraid it may be open to abuse.

Enche' Abdul-Rahman bin Ya'kub: Sir, it can be abused whether he is a Police Inspector, or a police constable; it does not mean that a police constable will necessarily abuse his powers whereas a Police Inspector will not abuse his powers.

Dato' Dr Cheah Toon Lok: Mr Chairman, Sir, I agree entirely with my learned colleague, Dato' Athi Nahappan, regarding Police officers in this Enactment. Normally, the names of these officers are gazetted in the *Gazette* saying that they have powers over this and that; and I think this Enactment lacks a certain phraseology—that is to say gazetted officers are entitled to do this and to do that. So, I would like to suggest to the Minister concerned that the words "gazetted officer" be inserted in this Enactment—that is to say that gazetted officers are for certain purposes in this Enactment.

Dato' J. E. S. Crawford: Mr Chairman, Sir, I think there is some misunderstanding. I do not think the Bill intends it to be anyone except somebody in the Police Force. If it be so, even if nobody is gazetted, it would mean anyone in the Police Force, or Registration Officers. I think that is what Government intends.

Enche' Lim Hee Hong: Mr Chairman, Sir, I would like to mention, from past experience, that inspections of this nature are usually carried out by an officer not below the rank of Inspector. That is my personal experience, Sir.

Dato' Athi Nahappan: Mr Chairman, Sir, will the Honourable Minister give us an assurance to make it clear that there will be a *Gazette* Notification as to what it is meant by a "Police officer" and such officers only should be allowed to have this inspection. We, of course, hope that it will not be abused, but in a matter like this it is always desirable that an officer of some standing and some qualification is clothed with this power rather than to allow every member of the rank and file to exercise this because that might give room for abuse, and it is a genuine fear which I am sure the Minister will appreciate.

Enche' Abdul-Rahman bin Ya'kub: Mr Chairman, Sir, as one can see, this Act applies throughout Malaysia; it is not just confined to the States of Malaya, and that means it includes the

States of Sarawak and Sabah. If one goes to Kapit, or right into the interior where there are places with guest houses, and so on, one cannot find a gazetted officer. That means, before one can take action one has to go to the headquarters of the district—and that may take two weeks—that will make a laughing stock of the whole legislation. It is for that reason, I think, that this legislation has used the expression “any Police officer” without defining it to confine it to gazetted Police officers. We have just heard this morning questions about how many expatriate officers in Sarawak. If we are going to carry out this law, giving the powers only to *gazetted* officers, we will have to recruit hundreds and hundreds more expatriate officers from overseas. I do not think there should be any undue fear about this; generally, in the big towns, there will be Police Inspectors and there will be gazetted officers, and as one of the Honourable Senators has just mentioned, in almost all the cases where a Police officer is required to exercise his powers under an Act such as this, at least a Police Inspector will go together with other constables.

Dato’ Dr Cheah Toon Lok: Mr Chairman, Sir, I believe the Honourable Minister is mistaken about what I stated just now. I stated that a person gazetted for these powers—not a gazetted officer, but a person gazetted for these purposes. You should put down the name because there are cases I know where the criminal has run off because the lawyer was clever enough to find that the name was wrongly spelt and, therefore, the officer had no power to act under the Enactment. So, I suggest that the name should be gazetted, not gazetted officer, but the name of the officer involved should be gazetted to perform this function.

Enche’ Abdul-Rahman bin Ya’kub: It is not usual for powers of this nature to be conferred on persons by name—it must be by office. If we resort to the suggestions made by the Honourable Senators just now, it may involve, especially in remote areas, gazetting these various names every two years,

or one year, every time a Police officer is transferred from one place to another. It does happen that a Police officer stays in one station and he is in charge of one station only for one year or two years. So, if he leaves that area and someone else comes in, we have got to gazette him. Sometimes if we, because of an oversight, failed to gazette him, it would mean that he has got no power at all under the law. I do not see that there should be any undue fear about this. As I have said just now, Police officers as usual have been carrying out their duties satisfactorily in our country. In any event, I will convey the views expressed by the various Honourable Members here to the substantive Minister.

Wan Mustapha bin Haji Wan Ali: Mr Chairman, Sir, I think I quite agree with the Honourable Minister in that it is not necessary that any Police officer must be gazetted before he can be authorised to act under this Bill, because I quite understand that sometimes a Police officer in a certain district is transferred within seconds, I should say, and then it will take some time to gazette his successor. As a result of that, if every officer must be gazetted, then of course there will not be any work done. But what worries me is the definition of the words, “any Police officer”, because I must admit that I have not read the Registration of Guests Act, 1965, itself to see what the definition of “Police officer” is in there. However, what worries me is that sometimes, even in the Penal Code in my experience, “any Police officer” sometimes can mean “any”, not necessarily any Inspector, but even a sergeant is classified as a Police officer, and probably even a constable. So, in this case, if any Police officer includes any constable, then I think, because of his low rank, with due respect to the rank and file, he might abuse such powers; and I think any Police officer here should be confined to an officer not below the rank of Inspector. As I have said, I have not seen the current Act itself, but I do hope the Honourable Minister will take up the matter.

Enche’ Yeoh Kian Teik: Mr Chairman, Sir, it is very easy to allege that

any powers given to any Police officer are abused, but what are the powers given to the Police officers under this Bill? It is merely to inspect the register, that is to take extracts from the register. I would like to know from Honourable Members how this power could be abused.

Wan Mustapha bin Haji Wan Ali: Mr Chairman, Sir, when there is discretion, the powers are always arbitrary. I can give a very, very simple example—and no doubt in this particular case the duty is only to inspect the register—of how it can be abused. Take, for instance, a Police sergeant. Well, tonight he will go to this place and inspect the register and, probably, two hours later he goes in and inspect the register without any cause, and the following day he goes again, just because he is pinning that man down. He has no power to act, but look at the inconvenience caused. I mean, he can go there every night. But a responsible officer, an officer not below the rank of an Inspector, I should say rather educated and well-trained probably will not abuse his powers. When I say “abuse”, I use it in the sense that he can go and make a nuisance of it.

Enche' Yeoh Kian Teik: Mr Chairman, Sir, if a hotel keeper were to run his business properly, he would keep a proper register, and a Police officer can come at any time—the register is always available and it is kept properly. If the Police officer wishes to make a fool of himself by going there twice a day, or even ten times a day, the hotel keeper has got nothing to worry about. In addition to that, the Police officer has to keep a record of his activities, and if his record shows that he has been harassing this hotel by going there ten times a day, perhaps, he would have to answer to his superiors.

Wan Mustapha bin Haji Wan Ali: Mr Chairman, Sir, when I say “abuse”, I mean it in the sense, whether the hotel keeper is keeping the register properly or not, that there might be a young Police constable who wants, probably, tea money, or probably a fifty cent tip—I regret that I have got to say this, but since the Honourable

Member could not understand what I was driving at, I have to say it although I do not like saying it. For instance, this Police constable will go there every now and then with the result that the hotel keeper might get so fed-up that he will just give him fifty cents—so, you are giving the temptation there. He says, “Why should the hotel keeper be worried if he is keeping his register properly?” What I mean is that the hotel keeper will lose business. Just imagine if every now and then a Police officer goes and inspects the register—say, in the Merlin Hotel—you will find that the tourists there will just go away. For instance, I will not go and live in a hotel, whether big or small, if I see a policeman every now and then going there to check the register (*Laughter*).

Enche' Yeoh Kian Teik: On a point of clarification, Sir—is not that a matter of opinion?

Dato' J. E. S. Crawford: Mr Chairman, Sir, on a point of clarification—is the House in Committee, because several Members are talking?

Mr Chairman: The House is in Committee.

Dato' Dr Cheah Toon Lok: Sir, it is on a matter of principle, and I agree with the Honourable Senator from Kelantan that it might be subjected to abuse in that an officer might go there during off duty hours so that his visit might not be recorded—he just goes there for a visit, and that is enough for the guests, I think.

Dato' T. H. Tan: Mr Chairman, Sir, I wish to make a slight contribution to this discussion. I would like to say that, on the record, there is nothing to make us believe that our Police is likely to abuse any of the powers; and, secondly, Sir, as far as I know, it is mentioned in other legislation that a Police officer is described as “any person not below the rank of a Sergeant.”

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

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

THE MINIOR OFFENCES (AMENDMENT) BILL

Second Reading

Dato' T. H. Tan: Mr President, Sir, I beg to move that a Bill intituled "an Act to amend the Minor Offences Ordinance, 1955" be read a second time.

Dato' Y. T. Lee: Tuan Yang di-Pertua, saya menyokong.

Enche' Abdul-Rahman bin Ya'kub: Mr President, Sir, the object of this Bill is to amend the Minor Offences Ordinance, 1955, by inserting immediately after Section 15 of the Ordinance a new sub-section 15A. The whole intention of the amendment by the insertion of this new sub-section is for the purpose of controlling unauthorised persons from interfering with members of the public in their dealings with Government Departments by making it an offence for anyone, who loiters for the purpose of offering or offers, or solicits to offer his services, for profit or reward.

The Explanatory Statement in the Bill itself gives further explanation as to why these unauthorised persons should be controlled, and I, therefore, do not propose to take more time of the Senate by enlarging upon what has already been stated therein.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr President *in the Chair*)

Clauses 1 to 3 inclusive ordered to stand part of the Bill.

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

THE CINEMATOGRAPH FILMS (AMENDMENT) BILL

Second Reading

Dato' T. H. Tan: Mr President, Sir, I beg to move that a Bill intituled "an

Act to amend the Cinematograph Films Ordinance, 1952" be read a second time.

Dato' Y. T. Lee: Tuan Yang di-Pertua, saya menyokong.

Enche' Abdul-Rahman bin Ya'kub: Mr President, Sir, the object of this Bill is to amend Section 25 of the Cinematograph Films Ordinance, 1952, so that the exhibition of films given by a foreign country pursuant to an agreement entered into between that Government and the Government of the Federation of Malaysia will not be subject to censorship. As the law now stands, there is no provision to grant such an exemption.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr President *in the Chair*)

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

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

THE COMMON GAMING HOUSES (AMENDMENT) BILL

Second Reading

Dato' T. H. Tan: Mr President, Sir, I beg to move that a Bill intituled "an Act to amend the laws relating to common gaming of the States of Malaya, Sabah and Sarawak" be read a second time.

Dato' Y. T. Lee: Tuan Yang di-Pertua, saya menyokong.

Enche' Abdul-Rahman bin Ya'kub: Mr President, Sir, the presence of gaming in public under the guise of playing for pastime and the activities of illegal lotteries in the various States of Malaysia has become a matter of concern to the Government. The respective Common Gaming Houses Ordinances that exist in the States of

Malaya, Sabah and Sarawak which are used against these illegal operations have been found to be deficient. The Bill seeks to remedy these deficiencies.

Paragraphs 2, 3 and 4 of the Explanatory Statement give details as to how each legislation of the States is to be amended and I, therefore, do not propose to explain what is already stated therein.

Enche' S. O. K. Ubaidulla: Mr President, Sir, I am glad the Government has, although so late as this, at last come to recognise the largescale prevalence of unlawful gaming and lotteries. The flagrant breaking of law has become very much widespread. I can understand the hawker rotating a wheel and cheating poor children under the guise of small game, but I am often surprised to see that in some schools and charitable institutions these lotteries and games are being indulged and to carry out these nefarious acts they seek the assistance of small school children. These small school children, who should be taught the decent way of living, are being even now taught the art of beggary with the blessings of the heads of the institutions. I am pained to see sometimes small children carrying lottery tickets in their hands going door to door to the houses of known people and unknown people and pestering them to buy these tickets. I know the cause is good, but this is not the way by which money should be collected for such good cause. All these things can very well come under illegal lotteries. It is not fair for these intelligentsia to carry out illegal lotteries under the guise of charity and good cause. I suppose it is the intention of the Government by this law to curb such activities that are being carried out by schools and charitable institutions. Thank you.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr President *in the Chair*)

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

First, Second and Third Schedules ordered to stand part of the Bill.

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

THE CIVIL LAW (AMENDMENT) BILL

Second Reading

Dato' T. H. Tan: Mr President, Sir, I beg to move that the Bill entitled "An Act to amend the Civil Law Ordinance, 1956, and to repeal certain written laws relating to apportionment and assignment", be now read a second time.

Dato' Y. T. Lee: Tuan Yang di-Pertua, saya menyokong.

Enche' Abdul-Rahman bin Ya'kub: Mr President, Sir, this Bill seeks to do three quite separate things: Clause 2 seeks to amend Section 7 of the Civil Law Ordinance, 1956; Clause 3 inserts a new part in that Ordinance; and Clause 4 repeals an Ordinance and also an Enactment.

The main purpose of the Bill is the amendment of Section 7 of the Civil Law Ordinance. The opportunity has been taken to deal with other matters at the same time. Section 7 of the Civil Law Ordinance provides for the award of damages in civil proceedings to the family of a deceased person, whose death has been caused by negligence or some other wrongful act. This is, of course, a most important section. The common law, Mr President, Sir, originally did not provide any such remedy, when a person was killed by negligence. If a person was injured but not killed he could sue but, on the other hand, if he was killed there was no one who could bring an action. This state of affairs was put right by legislation in Great Britain in 1846, and Section 7 of the Civil Law Ordinance makes corresponding provisions here. As Honourable Senators will appreciate a great

deal depends in cases of this kind on what lawyers call the measure of damages. By that is meant the method by which the amount of damages is calculated when a person has succeeded in winning his case. The general principle in fatal accident cases is that the amount of damages is arrived at by calculating the amount which the widow and other surviving members of the family have lost by the death. If the deceased person was a wage earner, the widow will have lost an amount equal to a certain part of his wages for the rest of his working life. That is, of course, only the rough general principle. There are a great many refinements which I will not go into. It will be clear that if a widow has gained by her husband's death, as might be the case, for example, if she has inherited a large sum of money from him, that gain will have to be deducted from the damages. Many years ago, it was held by the courts that this applied when the deceased had been insured. Insurance payments had to be deducted like any other gains. This was thought to be unfair, because it benefited no one except the defendant in the case, who had to pay less damages, because the man he killed had been prudent enough to insure himself. Therefore, legislation was enacted to provide that insurance payments were not be deducted from the damages in fatal accident cases.

In a case in Johor in 1962, it was held that the payment to a widow from the Employees Provident Fund was an insurance payment. It followed that the amount of damages had to be reduced by the amount of the payment from the Fund. The Government takes the view that payments from the Employees Provident Fund ought to be put on the same basis as insurance payments. Accordingly we propose to amend the Civil Law Ordinance to provide that payments from the Fund shall not be taken into account in assessing damages, and we seek to achieve that objective by Clause 2 of the Bill now before the Senate. Clause 2 does not in fact, limit itself to payments from the Employees Provident Fund. It brings in other payments, by way of pension or gratuity. It is logical

that all payments of this kind should be treated on the same basis. I am sure that Honourable Senators will agree with me that this is an amendment to the law which is both fair and eminently desirable. I suppose it might be described as something of a lawyers's amendment, but it is by no means purely technical in its effect. On the contrary, it will be of great benefit to those who, through no fault of their own, lose the head of their family in an accident.

I turn now, Mr President, Sir, to the other Clauses in the Bill. Unlike Clause 2, these remaining Clauses are purely technical. Honourable Senators will see that Clause 3 seeks to insert in the Civil Law Ordinance a new part headed "Apportionment". This branch of the law deals with the question when a periodical payment such as rent actually becomes payable. For example, if a house is let at a quarterly rent of \$500 and the tenancy comes to an end for some reason half-way through a quarter, can the landlord recover part of the rent, or is it the case that he can recover no rent, because the period was never completed? In Penang and Malacca, when they were part of the Straits Settlements, an Ordinance called "the Apportionment Ordinance" was passed to make it clear that in the case of the kind I have just quoted the rent would be deemed to accrue from day to day and the landlord would, therefore, be able to recover a proportionate amount of the rent for the quarter. That Ordinance is still in force in Penang and Malacca, but there is no corresponding legislation in other States of Malaya. To ensure uniformity, we take the view that the provisions of the existing Apportionment Ordinance should be extended throughout the States of Malaya. To avoid multiplicity of legislation, it appears that amendment of the Civil Law Ordinance, rather than an extension of the Apportionment Ordinance, would be the best way of achieving this object. The Bill, therefore, provides by Clause 3 and the Schedule for the insertion in the Civil Law Ordinance of the new part headed "Apportionment" to which I have just referred. The only

difference of substance between the new part and the Apportionment Ordinance is that the definition of rents in the proposed new section 16A exclude rents payable for State land. The reason for the exclusion is that rents for State land are now dealt with in the National Land Code. As a consequence of the insertion of the new part in the Civil Law Ordinance, it will, of course, be necessary to repeal the Apportionment Ordinance and that is done by Clause 4. Honourable Senators will see that Clause 4 also repeals the Assignments Enactment, 1936, of the former Federated Malay States. The reason for that is simply that the matters provided for by the Enactment are now dealt with by Sub-section (3) of section 4 of the Civil Law Ordinance. The Enactment is, therefore, redundant.

I should also make one final point clear to the Senate. The Civil Law Ordinance extends only to the States of Malaya, and the Borneo States will not be affected by this Bill. The matters dealt with by the Civil Law Ordinance are far-reaching and of great importance. It is to be hoped that in due course it will be possible to have unified legislation throughout Malaysia on these matters, but it is not possible as yet since many difficult legal questions are involved. We do not think it right to hold up the amendment of section 7 of the Civil Law Ordinance pending the settlement of these questions, and we have thought it best to proceed with the amendment here now. I am afraid Mr President, Sir, that I had to go into a good deal of detail. I am sure, however, that the Senate will agree with me that the amendment to section 7 is both necessary and important and that the other amendments, although perhaps, they would not justify an amending Bill by themselves, are desirable and rightly included in the Bill. Thank you.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr President *in the Chair*)

Clauses 1 to 4 inclusive ordered to stand part of the Bill.

Schedule ordered to stand part of the Bill.

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

THE PRESERVATION OF BOOKS BILL

Second Reading

Dato' T. H. Tan: I beg to move that a Bill intituled "an Act to make provision relating to the preservation of books and to provide for matters connected therewith" be now read a second time.

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

The Minister for Welfare Services (Tuan Haji Abdul Hamid Khan): Mr President, Sir, the present Preservation of Books Ordinance enacted before Merdeka in 1950 applies only to States of Malaya and it has proved to be outdated in many other respects. For example, though the Ordinance provides that three copies of every book printed in Malaya be delivered to the National Archives, the Ordinance requires that these books, after being catalogued, be re-distributed to two foreign institutions, namely the University of Singapore Library and the Trustees of the British Museum, while the third copy is to be sent to the University of Malaya Library but with no obligation to preserve it. As a result, although there is a catalogue of books printed in Malaya, there is no complete collection of the national production of literary, scientific, artistic and other publications being kept in the country. This state of affairs is really unique and most undesirable, and should be rectified.

This Bill has two main objectives:

(i) to ensure that two copies of every book published in Malaysia are deposited in a national depository which

will form the nucleus of the future National Library in the Federal Capital: a Committee on this National Library project has been set up. (ii) Although the Bill provides the machinery for the receipt and conservation of books and publications at Federal level, it does not infringe the rights of the component States of Malaysia to enact their own State Legislations. A case in point is that of Sarawak which has already its own legislation known as the "Sarawak Museum (Deposit Library) Ordinance, 1961".

The main new provisions of the Bill compared to the existing legislation are:

- (a) Two copies (instead of the present three) of all publications published in Malaysia are to be delivered to the National Archives for permanent deposit—these publications will no longer be re-distributed as has been the case hitherto;
- (b) the penalty for default is increased to \$1,000 plus the value of the books which have not been deposited;
- (c) the Government Printer, who till now has not been required to deliver Government publications to the National Archives, will now be required to do so;
- (d) there would be four other institutions, namely, the University of Malaya Library, the Sarawak Museum, the Sabah Central Library and the Dewan Bahasa dan Pustaka, called request libraries, which can request for copies of any publication published in Malaysia from any publisher within a prescribed period of twelve months from the date of publication.

In short, the present Bill seeks to widen the application of the existing Preservation of Books Ordinance to cover the whole of Malaysia and to remedy certain flaws consonant with our national interests.

Dato' Haji Mohamed Noah bin Omar: Mr President, Sir, I support the

second reading of this Bill, but I would like to have some explanation or clarification from the Minister concerned with regard to the books which have already been delivered to the Trustees of the British Museum in the past. What action will the Government take in respect of those books—whether the Government will be able to get them back here, whether they will be kept in the University Library here or are they going to remain there? I think it is a good idea if those books, which have been delivered to the Trustees of the British Museum, can be taken back to Malaysia.

Tuan Haji Abdul Hamid Khan: Tuan Yang di-Pertua, saya suka-lah menyatakan bagi menjawab pertanyaan yang di-buat oleh Ahli Yang Berhormat itu buku² yang telah kita serahkan kepada British Museum itu sudah tentu-lah kita pada awal-nya serahkan pada dia langsung. Jadi tentu-lah tinggal di-situ, jadi jikalau kita berkehendak untuk meminjam agak saya pada satu² reference dari satu ka-satu masa bilek Museum saya rasa tidak-lah berasa susah untuk meminjamkan kepada kita.

Dato' Dr Cheah Toon Lok: Mr President, Sir, I would like clarification on the meaning of "publisher". I know that many books are printed in Malaya and in some cases the authors who write these books give them to their friends free of charge. Is the word "publisher" synonymous with the word "author"? If it is given to friends without being published, is it an offence under this Enactment not to send the books to the various institutions entitled to receive it—to the University of Malaya, Dewan Bahasa dan Pustaka, Sabah Central Library, and the Sarawak Museum? I want clarification on that point.

Tuan Haji Abdul Hamid Khan: Tuan Yang di-Pertua, buku² yang di-keluarkan—published dalam negeri ini ia-itu jika di-chetak dan di-keluarkan dalam negeri ini, ini semua buku² itu ada-lah terlibat dalam Undang² ini.

Dato' Dr Cheah Toon Lok: (*rises*).

Mr President: We are not in Committee. Honourable Senators cannot speak more than once.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr President *in the Chair*)

Clauses 1-7—

Dato' Dr Cheah Toon Lok: It says under Clause 3, "The publisher of every book" May I ask whether "publisher" and "author" are synonymous terms, that is to say, whether the author and the publisher are the same. Just now the Honourable Minister told us that only a book that is sold is to be given to the University of Malaya, Dewan Bahasa dan Pustaka, and so on, for the Government Archives. There are scientific books, like the Medical Journals published by the Malayan Medical Association; they are very highly scientific books and are very useful; they are not sold, but are given away to members of the Association only. Are they compelled, under this Enactment, to be given to these institutions? I would like to know that point, because just now the Honourable Minister told us that books must be sold, but these books are not sold; they are only given away to members of the Association.

Tuan Hai Abdul Hamid Khan: Sir, I am afraid the Honourable Member misunderstood me when I spoke in Malay. So, I might as well speak in English just to make the point clear to the Honourable Member. I did not mention the word "sold". Saya tidak mengatakan jual. What I did say was printed and published. In other words, all books printed and published in this country will have to abide by this Ordinance—printed and published, irrespective of whether they are sold or not.

Dato' Dr Cheah Toon Lok: Thank you. But I thought the Minister just now said, "Berchetak dan berjual didalam negeri ini".

Clauses 1 to 7 inclusive ordered to stand part of the Bill.

Schedule ordered to stand part of the Bill.

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

THE FAMILY PLANNING BILL

Second Reading

Dato' T. H. Tan: Sir, I beg to move that a Bill entitled "The Family Planning Bill" be now read a second time.

Che' Aishah binti Haji Abdul Ghani: Tuan Yang di-Pertua, saya menyokong.

The Minister of Education (Enche' Mohamed Khir Johari): Mr President, Sir, Honourable Members of the Senate will recall that in considering the First Malaysia Plan, 1966/67, in December last year, this House was advised that the Government would implement a positive policy of family planning and that a National Family Planning Board would be established to carry out an intensive family planning programme on a national scale. The Bill before this House is designed to achieve this objective and to pave the way for an early start in launching the National Family Planning Programme.

Family planning activities are not, by any means, new to this country. The Family Planning Association in the various parts of the country affiliated to the Federation of Family Planning Association have been active in this field for the past ten years. While these voluntary organisations have been doing a wonderful job of work, their personnel and financial resources are limited and hence the coverage and effectiveness of their work have not been as widespread as they would have desired. Large numbers of people in both the urban and rural areas of the country have now become conscious of the desirability and need to limit the size

families in order to maintain better educational and living standards. Hitherto, the Government's part has been merely confined to the granting of yearly subvention to the Family Planning Associations. The time has now come for the Government itself to make a realistic stand and take the lead in the field of family planning. An autonomous body will, therefore, have to be established with corporation status, in order to implement the Government's policy. I would like to add here that a number of other developing countries, including such Muslim countries like Turkey, United Arab Republic and Pakistan have, as a matter of policy, incorporated family planning as part of their countries development programmes.

Honourable Members will, I am sure, agree that the basic resources for a nation's development are its people, not just people, but healthy, educated and vigorous people, who should be properly nurtured and cared for when young, and it is generally accepted that family planning will make a major contribution in this direction. Apart from health and other reasons, there are also strong economic grounds for the country to implement a National Programme of Family Planning. Most of the developing countries of the world, particularly in Asia and Latin America, are faced with the problem of population explosion and this problem is very real, because it has been found that in most cases population growth far outstrips economic growth of the countries concerned. Unless something concrete is done, the world will have forever to contend with poverty, hunger, illiteracy and illhealth amongst the majority of its peoples.

As Honourable Members are aware, Malaysia has one of the highest rates of population growth in the world and, if this rate of over 3 per cent is sustained over a long period of time, the population can be expected to double in a span of 25 years. This high rate of population growth has, to some extent, clouded the impressive size achieved in economic and social

development, and the growth in per-capita income is being impeded because of the rapidly rising population. While this rate of population growth is due partly to the declining death rate arising from the provision of more and better medical services, the birth rate itself is by any standard high. This has brought into sharper focus the economic and financial implications of the rapid population growth. More schools, which is my main worry, clinics and houses have to be built and more job opportunities have to be created for the new entrants to the labour force.

I am advised by experts that considerable savings would accrue to the economic should the family planning programme proves to be successful. The saving can be expressed in terms of the value of released consumption for each birth prevented. For each birth prevented, it is estimated that the value of saving resulting from released consumption will be of the order of \$2,500. On the basis of a programme starting this year with 50,000 women using Intra-Uterine Device, with the number increasing by 15,000 per year to a total of 125,000 by 1971, the total birth prevented to range from over 4,000 in 1966 to about 37,000 in 1971. According to these calculations, the value of savings accruing from released consumption would rise from \$10 million per year in 1966 to \$91 million in 1971, giving a total savings of about \$300 million during a six-year period if the family planning programme is successfully implemented. The case for limitation of size of family can thus be said to be self-evident. The people in this country have enjoyed a comparatively high standard of living. The ra'ayat have had the benefits of progress and prosperity prevailing under our system of parliamentary democracy. The Government is determined to provide them with more and better things in life. Democracy, however, cannot thrive in an atmosphere of poverty, frustration and empty slogans. Family planning will go a long way towards promoting, directly or indirectly, sound economic development and it will help to avoid a

situation whereby increase in income and productivity are nullified by the rapid increase in sheer numbers.

I am sure Honourable Members in this House will wish me to express the Government's appreciation of the good work carried out in the past by the Family Planning Association in our country. Their activities over the past ten years have brought about an enlightened attitude which is by and large favourable to family planning. With the establishment of the National Family Planning Board, the activities of these voluntary organisations will be reinforced and further strengthened for improving the health of mothers and children for the well-being of the nation as a whole. The Board will co-ordinate family planning activities throughout the country and in carrying out this task, I am sure, that the public would co-operate actively and give its maximum support to the National Family Planning Board. The Government, through this Board, will make available family planning services and facilities to all who wish to take advantage of them on a purely voluntary basis.

Mr President, Sir, I would now like to explain some of the salient features of the Bill. The National Family Planning Board will consist of a Chairman to be appointed by His Majesty the Yang di-Pertuan Agong, a Director who will be the Chief Executive Officer of the Board, not more than ten members, each of whom shall be a representative of interested Ministries and Departments concerned, and not more than ten other members to be appointed from among members of the public and public organisations. The operations of the Board will be financed by way of a Government grant. The Board will also be authorised to receive financial contributions, medical supplies and other assistance from international agencies, private foundations and from donor countries. Provision has accordingly been made for the Board to accept voluntary endowments, grants and gifts to assist in implementing the family planning programme. In this connection, I would like to express the appreciation

of the Government to the Ford Foundation and other donor agencies for their assistance towards this programme. We look forward to closer co-operation and collaboration with them in the future. The National Family Planning Board will be placed under my charge in my capacity as Chairman of the Cabinet Subcommittee on Family Planning until such time when it has begun to function effectively and smoothly. The Honourable Prime Minister said in a statement to the Press that I had been chosen to be the Chairman of this sub-committee in view of my qualification as a father of thirteen children. (*Laughter*) I am not going to dispute this statement. After all, this is another form of family planning too! However, I take great pleasure in doing what little I can in addition to my own ministerial duties, because I am convinced myself that in spite of the various development projects, both in economic and social fields that the Government has been doing and will continue to do, family planning will play an important part in bringing about greater happiness for a greater number of people of our country and, indeed, of the whole world in the future.

I am sure that the Honourable Members of the Senate, particularly the Lady Members (*Laughter*), will give their full support to this Bill.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, baharu sa-bentar kita mendengar ucapan Yang Berhormat Menteri, yang kebetulan juga akan menjadi Pengerusi kepada Lembaga ini, dan saya sangat tertarek hati kepada keterangan² yang telah di-sampaikan oleh pehak Menteri, yang akan menjadi Pengerusi Lembaga ini tentang kawalan atau pun Family Planning ini.

Tuan Yang di-Pertua, masalah yang besar, harus kita bersama² fikirkan dalam soal Family Planning ini, bukanlah sa-mata², dari sudut ekonomi, bukan sa-mata² dari sudut social, yang menyebabkan timbul fikiran² dunia daripada orang² bijak khusus-nya daripada orang² yang bijak dalam ekonomi, juga daripada orang² bijak

dalam politik dari golongan² liberal. Perkara ini telah pun di-chadangkan bertahun² lama-nya dan sa-bagaimana yang di-terangkan oleh Yang Berhormat Menteri tadi, beberapa negeri Islam sendiri pun seperti Turkey, Republic Arab Bersatu, dan Pakistan pun telah mempelupori perkara ini. Yang demikian tidak patut-lah siapa² juga bangun untuk menyatakan tidak baik dan tidak betul perkara ini. Itu-lah sebab-nya Yang Berhormat Menteri tadi mengatakan dia harap full support—sokongan yang sa-penoh²-nya daripada Dewan kita ini.

Tuan Yang di-Pertua, saya juga tidak berchadang untuk menentang Bill ini, akan tetapi ingin saya menyatakan pendapat saya bahawa pada dasar-nya Kerajaan champor dalam perkara ini ada-lah sangat baik, tetapi kalau di-maksudkan untuk mengawal satu keadaan yang membolehkan sa-siapa² yang patut di-kawal, terkawal, maka itu-lah yang sa-baik².

Manusia, Tuan Yang di-Pertua, berkembang biak di-dalam dunia ini, hasil perkahwinan dan daripada perkahwinan itu mengembangkan manusia dan perkembangan manusia itu rupa²-nya telah menimbulkan satu problem, satu masalah kepada manusia pula. Bagi saya, Tuan Yang di-Pertua, perkembangan manusia yang ramai tidak menimbulkan masalah, tetapi saya katakan kalau sa-kira-nya hendak adakan satu kawalan, mereka² yang patut di-kawal ia-lah mereka² yang kesihatan-nya terganggu, mereka² yang di-dapati sebab² yang menasabah patut di-beri kawalan. Tetapi kalau sa-kira-nya kita tidak mempunyai satu perhetongan yang betul² untuk mengawal mereka² yang patut di-kawal, seperti yang saya maksudkan ia-itu ibu² yang telah terlalu banyak anak, yang boleh menimbulkan kerosakan kesehatan mereka tidak kita kawalkan, itu sama sa-kali tidak patut dan kepada mereka itu-lah yang utama-nya di-beri kawalan seperti yang di-hajatkan oleh Kerajaan.

Saya tidak dapat menerima pendapat kawalan ini di-buat bagi maksud untuk menchegeh banjir manusia kerana increase atau pertambahan sa-tahun demi sa-tahun beberapa persen di-dalam negeri kita ini kerana di-tinjau

dari sudut ekonomi, di-tinjau dari sudut social terutama kebetulan Menteri kita ia-lah Menteri Pelajaran, susah hendak menyiapkan sekolah² pula. Ini semua-nya ada-lah perkara kecil yang saya tidak fikir kita boleh terpengaruh oleh fikiran² barat yang hidup liberal, yang menchegehkan ini semua-nya bagi kepentingan social yang pada mereka mungkin baik, pada kita tidak mesti baik.

Tuan Yang di-Pertua, di-dalam masaalah ini saya perchaya pehak Kerajaan apabila bersunggoh² hendak membicarakan perkara ini, mengambil berat dalam perkara ini, tentu-lah terpengaruh dengan fikiran² barat ia-itu fikiran dari sudut ekonomi kerana pertambahan manusia akan menyebabkan tidak dapat di-kawal persekolah mereka, pekerjaan mereka dan sa-bagai-nya. Saya rasa tidak berapa tepat pendapat² yang seperti itu oleh kerana negeri kita ini sendiri satu negeri yang $\frac{3}{4}$ maseh hutan rimba dan tidak begitu mustahak kita takut kita di-banjiri oleh manusia kerana negeri ini belum maju, kerana maseh banyak bahagian²-nya belum di-buka oleh manusia. Jadi soal yang kita takutkan tidak dapat memberi pekerjaan, tidak dapat memberi makanan kepada ra'ayat, dari sudut ekonomi di-Malaya atau di-Malaysia ini tidak timbul, tetapi fikiran² itu kita pandang di-masa hadapan, kita akui ada kebenaran-nya dan kita bersunggoh² untuk menchegeh kebanjiran manusia kerana menghadapi masa hadapan.

Saya katakan, Tuan Yang di-Pertua, masaalah yang sa-benar-nya ia-lah masaalah pembahagian rezeki harus 'adil di-antara manusia sama manusia. Ketakutan kepada perkara ini telah meratai fikiran orang² barat dan tidak-lah salah kalau saya katakan penyakit ketakutan perkara ini telah berjangkit kepada pemerintah yang memerintah Malaysia sekarang ini kerana kebetulan mereka terdiri dari orang² yang berfikir sa-chara barat.

Tuan Yang di-Pertua, masaalah yang penting pada kita ia-lah menentukan satu sikap di-dalam bentuk ekonomi supaya sesuai dengan ke'adilan kemanusiaan ia-itu hidup di-dalam dunia yang sama, di-dalam tanah ayer

yang sama mendapat pembahagian rezeki yang sama daripada sa-buah Kerajaan yang di-pilih oleh ra'ayat semua-nya maka dengan kerana itu penyusunan sistem ekonomi bagi sa-buah negeri itu-lah yang perlu bukan takutkan banjir manusia yang lebeh mustahak. Perlu kita susun tentang ekonomi supaya pembahagian ekonomi yang lebeh 'adil kepada manusia dapat di-adakan ia-itu dengan jalan tidak membenarkan pertumpokan—pertumpokan kekayaan kepada satu golongan dan kekeringan kepada satu golongan yang lain.

Apa yang berlaku di-dalam negeri kita sekarang ini dan dalam beberapa negeri² lain ia-lah kekayaan itu berputar² di-antara satu golongan yang kecil dan ra'ayat terbanyak tidak mendapat hasil kekayaan dalam negara mereka sendiri, dengan kerana itu timbul-lah kepinchangan di-dalam ekonomi dan kebetulan demokrasi liberal mengizinkan pertumbuhan parti² politik, mengizinkan ujud-nya pilihanraya untuk memilih sa-buah Kerajaan ra'ayat chara liberal, maka yang tampil ka-hadapan dan yang muncul sa-bagai pemimpin² datang daripada orang² yang berada dengan sokongan yang kuat daripada golongan² yang berada. Maka akhir-nya negara itu di-kuasai oleh golongan² yang berada yang menindas golongan yang tidak berada dengan selogan² dan dindang² yang sedap untuk memperbaiki nasib ra'ayat.

Jadi, Tuan Yang di-Pertua, fikiran² daripada mereka yang memerintah yang sa-macam ini-lah yang keluar mengatakan masalah ekonomi ini tidak boleh di-selesaikan oleh kerana di-hadapan kita kelak akan timbul masalah banjir manusia dan banjir itu akan menyusahkan lagi kepada pemerintah untuk menghadapi masalah ekonomi dan social disebabkan mereka berfikir dari sudut mereka, yang memerintah itu hanya berfikir dari sudut mereka telah membolot kekayaan dan untuk menyelesaikan masalah dengan lebeh 'adil mereka tidak berdaya berbuat bagitu. Tidak sanggup membuat ke'adilan kepada manusia, tidak sanggup kasesayang untuk mewujudkan satu ke-

sedaran manusia itu-lah yang menimbulkan faham² berakhir kapada wujud-nya chita² atau keazaman hendak melancarkan gerakan mengawal banjir manusia. Saya tidak nampak ada satu sebab bagi tanah ayer kita ini untok takut berhadapan dengan banjir manusia sebab kita maseh jauh dari apa yang di-katakan banjir di-dalam tanah ayer kita ini. Jadi spirit atau semangat ugama rasmi negara ini, saya tidak peduli Kerajaan akan mengatakan negeri ini secular state tetapi dalam semangat yang di-chatitkan dalam Perlembagaan ugama rasmi ada-lah Islam. Saya mengatakan Kerajaan tidak lebeh dahulu meninjau kapada spirit perlembagaan dalam membuat satu rang undang² untok negara yang mengaku² Islam sa-bagai ugama rasmi.

Tuan Yang di-Pertua, di-dalam pengajaran Islam sa-telah datang ugama Islam untok menghanchorkan faham² jahiliah—kebodohan manusia yang takut dengan tidak tentu fasal saperti yang telah berlaku di-negeri Timor Tengah. Orang² Arab oleh kerana hidup-nya menchari makan dengan merampas dan merompak. Maka mereka itu bimbang banyak anak yang bukan laki² bukan sahaja tidak boleh menolong mereka dalam menchari makanan tetapi boleh menimbulkan kemaluan kapada mereka sebab anak² perempuan akan dirampas oleh orang² yang lebeh gagah dan itu memalukan ibu bapa sendiri. Sebab satu chara berfikir mereka pada masa itu chara primitive, gali lubang dan tanamkan anak² perempuan supaya jangan banjir manusia atau manusia perempuan. Itu fikiran jahiliah. Apabila datang Islam Tuhan mengingatkan apa-kah dosa anak² itu maka dia di-kebumikan bagitu. Apa-kah dosa anak² itu maka mereka itu di-tanam hidup², apa-kah kamu takut kerana kekurangan rezeki kerana kepinchangan ekonomi sedangkan Allah memberi rezeki kapada manusia.

Tuan Yang di-Pertua, itu-lah hakiikat dan Nabi Muhamad (s.a.w.) pernah bersabda kapada umat Islam, "Berkahwin-lah dan beranak-lah supaya aku dapat berbangga bahawa umat-ku chukuk banyak." Dengan sebab itu

pengajaran Islam sendiri menentang pembunuhan manusia, dan melarang penanaman anak² perempuan di-zaman jahiliah dan menunjukkan kepada manusia jangan takut kepada masalah ekonomi, kerana yang memberi rezeki ia-lah Tuhan. Nabi Muhamad s.w. pula meminta supaya umat Islam berkahwin dan beranak dengan demikian banyak-lah jumlah umat Islam.

Tuan Yang di-Pertua, ini-lah saya merasa ganjil mengapa dari pihak kita pun ikut² kepada pemikiran orang Barat yang liberal tidak sa-kali pun kita mahu memikir dari sudut ugama kita dan dari kepentingan dan keyakinan kita sendiri untuk kepentingan kita masa hadapan, tidak sahaja kepentingan hari ini tetapi kepentingan masa depan.

Tuan Yang di-Pertua, soal rezeki atau ekonomi bagi ra'ayat—bagi manusia ia-lah kurniaan Tuhan yang sangat banyak di-dalam negara kita. Tetapi soal-nya yang tidak betul kepada kita ia-lah soal perampasan, perampasan hak daripada golongan yang tidak punya—mereka² yang miskin di-dalam negara kita. Perampasan ini ada-lah perlakuan yang tidak 'adil sama sa-kali dan ini hendaklah di-betulkan oleh sa-buah pemerintah yang 'adil supaya ke'adilan itu bukan sahaja di-rasai oleh orang kaya tetapi meratai—kapada seluruh manusia yang menjadi ra'ayat negeri ini. Tetapi kalau Kerajaan itu sendiri tidak sanggup melakukan ke'adilan sa-lama itu-lah tidak akan ada perubahan atau fikiran yang keluar daripada mereka yang memerintah. Apa yang mereka sanggup ia-lah adakan birth control—kawalan beranak, ini-lah benda-nya di-perkuat, lain daripada itu tidak nampak lagi.

Tuan Yang di-Pertua, apa yang akan kita katakan sekarang ini apabila Kerajaan sendiri menggalakkan supaya pembunuhan manusia di-lakukan dengan sa-chara yang bersungguh² kalau orang Arab di-zaman jahiliah itu melakukan pembunuhan anak perempuan tetapi kita sekarang ini chuba dan berusaha pula bersungguh² untuk membunuh anak laki² dan perempuan di-dalam kandungan untuk membunuh beneh² yang akan melahir-

kan anak manusia hamba² Tuhan dalam muka bumi Tuhan ini, maka kita telah sampai kapada zaman jahiliah moden. Kebodohan yang paling besar di-dalam sejarah dunia lebeh bodoh daripada zaman orang² Arab dahulu. Di-dalam waktu scientific—waktu sain yang bagitu memunchak, tetapi kita maseh bodoh lagi kerana kita memikirkan sa-suatu dengan tidak memikirkan keadaan yang sa-benarnya hanya memandang dari satu jurusan sahaja.

Tuan Yang di-Pertua, pelaksanaan kawalan ini di-pandang dari sudut ekonomi dan social dari satu segi nampak-nya molek, baik, tetapi dari sudut lain terutama dari kacha mata ugama, tidak baik dan tidak molek. Orang² tidak akan dapat menyelesaikan masaalah ekonomi dalam negeri ini sa-mata² dengan kekurangan jumlah manusia apabila telah di-bataskan. Masaalah yang sa-benar-nya ia-lah masaalah pembahagian ekonomi yang 'adil dari segi ekonomi. Dari segi social, tidak akan selesai masaalah social di-dalam negeri kita ini atau di-mana² pun juga melainkan apabila ada ke'adilan di-dalam berfikir kapada diri kita sendiri.

Ke'adilan dalam melaksanakan sa-suatu untuk diri kita sendiri, kalau kita tidak sanggup melaksanakan ke'adilan di-dalam sa-suatu terhadap diri kita sendiri, maka kita akan menjadi orang yang dzalim kapada diri kita sendiri.

Tuan Yang di-Pertua, saya berkata perkara ini bagitu ia-lah ambil² daripada falsapah ugama. Melakukan ke'adilan kapada diri sendiri untuk menegakkan social yang baik, melakukan kedzaliman kapada diri sendiri untuk meruntuhkan social yang baik dan menimbulkan sa-suatu kemungkaraan yang burok di-dalam negara kita.

Tuan Yang di-Pertua, kita menggalakkan birth control, di-mana² kedai ubat ada menjual ubat² mencheegah hamil, berita² telah di-keluarkan dalam surat² khabar sa-siapa juga boleh membeli ubat² ini, budak² kechil pun boleh membeli di-kedai² ubat, "mak saya suroh beli satu ubat nama ini—conovid" atau itu atau ini, maka

dapat-lah dia membeli sa-botol, maka berlaku-lah keruntuhan moral yang paling besar di-dalam sejarah bangsa kita, akan kita hadapi satu sejarah keruntuhan moral di-dalam negeri kita akibat perubahan mendzalimkan diri kita sendiri.

Tuan Yang di-Pertua, kita takut kepada kebanjiran manusia tetapi kita tidak takut kepada keruntuhan dan kehancoran moral bangsa kita. Sebab itu saya kata, untuk menchegeh kebanjiran manusia tidak baik, tetapi untuk mengawal ibu² yang kurang sehat yang perlu di-kawal, itu ada-lah sangat baik. Jadi, Tuan Yang di-Pertua, saya harap Kerajaan boleh berfikir lagi dalam perkara ini kerana kalau tidak di-fikirkan betul², kalau tidak di-kaji betul² untong hanya sa-chupak yang akan rugi berguni².

Tuan Yang di-Pertua, akan tiba satu masa generation kita akan mengutok kita oleh perbuatan yang salah. Mungkin saya berchakap ini di-ketawakan, sebab memang bagitu tabiat manusia, memang bagitu sejarah manusia.

Pada zaman dahulu kala, orang itu berkata itu, orang ini berkata ini, orang ramai menurut sahaja. Kerana itu sudah di-katakan, orang bijak mengatakan, demikian-lah peroses alam itu berlaku dari satu masa ka-satu masa, dari satu kurun ka-satu kurun. Orang itu mengatakan ini, hari ini mengatakan ini, sa-pendapat dengan orang² yang bijak², orang akan memperchaya². Kemudian bila sampai satu masa orang condemn fikiran itu dan timbul idea baharu—orang kata bagus. Demikian-lah dalam zaman kita ini, di-dalam zaman yang telah merasa diri-nya intellect, tetapi tidak sanggup mengeluarkan dan memerah sendiri dan hanya membonching fikiran orang² barat, maka dia akan mentertawakan fikiran² yang berlawanan dengan fikiran mereka. Saya, walau bagaimana pun suka di-chatitkan supaya sejarah akan membuktikan perbuatan kita ini ia-lah perbuatan mendzalimkan diri kita sendiri dan bangsa kita seluroh-nya di-masa akan datang.

Nik Hassan bin Haji Nik Yahaya:
Tuan Yang di-Pertua, untuk penjelasan

kapada Ahli Yang Berhormat yang berkenaan. Dia kata Bill ini dia tidak bangkang dan dia kata apa perbuatan kita hari ini ia-lah mendzalimkan bangsa kita. Jadi ada-kah dia bersetuju dengan perbuatan mendzalim bagai-mana ta'arif yang di-sebutkan itu?

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, saya berterima kaseh fasal Yang Berhormat daripada Kelantan itu juga dia seronok—kalau saya berchakap dia suka bangun menchelah.

Sa-benar-nya sudah saya jelaskan, saya tidak hendak menentang Bill ini sebab kalau saya tentang pun kalah. Jadi saya hanya memberi pendapat saya kapada Kerajaan kerana Kerajaan boleh membuat perubahan, jangankan Bill ini sedangkan Perlembagaan pun Kerajaan boleh ubah sa-minggu dua kali. Jadi terserah-lah kapada Kerajaan untuk memikirkan apa yang di-katakan dalam Dewan ini.

Tuan Yang di-Pertua, saya mengharapkan sa-benar²-nya supaya Kerajaan berhati², sa-kira-nya Kerajaan akan menjalankan ini, Kerajaan haruslah hadkan ia-itu tiap² ibu, bukan dari sudut Bill ini, apa yang saya inginkan ia-itu hendak-lah di-jalankan kawalan menerusi kelinik² sa-mata². Mesti di-haramkan penjualan ubat menchegeh hamil dari sa-barang kedai² kechuali kelinik² Kerajaan. Kenakan harga yang terbatas, yang paling murah sa-hingga dapat di-sanggupi oleh seluroh ra'ayat supaya ubat² ini tidak sampai kapada orang² yang tidak patut menggunakan ubat ini, yang akan membawa kapada keruntuhan moral, supaya ubat² ini sampai kapada tangan orang² yang patut dan berhak menggunakan ubat² menchegeh hamil menerusi kelinik² supaya kesihatan mereka dapat terkawal kerana kelebihan anak² membawa mudzarat kapada urat sarap dan kesihatan tiap² ibu.

Tuan Yang di-Pertua, supaya dengan jalan penjualan menerusi kelinik² Kerajaan sa-mata², maka dapat-lah di-kenakan harga yang sa-rendah²-nya. Sa-botol ubat untuk pergunaan sabulan harga-nya di-antara \$3 dan \$4 mengikut jenis² ubat-nya. Bagi orang² kampung dia tidak sanggup membeli,

untuk membelanjakan \$4 sa-bulan, mungkin kerana kurang kemampuan dan mungkin kerana dia tidak bagitu tahu menggunakan fikiran-nya, benda yang penting pada dia, dia tidak berkorban untuk menchegeh daripada bahaya kesihatan diri-nya sendiri. Jadi, Tuan Yang di-Pertua, saya mengharapkan supaya di-fikirkan dan di-kaji oleh Kerajaan atas dua tujuan:

- (i) Supaya ubat² penchegeh hamil hanya di-jual di-klinik² Kerajaan sa-mata², dan
- (ii) hanya mereka yang telah diperiksa oleh pegawai² klinik sahaja yang patut dan menasabah di-beri kepada mereka itu dengan ubat² bagi kepentingan kesihatan mereka, bukan dari segi keseluruhan-nya hasrat Kerajaan untuk menchegeh kebanjiran manusia di-dalam negeri ini.

Soal kebanjiran manusia di-dalam negeri ini mesti di-pecahkan ia-itu dengan pemecahan masaalah ekonomi yang pada masa ini gulongan kaya yang sedikit jumlah-nya menindas gulongan miskin yang ramai jumlah-nya di-dalam negara kita ini. Sekian.

Dato' Dr Cheah Toon Lok: Mr President, Sir, I think everyone will agree with our Prime Minister that we have chosen the very right person to be the Chairman of this Board. First, we have the Honourable Minister, who is a young man with great intelligence, progressive ideas and ability, and I know through my experience with him that he would be a most efficient administrator of this Board. But, although agreeing with him on the principle of this Bill, I must utter a few words of caution in this matter as a medical man.

This Bill looks very innocent, because it stated only "family planning". The words "family planning" remove every suspicion from the minds of those who do not understand the deeper implications of those words.

The alternative meaning of family planning is limitation of population. Is it desirable that Malaysia with just a population of nine millions should

limit its population, so that it could be ineffective as a secular State? The security of our State is most important. We have surrounding us States with a population of 105 millions, with a population of 600 millions and with populations of 50, 60 and 70 millions; and we understand economically, politically and from the point of security and progress that we are unable to bring our State to a high standard of efficiency, security and progressiveness, unless we have a population of nearly 15 millions. We are a very backward State with a population of nine millions. I understand from our records that Asia has an annual population increase of 4 per cent. That is exactly what happens to all other States in the world. It has been stated in the newspapers that we have a greatly growing population. I think it is inexact to say that, because from our knowledge of statistics, the population of the world doubles itself every 25 years. If we have a population increase of 4 per cent a year, then exactly within 25 years we will double ourselves. Therefore, I think our progress in population is in conformity with the progress of population in other States.

Sir, there are other methods of limitation of population for those who want it. But do you want it? I think we do not want it. From our point of view, we have got to be very careful. The reason is that we have to think of the security of our country, because the future control of the world will be in the hands of the country that has the most population. Atomic bomb will not destroy all—it will destroy part of the population only. If we have a big population (*Laughter*)—for instance, if we have a population of 700 million—they can destroy half of the population, yet you still have half living on. They cannot destroy all. So I ask Government to proceed with caution in this matter, because there are many methods of birth control. This, I understand from our Honourable Minister, is what we call in medical terms I.U.D. (Intra-Uterine Device). This Intra-Uterine Device might not be popular with the ladies

(*Laughter*), because they might tell the men, "Ah, that is all right. I have got I.U.D.", but actually there is nothing inside. (*Laughter*). The men are deceived in that respect; and so you have a population still coming on. (*Laughter*). So, I would suggest that you should have the other aspect of it—legal abortion. If you want it, the Government should have the legal right to take away the unwanted children in hospitals—that is to have legal abortion. In other countries, if they do not want population increase, they have legal abortion—in Soviet Russia, in Norway, Sweden, in Japan and in many advance countries; that is a better method. I heard the Honourable Senator from Kelantan say Canaboid which is supposed to be a contraceptive pill. However, from our medical point of view, there are dangers arising from taking contraceptive pills—the danger of cancer to the womb of the woman. We do not know how many years the pill has been taken—over the last ten years only if I am not wrong; but cancer may develop within 20 years or 30 years. So, it is not safe. Are we going to destroy our female population? Are we going to destroy our female population to make them unattractive as women, so that our people could marry other women or do we intend, the other way round, to make our men unuchs? (*Laughter*). There are so many views regarding this matter. I suggest that there is a method which medical men have advocated for nearly 40 years, the method of eugenics, where the married people are to be examined by a doctor whether they are suitable to be married. But that method is against human nature because love knows no barrier; love is blind. (*Laughter*). A person who falls in love will marry anybody—black, green or blue. (*Laughter*). So, the danger is there.

Sir, I suggest we proceed with caution, as our Honourable Member from Kelantan stated. Is it a device to limit us, so that we are always under the grip of some foreign power, economically? We have got to depend on them for this and for that because

we are unable to develop our country through the lack of population. We have got to proceed with caution. Malthusian theory states that the world would be so over-populated that people will be starving to death. Sir, that is wrong. That is only the theory of a philosopher. It is the food that we take that is important. For instance, you can get vegetable pills enough to feed you for the rest of your life. You swallow a pill; the only danger is that your stomach gets smaller and smaller. (*Laughter*). You don't get anything else. Your stomach gets smaller and smaller, and you eat less food. But our duty to the future population of this world is to develop the best type of people we have in this country, not to limit the population but to get the best type. That is the idea behind this family planning—to get the best type of people in this country; in other words, to produce geniuses in the country.

This family planning idea will be absorbed by those who are educated only—the uneducated will resist it. I know of a case in which a man went to the office of the Family Planning Officer and said, "Sir, it is very difficult for me to have family planning because my wife refuses it. But I can't help it. I am poor. I have nowhere to go. Every day I come home I look at my wife. I come back in the day for dinner I see my wife. In the morning I see my wife, in the afternoon I see my wife, night time I see my wife; I cannot afford to go out. So my wife is my only object of pleasure". (*Laughter*). It is so difficult for us to convince the lower segment or the lower section of the population that it is necessary to control or limit our population—control the family, limit the family. So, I think it will work the other way round—only the people who are intelligent, who are on the top rung of our society. If we are trying to plan a family—these are the people who ought to have more children—it is much better to have three or four wives for them, because we want more children from these people—not from the lower section but from the top section.

So I suggest the alternative to this is legal abortion as done in Japan—legal abortion for those unwanted children. How do you know, with so many teenagers, quite a lot of them may require legal abortion? I suggest, therefore, that we must proceed with caution in this matter. Do not let us be hoodwinked, as my friend from Kelantan stated just now, by an idea. To sell this idea to us is so easy, because we are always susceptible to Western ideas. But does it suit our country? Does it suit Malaysia? I say, "Proceed with caution". I do not want to say that it does not suit Malaysia. The time may come when we have to revise our ideas. I say that we require a population of 49 million to get a progressive, prosperous and secure Malaysia, secure from our predatory neighbours. If we do not get that population we will always be under fear. We have not enough soldiers to guard our country. We have not enough statesmen to man our Parliament. We have not enough clever Ministers, like our Honourable Enche' Mohamed Khir Johari, to be Chairman of the Planning Board. (*Laughter*). So, I suggest, please proceed with caution. I ask Government to proceed with caution and appoint the right people as members of the Board, so that we can proceed with caution on this. If we find that we are limiting the population on the wrong type of people, we must cease it. If some educated woman or some rich man comes and says "I want to limit the population", please tell him, "It is not for you. It is not meant for you. It is for somebody else". Tell him off. Do not allow him to do it. So I suggest that, even in some religions, if you say "family planning", the priest will come down on you and say: "You must not do it; it is against religion". But if you turn it the other way round and say "population limitation", they will not know it. You see they will say limitation is not against the law of God.

Sir, although I support this Bill, I ask the Government to proceed with caution in this matter. It would be better to have a sort of legal abortion

in this country like that followed by other countries, instead of family planning, or let them go on together. I say this because, for you have got the danger of permanent injury to the womb of the woman in the contraceptive pills; secondly, the Intra-Uterine Device will not be accepted by the women and the lower class of people; thirdly, we require a population of 49 million to keep our country safe and progressive; fourthly, foodstuff is not concerned with us because most of us are vegetarians (*Laughter*). We do not eat so much meat. We *makan sayur lebeh*. We do not take so much meat and the important thing is that we must get the type of people that would be able to render help to the country, people with intelligence, ability and so on and not people without intelligence. So I suggest that the Government goes on this family planning with great caution. Thank you, Sir. (*Applause*).

Dato' Athi Nahappan: Sir, I welcome this Bill but I also, to some extent, share the views expressed by the Honourable Senator Dato' Cheah Toon Lok. Admittedly, our country is not over-populated and as far as development goes, I think Malaya proper itself is only developed to the extent of about 17 per cent of the total area, and the Government does recognise it and has launched itself upon developing the country through various land schemes and there is this great vista of great openings. If this is the case in Malaya, the density of population is even lesser in the Borneo States—in Sabah and Sarawak. Those States are certainly under-populated. Nobody can say that Sabah has a big population or Sarawak has a big population. In fact, they have the problems of under-population and they are all the time trying to seek people from the States of Malaya, or even from abroad, to fill up the need of manpower. That is the present situation and the fact is that there is a great deal of room for accommodation here. We can take it.

Having said that, I would not say that we should not at the same time

harness ourselves to the idea of at least having some limitation in population growth. This may seem to be somewhat in contradiction. It is being generally said that apart from the highly industrialised countries, the population growth has remained more or less the same over the years. In all developing countries the rate of growth has been somewhat the same, but in developed countries the rate of growth has markedly reduced. The important reason for that is the great attack against sickness and improvement in sanitation and environmental health. As a matter of fact, we have made tremendous progress in this field—today malaria is no longer a hazard and so are many other diseases known in this part of the world such as the yaws and so on, though at one time they were taking human toll in great number, but this has come down a great deal. It is because the rate of death has come down that we begin to see that the rate of growth is going up; but actually the rate of growth, as I said, has remained static over the years, but our rate of death has been brought down, and in the final net result, we seem to be thinking that our population is growing very fast. One of the highest we have here is something in the region of 3.2 per cent, and this is considered to be very high indeed, because there are other countries which are very highly developed, like Sweden and some other countries, where the rate of growth is below 1 per cent, and with that very limited population they have been able to maintain a very high level of standard of living. However, what is important is this: the fact is that the number of countries that have limited population, it has not effected their economic growth. We have got countries like Australia, New Zealand whose populations are definitely very, very small and they have got great room for growth but that has not hampered their economic growth. The idea of economic growth today is so much tied up with technological development that the population extent is not considered to be as necessary as thought to be in the ancient days. Our primary duty here is to feed our people immediately and that is the main

demand, and we have to see that we keep our population growth within manageable limit so that every citizen in this country can say "I am well fed", and he can only feed himself if he gets a job and at the moment our unemployment rate is pretty high and our country is one of those countries in the world whose population is composed by more than half of youths, and year by year we are getting a number of youths coming into the labour market seeking employment.

Sir, I would like to refer to you the speech by the Honourable the Minister of Finance when he presented the Budget. He said, for instance that in spite of the employment opportunities that the Government is trying to give, like last year, about 115,000—I am leaving out the hundreds—of boys and girls left school and at the end of this year at least another 100,000 boys and girls will be leaving school. Unless many more jobs are created in the future than have been created in the past, the position will deteriorate progressively. Then the Minister went on to say, and I quote: In the first Malaysian Five Year Development Plan, it has been estimated that the net increase in the labour force would be about 65,000 in 1966 and about 70,000 annually thereafter. That number is less than the number of people who are coming out of the schools every year. We are not able to provide jobs for those who are coming out of the schools every year, though the First Malaysian Plan hopefully envisages to give jobs or create jobs for about 460,000 people during this period. Now that is about roughly more than 80,000 people a year during this Five Year Plan and, according to the Minister of Finance statement, if we are going to have more than 100,000 or about 100,000 people coming out of schools seeking jobs when we can only give jobs to about 70,000, we are going to create quite a problem of job seekers. This, of course, cannot be immediately cured. I admit, by family planning. But what I am trying to stress is that family planning should be an inherent part of the economic development of the country. It cannot be simply left to

manage itself; ideas, of course, do spread that they do not have international barriers or frontiers.

These days, a middle-class person very often sees the necessity of limiting his family and without much persuasion he resorts to some kind of self-imposed limitation. What the Government intends doing here is not to compel any one to take to this course, but merely to impress upon the need of having a manageable family and not to have a family that cannot be well provided for.

Another factor that must be realised is that even poor people these days want to give good education to their children. They are now catching up with the idea of giving better education for their children. Education in this country is not all that free, though we have provided primary education, but the desire to see the children being well-educated is there, and if a poor man has got half a dozen children, it is not at all possible to provide quality children and, therefore, he is just left. The society is not in a position to help him and he produces children in quantity but quality is being sacrificed. So it is, I think, necessary that this education should go on. I do not expect a spectacular success; it is a long-term process and family planning may not be acceptable or even considered feasible in a number of cases. A number of countries do not consider it feasible but much depends, of course, on the social attitude of the people. That is where the education comes in. We of the Asian society, one of the fundamental concepts of matrimony as far as we are concerned, is procreation. Now, I think that has been accepted and then there are also various emphasis: for example, let us take the Chinese community here or any Asian society; there is this problem of childless old age and children are looked upon to look after the elders when they grow old. There is not that social security scheme to look after old people, as old people are looked after in the western society. Therefore, children are preferred—there again with particular preference to boys. I think in the Chinese community, the

boys are preferred to girls and so long as there is no boy in the family, probably there would be continued efforts to have boys in the family (*Laughter*). Then any kind of control gets out of hand. These are mental attitudes. We have to educate the people in the interest of the country, in the interest of society, and in the light of changed social values, that these ideals are out of date, that if you have children, whether boys or girls, you must see that you are in a position to provide benefits for the children, that gone are the days when you have to merely look after your children to look after you, that the idea of social security, the idea of looking after the people by the Government has now gained root and, therefore, you should try to limit your children.

Now, the Honourable Dato' Dr Cheah Toon Lok asked, "Is it desirable?" and he said, "It is not desirable". My view is that it is desirable. We will of course, have problems of selected manpower and we may find shortages, but that does not mean that we should not limit our population in other fields. And again the international immigration system goes on and on, and if we have shortages in certain fields we can always look toward elsewhere, if necessary, to bring in and to provide the labour force, but I think it would not be necessary. Now, the idea of security which the Doctor raised, I think that is completely outmoded in thinking, because in these days security is not tied down with population. Everybody knows that. Small countries with small populations have ruled countries of tremendous populations and have shown to be very powerful militarily and it is not necessary to have a large "cannon fodder." So long as it is a voluntary scheme, I think there is nothing wrong in having this and it must go hand in hand in a comprehensively set out arrangement for the development of our nation. This is necessary. So long as it is voluntary, I do not see why anybody should take great objection to it, because nobody is being compelled to do it and this is the modern trend; this is not merely confined to our country. Throughout the world this

population explosion is considered to be a very serious challenge, and particularly in the developing countries. It has been feared that between 1960 and 1970 there will be an increase of population in the neighbourhood of about 300 millions and developing countries cannot afford the luxury of this great population explosion until and unless they have provided a good standard of living. Today, New Zealand and Canada can expect a more population because they are in a position to provide a good standard of living. They have got that as a premise. Having had that as a premise, they could attract people. Now, our immediate task is to give a good standard of living to our people. Then, if we need people we can even increase our population by openly encouraging more population or even attract population from other sources. Therefore, it is a matter of priority. Let us not confuse ourselves there and I think the learned Doctor seems to have made his emphasis in a different sort of way and I do not agree with him. I think this Bill is a useful Bill and I am particularly glad, and I share with the learned Doctor's view in that we have a very able Minister who is put in charge of this very important matter. Thank you.

Nik Hassan bin Nik Haji Yahya:

Tuan Yang di-Pertua, saya menyokong Bill ini. Chuma saya hendak bagi satu ingatan sahaja kepada pihak yang berkuasa apabila menjalankan pekerjaan lembaga ini. Daripada apa yang berlaku hari ini pertubuhan² sukarela mengawalkan beranak ini, kalau saya perhatikan ini perkara kechil sahaja, tetapi perkara kechil pun satu perkara yang patut mendapat perhatian, ia-itu pada biasa-nya di-ambil orang² muda yang belum kahwin lagi. Anak² dara di-lateh menjadikan pegawai untuk memberi kursus berkenaan dengan kawal beranak ini. Jadi pegawai ini ia-lah satu pegawai hendak memberi kursus kepada ibu yang hendak mengawalkan beranak ini. Jadi kalau ambil anak dara lagi, yang belum kahwin lagi, yang tidak tahu apa lagi, jadi ini satu perkara yang saya fikir tidak elok benar. Kalau bidan tidak apa. Kalau bidan, kita ambil bidan

yang belum beranak lagi dia jadi bidan tidak apa, fasal beranak ini kalau dilateh dia membidan orang yang hendak beranak tidak jadi masalah. Tetapi ini Family Planning, lain. Ambil satu orang yang belum tahu hal, dia hendak tahu hal susah kita. Jadi ini-lah perkara yang saya rasa kalau Lembaga ini berjalan kalau boleh bagaimana sekarang anak² dara itu tidak usah-lah di-masokkan bekerja dalam Lembaga ini untuk di-beri kursus pada orang tua. Ini satu ingatan saya kepada Lembaga ini supaya jadi di-selamatkan anak² dara kita.

Sa-lain daripada itu saya rasa Bill ini patut di-sokong oleh semua orang, fasal Bill ini bukan-lah menjadikan paksaan kepada ra'ayat mesti jangan beranak. Jadi chuma ini satu galakan untuk mengawal, menjaga satu² family supaya sehat, supaya baik. Jadi ini satu chara yang baik untuk kita jagakan keluarga ra'ayat kita. Jadi kalau dengar daripada pembangkang berchakap daripada Dato' kita berchakap banyak orang berchakap itu sa-olah² Bill ini datang semua orang tidak boleh beranak, mesti di-jaga. Ini tidak betul. Jadi sa-olah²-nya ini undang² akan berjalan dalam negeri kita nanti ra'ayat sudah tidak bertambah lagi. Kita ada sekarang, umpama-nya, sa-puluh juta—sa-puluh juta-lah, barangkali harus tahun hadapan bertambah satu juta, 500,000 sahaja, jadi sa-olah²-nya satu kawalan yang terpaksa di-kawal penghidupan ra'ayat sa-hingga hendak beranak pun, macham satu daripada pembangkang kata macham kita membunuh anak. Ini tidak betul. Ini bukan membunuh, ini satu kawalan yang memberi kesihatan kepada ibu itu. Kalau mahu beranak ini chara mahu buat, kalau tidak mahu beranak, ini chara mahu buat, jadi macham kursus sahaja. Jadi ini bukan-lah paksa awak jangan beranak mesti paksaan jangan beranak semua ra'ayat ini kachau nanti pelajaran, kita tidak boleh adakan sekolah tidak boleh ekonomi itu ini. Ini perkara lain, ini perkara nasehat. Kalau awak mahu beranak lima orang, ini lima orang chara buat, kalau mahu beranak lebeh tahun hadapan ubahkan chara boleh beranak lagi (*Ketawa*). Bukan kata mesti potong semua, ini

bukan chara lain. Jadi saya tidak nampak-lah bahaya-nya, fasal itu kaum ibu kita di-sini tidak berchakap benda ini baik, itu-lah sahaja Dato', terima kasih.

Dato' Pengiran Mohd. Digadong

Galpam: Dato' Yang di-Pertua, di-sini saya suka berchakap sedikit berkenaan Rang Undang² ini. Saya menyokong penoh-lah. Hanya di-sini saya minta pada yang berkenaan sa-kira-nya apa yang terjadi di-Dewan Ra'ayat saya orang minta-lah yang orang dari Sabah atau dari Sarawak dapat awal sedikit menerima Rang Undang² ini supaya saya orang boleh menengok, membacha dan menyemak; sebab saya orang dapat membawa usul² ka-dalam Dewan ini oleh kerana macham kita orang jauh di-Sabah atau pun saya fikir di-Sarawak selalu lambat menerima-nya sebab tempat itu jauh. Berkenaan pos² pun selalu kita orang punya surat² daripada Pusat ini yang kita orang sudah sampai sini surat itu baharu sampai di-sana. Jadi kita orang tidak dapat baca segala²-nya atau pun memerhati mana yang mustahak kita orang bawa ka-dalam Dewan ini. Saya fikir saya ada juga mahu berchakap berkenaan keadaan di-Sabah. Sa-benarnya saya perchaya mana yang Ahli² Yang Berhormat tadi sudah menerangkan dalam Dewan ini saya perchaya memang usul itu semua kena bawa-lah ka-Dewan Ra'ayat. Jadi yang mustahak saya suka menerangkan di-sini berkenaan pelajaran di-Sabah yang mana di-ulu² sungai yang jauh daripada bandar saya perchaya tidak chukup kaki-tangan di-sana. Jadi kalau-lah ada peluang atau pun bantuan daripada Kerajaan Pusat minta-lah kapada Menteri yang berkenaan supaya menambah pegawai² ia-itu guru² ka-Sabah. Yang saya ketahui masa saya melawat kali ini ka-Kilang Pasangan yang banyak kekurangan buku², jadi dari itu juga-lah budak² sekolah di-sana susah hendak maju dalam pelajaran oleh kerana buku² itu sangat kurang.

Kedua-nya, saya suka juga berchakap di-sini berkenaan Balai² Polis yang mana saya ingat sudah dapat kebenaran-lah daripada Dewan Negara

atau daripada Kerajaan Pusat yang terdiri, yang bangunan² itu akan ditambah pada tahun ini tetapi nampak-nya.

Mr President: Ini bukan perkara Polis, bukan perkara sekolah, kerana kawalan keluarga, mengawal beranak, Family Planning, bukan fasal sekolah tetapi

Datu Pengiran Mohamed Digadong

Galpam: Terima kasih.

Tuan Haji Ahmad: Dato' Yang di-Pertua, saya mula² ta' mahu berchakap dalam Rang Undang² ini, tetapi terpaksa.

Mr President: Ya, chakap-lah.

Tuan Haji Ahmad: Tuan Yang di-Pertua, bukan sa-bagai sa-orang yang ada anak banyak, atau pun tidak ada anak, bukan sa-bagai sa-orang yang berkeluarga mempunyai keluasan atau mempunyai keluarga yang susah, tetapi soal-nya satu sahaja. Saya rasa saya susah menyetujui Rang Undang² ini. Saya sa-orang daripadanya, susah sedikit, susah satu sahaja, bukan-lah sa-bagai sa-orang ahli Dewan ini, dan jelas-nya sa-orang sa-bagai sa-belah Kerajaan—tidak—tetapi sa-bagai sa-orang yang bertanggung-jawab dalam hal-ehwal yang berkaitan dengan ugama Islam menjadi ugama rasmi bagi negara ini. Kita takut soal keluarga kalau anak banyak, tentu menjadi susah, sekarang ka-mana hendak di-larikan diri, Tuhan bertanya: "ada-kah kamu yang mengageh²-kan ne'mat²-ku atau aku?" Hendak jawab apa? (Qur'an). Dalam Quran yang di-pertandingkan dalam majlis² membacha Qur'an tiap² tahun—"kamukah yang mengageh²-kan rezeki atau aku?" Apa kita hendak jawab? Sebab itu saya susah memikir-nya. Dalam pada itu dia sendiri yang berkata yang mengageh²-kan yang kami, erti-nya Tuhan, penghidupan mereka itu kami yang mengageh. keadaan kedudukan mereka itu bertaraf², bertingkat², kami yang membuat untuk menyenangkan pemerentahan, menjalankan pemerentahan. Ini-lah satu soalan yang amat berat kalau-lah perkara ini seperti

mana ada juga wakil² atau ahli² yang berchakap perkara ini sukarela, ya, kalau sukarela tidak payah bawa Rang Undang² dalam masing² Majlis; kalau tidak gamak susah orang² perempuan. Mithal-lah ada juga orang perempuan bukan nanti anak sampai empat, lima,—ada juga perempuan² yang tidak tahan mengandung, bila mengandung bermacam² bala yang turun ka-atas-nya, azab bermacam sa-hingga daripada mengandung hingga sudah lahir ta' pernah sehat, itu ada jalan, itu ada dzarurat. Tiap² perkara dzarurat boleh di-ubati, di-beri ubat atau pun jelas-nya kalau boleh biar sampai dia tidak beranak pun tidak apa-lah, kerana kita tahu kalau beranak dia mengan-dong susah, azab bermacam² chara—itu di-dapati banyak perempuan² yang macham itu. Itu perkara dzarurat, kita tolak, sebab tiap² perkara dzarurat di-dalam shara' jangan kurang, kalau dzarurat benar² dzarurat.

Tadi ada berbangkit sedikit sa-banyak, sunggoh pun ada daripada ahli² yang menyetujui tetapi di-pinta ta' usah-lah gadis² bekejar² sa-macham ini. Ya, itu betul, kerana hal-ehwal keluarga, hal-ehwal beranak hendak menjarangkan anak—semua-nya ini tahu oleh orang² sudah berkawin. Betul, kalau orang yang tidak berkawin ta' usah-lah. Hendak tahu sakit, tanya-lah orang yang sakit, jangan-lah tanya doktor. Tanya doktor ta' jadi, orang yang sakit tanya dia, dia tahu-lah, ini orang yang tidak pernah beranak apa dia tahu? Itu betul, tetapi soal perkara ini bila sudah jadi galakan lebeh² lagi perkara, apa orang sekarang itu kata, busong-kah apa ta' tahu, saya pun tidak berapa mengerti. Ini lagi satu berlaku—jadi dengan adat isti'adat usaha menjarangkan anak atau pun menchegeh daripada beranak, tetapi tujuan kita berseh, macham ada tunjok dalam filem itu-lah atau dalam television, di-pertunjokkan. Saya mithal-kan kita pertunjokkan bagaimana hendak menchegeh orang churi motokar, orang yang ahli motokar tentu hendak mengambil jalan macham mana hendak menchegeh fasal moto-kar. Tetapi yang kebanyakan-nya menchari orang² yang tidak ada kerja, menchari macham mana chara dia

hendak buat jahat, bagitu juga yang lain².

Jadi, perkara ini tujuan kita baik hendak menchegeh orang yang tidak tahan atau ibu yang anak banyak, tetapi perkara ini akan di-ambil pula oleh orang² yang tidak suka beranak. Dalam pada itu maalum sahaja, melarat-lah, bila ada ubat melarat—sebab apa? Yang di-gaduh malu ini bila tumbuh satu kejahatan; maalum-lah dunia social sekarang bila balek dia berkembong sedikit nampak orang, atau pun tidak nampak lagi pokok asam tentu masing² tengok fasal apa hang makan asam? Itu-lah bila makan asam sudah ada rahsia di-dalam itu. Jadi sekarang tidak ada lagi sebab ada benda itu—hentam sahaja ta' dapat tahu yang ini pun ta' naik, asam pun tidak makan (*Ketawa*). Jadi, sa-olah² kita membawa ini sunggoh pun sukarela, jadi yang hendak mengambil itu banyak perkara maalum seronok—itu yang banyak daripada yang tidak seronok. Jadi, saya bukan hendak menentang, tetapi lemas oleh sebab Rang Undang² ini di-bawa di-dalam Majlis ini, kerana saya takut ke-dudukan sa-bagai sa-buah negara yang merasmikan Islam jadi ugama rasmi takut kita bertentangan pula. Oleh itu Dato' Yang di-Pertua, apa yang mustahak di-buat

Mr President: Sudah pukul satu, saya fikir saya gantungkan persidangan ini hingga pukul 2.15 petang ini.

Tuan Haji Ahmad: Terima kaseh, Dato' Yang di-Pertua.

Sitting suspended at 1.00 p.m.

Sitting resumed at 2.15 p.m.

(Mr Deputy President in the Chair)

EXEMPTED BUSINESS

(Motion)

Dato' T. H. Tan: Mr Deputy President, Sir, I beg leave to move:

That notwithstanding the provisions of Standing Order 11 the Senate shall not adjourn until consideration of all business on the Order Paper for today has been completed.

Che' Aishah binti Haji Abdul Ghani: Tuan Yang di-Pertua, saya menyokong.

Question put, and agreed to.

Resolved,

That notwithstanding the provisions of Standing Order 11 the Senate shall not adjourn until consideration of all business on the Order Paper for today has been completed.

ADJOURNMENT *SINE DIE*

(Motion)

Dato' T. H. Tan: Mr Deputy President, Sir, I beg leave to move:

That at its rising today the Senate shall stand adjourned *sine die*.

Che' Aishah binti Haji Abdul Ghani: Tuan Yang di-Pertua, saya menyokong.

Question put, and agreed to.

Resolved,

That at its rising today the Senate shall stand adjourned *sine die*.

THE FAMILY PLANNING BILL

Second Reading

Mr Deputy President: The debate on the Family Planning Bill continues.

Debate resumed.

Tuan Haji Ahmad bin Abdullah: Dato' Yang di-Pertua, bagi menyambong balek ucapan saya tadi, saya tidak-lah hendak memanjangkan ucapan saya ini, tetapi chuma ada sedikit sa-banyak soalan² yang saya akan kemukakan dalam ucapan saya ia-itu, apa-kah yang menyebabkan Rang Undang² ini di-bawa dalam Dewan ini? Barangkali tentu jawapannya kerana ikhtiar besar hendak mengecilkan keluarga. Dalam pada itu terpaksa-lah kena tanya lagi, apa fasal hendak mengecilkan keluarga? Tentu dia akan di-jawab pula kerana hendak membeli lain² yang baik kepada keluarga itu. Kalau anak banyak susah sedikit, hidup pun susah, ma'alum sahaja. Baik! Pada masa yang lalu kita susah-kah? Kalau ada yang hendak menjawabkan, tentu susah. Apa yang menyebabkan jadi

susah? Sebab keluarga banyak-kah? Di-mana datang-nya begitu punya banyak keluarga ini?

Sungguh pun perkara ini dalam perhatian saya, yang hendak halusi adakah perkara ini sa-rupa macham mana cherita Nabi Musa dengan Nabi Hidhir? Tentu ada yang tidak tahu barangkali apa-kah cherita Nabi Musa. Bila Nabi Musa hendak belajar kepada Nabi Hidhir, Nabi Hidhir kata, "Engkau boleh mempelajari kepada aku ilmu² hakikat sa-chara politik. Tetapi syarat-nya apa aku buat perkara² ganjil jangan engkau soal. Lepas itu baharu aku cherita kepada engkau." Di-terima syarat itu, manakala dalam perjalanan, naik lagi sa-buah bahtera dengan ta' semena²—dengan ta' semena² Nabi Hidhir mengopak abang perahu itu, tetapi ayer tidak masok. Di-tanya oleh Nabi Musa, "Mengapa engkau rosakkan barang orang itu?" "Bukan-kah aku kata jangan soal apa aku buat?" Tetapi dia tidak perhati, perahu itu tadi ayer tidak masok (*Ketawa*). Ada-kah di-dalam itu erti² ini satu soal, soal amat pelek dan saya harap kepada Dato' Menteri yang membawa rancangan keluarga ini supaya rancangan ini berjalan tidak-lah mendatangkan kerugian tetapi mendatangkan keuntungan.

Kalau di-kaji pada masa² yang lalu, khas-nya orang Melayu yang beragama Islam, manakala dia berlutut di-hadapan tuan Kadzi banyak cherita yang itu telah di-bentangkan, tetapi malang-nya si-pengganti dudok di-depan itu haram dia tidak tahu—Dato' Kadzi sendiri kadang² tidak tahu. Jadi puncha ini-lah yang membawa kepada kerosakan hak orang Melayu. Kalau saya hendak buka lebeh jauh lagi dalam Rang Undang² ini tidak tahu-lah apa akan jadi saya berchakap dalam hal ini. Jadi saya harap mudah² rancangan keluarga ini sungguh pun rancangan sa-chara suka rela, tetapi jangan-lah pula daripada suka rela menjadi suka ria, ma'alum tabi'i manusia ini tertarek dengan perkara² yang membawa kepada yang merugikan.

Pada masa² yang lalu, banyak chara² yang telah kita jalankan tetapi

keuntungan-nya tidak dapat—akhir-nya kerugian yang dapat. Saya tidak hendak menentang keras Rang Undang² ini, tetapi kalau perkara ini hendak di-jalankan juga berhati²-lah dalam perkara ranchangan yang hendak di-jalankan itu, jangan di-lain di-tembak akhir-nya di-lain pula yang masuk. Ini sungguh pun, kata saya, amat pelek sedikit waktu saya kata keluar panah biar-lah panah pada tempat² yang betul jangan melayang panah itu makan balek kapada kita sendiri akhir-nya membawakan kapada kerosakan pada kita. Saya memerhati di-sepanjang gerakan² yang di-jalankan.

Jadi itu-lah sahaja, Dato' Yang di-Pertua, saya harapkan mudahan² Dato' Menteri yang membawa Rang Undang² ini pun dapat-lah sedikit sa-banyak apa yang saya luahkan daripada hati sanubari saya yang ikhlas, kalau tidak saya tidak hendak berchakap langsung atas apa² juga dalam Bill ini, yang mana sesuai boleh-lah di-jalankan, tetapi bila memerhatikan keadaan yang sa-macam ini saya berasa takut macham di-tanya oleh sa-tengah² orang daripada negeri luar macham mana arak dengan judi, jawab arak dengan judi itu dosa, tetapi ada munafa'at kapada orang, sa-balek-nya dosa lebeh besar daripada munafa'at—itu yang saya takut. Jadi chontoh yang saya bagi itu kalau berjalan juga ranchangan keluarga ini biar-lah berjalan dengan chara sesuai sebab kalau di-ambil dengan jalan ini juga-lah baharu-lah boleh di-baiki. Saya rasa bukan macham itu, kerana tiap² sa-orang yang hendak berkahwin dia bertanggung-jawab, lebeh² lagi dalam shara'—dalam Islam—tiap² sa-orang yang hendak kahwin mesti mempelajari macham mana dia hidup berkeluarga. Kalau dia tidak belajar yang itu dia tidak harus bernikah. Jadi ta' usah-lah saya memanjangkan, Dato' Yang di-Pertua, saya takut saya ini terlajak besok, dengan panjang saya berchakap ini nanti ka-lain pergi-nya, susah sedikit, terima kaseh.

Che' Bibi Aisha binti Hamid Don: Tuan Yang di-Pertua, saya bangun menyokong Rang Undang² Family Planning atau pun Peranchangan Keluarga pada hari ini ia-lah hendak

menegaskan ia-itu di-dalam penyokongan yang saya beri ini ada mempunyai beberapa sebab. Kerana, Tuan Yang di-Pertua, banyak kita telah mendengar huraian² yang telah di-kemukakan kapada kita pada hari ini. Jadi saya nampak tidak patut sangat-lah kalau pehak saya tidak bangun untok memberi sokongan yang sama. Tetapi sokongan yang akan saya berikan ini ia-itu supaya pehak Kerajaan kita dapat membentok satu perbadanan atau kita kata satu badan untok menguruskan di-dalam hal-ehwal peranchang keluarga, tidak saperti mana yang telah sudah². Perkara yang sa-macam ini memang ada berlaku ia-itu macham kelinik² di-dalam bandar² yang besar sa-bagaimana di-Kuala Lumpur atau di-mana², ada mempunyai kelinik² ia-itu kelinik yang di-panggilkan peranchang keluarga, tetapi tidak ada satu badan yang mengawasi kelinik dan tidak ada perhatian daripada pehak Kerajaan sendiri, bagaimana-kah chara-nya yang telah di-jalankan kerja² oleh pehak kelinik² ini dan kita dapat tahu juga ada di-antara kelinik² yang sa-macam ini telah mengenakan bayaran yang mahal untok orang yang hendak pergi meminta nasihat² dan berbagai²-nya.

Saya harap-lah, kalau boleh, pehak Family Planning atau pun Rang Undang² yang kita bentangkan pada hari ini dapat menjalankan tugas-nya dengan sa-benar²-nya. Tetapi satu sahaja perkara yang saya tidak berapa ber-setuju, ia-lah kalau kita hendak adakan satu nation wide family planning atau pun kita hendak jadikan satu soal yang besar, kita hendak menchegeh kelahiran anak² ini terus-menerus, ini satu perkara yang saya sendiri tidak ber-setuju. Kalau-lah di-tanya pada perasaan sa-orang ibu, tidak ada satu masa yang lebeh bangga daripada masa dia melahirkan anak (*Tepok*). Tanyalah pada sa-siapa juga! Kebanggaan sa-suatu keluarga apabila dia berjumpa dengan kawan²-nya, orang nanti bertanya, bukan orang bertanya berapa banyak harta dia ada, berapa banyak kebun yang dia ada, tetapi orang akan bertanya berapa orang anak! (*Tepok*).

Kemudian, soal yang kedua ia-lah pelajaran anak², kesihatan anak² dan

berbagai² lagi. Ini ada-lah masaalah yang kita sedang menghadapi sekarang ini. Saya nampak di-dalam soal² yang sa-macam ini, tentu-lah kita akan menghadapi pula, kalau sa-kira-nya dapat di-amalkan pula di-kawasan² luar bandar—di-kawasan² kampung—yang saya hendak beri renongan sedikit kepada Yang Berhormat Menteri kita ia-itu Yang Berhormat Enche' Mohd. Khir Johari, yang telah di-tugaskan satu tugas yang berat ia-itu hendak menyampaikan pula kepada pehak² orang kita yang ada di-kampung² nanti. Masaalah-nya yang mereka itu tumpukan kepada kita, puas-kah sudah hati pehak Kerajaan kita ia-itu dengan banyak-nya penduduk² yang ada di-dalam negeri kita, terutama sa-kali orang Melayu, kalau kita tumpukan di-kampung² nanti? Soal ini sangat payah kita hendak menyelesaikan. Apa-kah kalau di-katakan orang Melayu kita banyak sangat yang tinggal di-kampung² nanti? Kerana apa-kah pehak Kerajaan kita tidak membantu mereka dalam hal-ehwal persekolahan mereka atau pun di-dalam hal-ehwal mengatasi ekonomi mereka dan berbagai² lagi. Masaalah kita yang hendak meranchangkan keluarga, hendak menchegeh beranak yang banyak sangat, tentu-lah susah di-terima oleh mereka itu. Kerana pada mereka pada keseluruhan-nya, mereka tentu tidak bersetuju terutama sa-kali dari segi ugama. Tentu orang kita selalu salah faham. Saya perchaya kepada orang yang mengerti bila menyebut peranchang keluarga, memang kita berjaga terlebih dahulu sa-belum terkena supaya tidak berlaku seperti mana yang di-suarakan oleh Yang Berhormat Dr Cheah Toon Lock tadi ia-itu hendak adakan legal abortion. Ini saya memang tidak bersetuju (*Ketawa*), hendak menggugorkan anak daripada kandungan. Ini satu perkara yang zalim, tidak ada sa-orang bapa, tidak ada sa-orang ibu di-dalam dunia ini yang tidak membantah (*Tepok*). Sathinggakan orang² yang tidak bertamadun yang tinggal di-dalam hutan rimba sa-kali pun dia sayang kepada anaknya, walau pun dia terpaksa memberi makan buah²an kayu di-dalam hutan,

tetapi untuk mengadakan legal abortion ini, saya tentang dengan sa-keras-nya. Tetapi dengan chara peranchang keluarga ia-itu kita menjaga terlebih dahulu sa-belum berlaku sa-suatu atau pun sa-belum kita tahu kita mengandong baharu kita hendak menjaga makan ubat-nya, itu tentu salah dari segi undang².

Jadi, saya rasa pehak Kerajaan kita, kalau-lah kita dapat alehkan sedikit, kalau wang yang kita hendak utokkan kepada Family Planning itu tadi, katakan berjumlah—tetapi saya tidak nampak banyak mana jumlah dia itu—\$1 juta atau pun sa-tengah juta ringgit. Saya memohon dengan segala hormatnya, kalau boleh, kita tumpukan memberi bantuan kepada orang yang banyak anak sahaja. Ini baharu betul², saya katakan peranchang keluarga yang berguna ia-itu kita berikan bantuan² kepada mereka itu. Mithal-nya satu keluarga yang mempunyai anak yang terlampau banyak, pendapatan-nya sedikit, apa-kah yang sa-benar-nya kerja² badan peranchang keluarga ini dapat memberi tumpuan kepada mereka itu. Tolong mereka itu dalam masaalah ekonomi dan masaalah social dalam negeri kita. Saya rasa, itu lebeh berguna daripada kita pergi meneriak ka-kampung² bahkan kita sendiri akan mendapat kechaman² yang hebat nanti ia-itu macham saya kata pada mula tadi ia-itu kita, orang² Melayu, akan menzalimkan keturunan-nya di-masa yang akan datang.

Saya rasa itu sahaja, Dato' Yang di-Pertua, yang dapat saya kemukakan dalam masaalah kita membincangkan Family Planning Bill ini, tetapi saya menaruh sa-penoh² harapan kepada Yang Berhormat Menteri kita, supaya dapat-lah menyelesaikan masaalah ini dengan baik dan gunakan-lah kesempatan di-dalam kita hendak melaksanakan peranchang keluarga tadi untuk memberi munafa'at yang lebeh kepada orang² yang lebeh susah untuk mendapat tempat yang baik dalam negeri kita.

Sekian sahaja, Dato' Yang di-Pertua, terima kaseh.

Enche' Abdul Samad bin Osman: Tuan Yang di-Pertua, saya bangun sa-benar-nya hendak menyokong Bill ini, kerana ranchangan hendak mengurangkan keluarga itu memang baik, tetapi sa-telah mendengar ucapan Yang Berhormat rakan wanita saya, Puan Bibi Aishah tadi, saya pun takut hendak menyokong. Jadi kita dengar baharu² ini Yang Berhormat puan itu berkata, pandangan segi perempuan ini habis sho' dalam dunia ini ia-lah masa dia hendak beranak sahaja (*Ketawa*). Jadi oleh sebab itu kalau banyak kali mereka beranak, banyak kali-lah mereka dapat sho' (*Ketawa*). Jadi kita buat satu undang² ini untuk menchegeh sho' ibu ini. Nampak-nya tidak kena sangat, maka dengan kerana itu saya nampak, saya pun tidak berani . . .

Che' Bibi Aishah binti Hamid Don: Ma'af, Tuan Yang di-Pertua, untok penjelasan. Bukan merasa sho' tetapi merasa bangga!

Enche' Abdul Samad bin Osman: Ma'af, Tuan Yang di-Pertua, bangga itu saya ma'anakan sho'-lah lebeh kurang (*Ketawa*).

Tuan Yang di-Pertua, saya fikir yang habis sesuai kalau hendak buat undang² ini ia-lah patut di-buat satu Rang Undang² menjarangkan emak daripada menjarangkan anak. Jadi apa guna kita buat undang² menjarangkan anak, tetapi emak-nya yang satu ini jadi sampai empat. Bagaimana hendak menjarangkan anak kalau emak-nya bertambah! (*Ketawa*). Barangkali lebeh sesuai-lah kalau Kerajaan membuat undang² menjarangkan emak, kerana yang demikian akan menjarangkan anak ini juga, kerana orang Islam boleh menikah sampai empat, tidak siapa boleh chegeh lagi. Kalau empat ibu-nya, anak-nya kurang, tidak betul sangat-lah! (*Ketawa*).

Satu lagi perkara, Tuan Yang di-Pertua, nampak-nya pada masa sekarang ini, saya fikir, perkara menjarangkan anak bagi negeri kita ini belum-lah sampai masa-nya dan tidak patut-lah kita beri satu benda saperti top priority. Memandangkan segi keluasan Malaysia ini, kalau kita bandingkan lebeh

kurang sama besar-nya dengan negeri Jepun. Tetapi umat kita chuma ada 10 juta orang tetapi negeri Jepun ada sa-banyak 100 juta orang. Jadi kita chuma ada 1/10 sahaja daripada negeri yang besar macham Jepun yang kita boleh kata densely populated. Jadi di-ikut population punya figure, kita ini boleh di-katakan under populated. Jadi oleh sebab kita under populated itu, tidak-lah mustahak pada pandangan saya, kita mengurangkan lagi ra'ayat kita, sudah tentu kurang, hendak di-kurangkan lagi. Macham kata dalam i'lan, sudah puteh hendak puteh pula, sudah terang hendak terang pula.

Jadi satu perkara rasa saya buat perhatian tuan², ia-lah masa sekarang kita ada konferantasi dengan Indonesia, sudah dua tahun. Sa-kira-nya kalau kita macham negeri Jepun ada 100 juta umat, kita jikalau ada konferantasi sa-kali pun saya ingat tidak-lah payah kita meminta bantuan daripada rakan² kita daripada England, Australia dan New Zealand, manpower atau ashkar. Kalau kita hendak meminta pun, menchukupi-lah dengan ra'ayat kita yang berjuang sa-bagai perajurit atau volunteer, memadai-lah kita meminta material sahaja saperti guns, cannons atau apa².

Jadi kalau-lah kita balek sa-mula kapada tawarikh dunia ini, tiap² lebeh kurang 50 tahun sa-kali tentu ada satu perang. Walau sekarang ini zaman nuclear, semua orang takut fasal hydrogen bom, atom bom, tetapi macham mana pun perang mesti ada. Itu sudah tentu, apabila perang, kalau kita ada umat sedikit—katakan-lah 10 juta—kalau-lah peperangan datang, kita harus kalah, sa-tengah ribu orang kita harus habis. Jadi ma'ana-nya, bila perang datang, orang kita pun kurang. Kalau kita sekarang ini kurangkan lagi ra'ayat, perang lagi hendak datang, orang kurang. Itu saya kata tadi, sudah kurang di-kurangkan lagi. Jadi oleh sebab memandangkan segi population, saya fikir tidak patut-lah kita dalam Dewan ini menyokong penoh², kita, pehak Kerajaan patut buat undang² bagi mengurangkan keluarga, kerana nampak-nya, saya nampak, tidak

sampai masa lagi. Apabila kita sudah dapat orang kata population explosion macham India, China, Jepun, pada masa itu boleh-lah kita fikir kita adakan ranchangan mengurangkan keluarga ini.

Satu lagi, saya suka memberi pandangan kepada Dewan ini, kalau tahun ini kita boleh keluarkan \$1,000 juta untuk memajukan ranchangan kita ia-itu dalam bahasa Inggeris develop—kita hendak develop negeri kita—menambahkan kekayaan sakin², fasal apa pula sekarang ini kita hendak habiskan pula ribu² ringgit hendak mengurangkan ra'ayat? Sapatut-nya kalau kita hendak develop negeri kita, beri lebeh maju orang pun tambah lebeh lagi-lah, buat undang² bagi sa-orang menikah 4-5 supaya dapat anak lebeh—nampak ada fasal juga—sebab kekayaan yang banyak itu boleh di-beri kepada orang yang banyak. Ini kekayaan akan jadi banyak, orang jadi kurang. Jadi, barangkali tujuan Menteri ini hendak beri semua ra'ayat jadi millionaire pada masa hadapan, ta' tahu-lah, kekayaan lebeh, orang sadikit—less men more share—barangkali banyak-lah kita boleh jadi kaya. Tetapi saya memandang tadi dari segi population. Saya nampak-nya tidak berapa setuju di-adakan undang² ini. Sungguh pun begitu, saya bersetuju sa-kira-nya jika Kerajaan dapat jalankan ranchangan keluarga ini di-tempat² yang patut macham di-pekan² atau pun di-kampung yang mana patut dengan jalan sukarela, ta' usah buat undang², dengan jalan sukarela memberi satu tugas kepada satu Menteri supaya menjalankan dengan jalan sukarela kepada badan² dalam negeri kita supaya perkara peranchang keluarga ini kita tidak lupa langsung. Jadi, kita jalan-lah pendek-nya kita go slow. Pada masa hadapan bila masa kita ada population explosion, pada masa itu kita percepatkan kerja. Jadi sementara ini bagi saya, saya fikir tidak patut-lah kita buat undang² untuk kita adakan ranchangan keluarga ini, kerana saya tidak mahu berchakap fasal ugama, sebab saya pun jahil, kalau saya chakap pun buat orang gelak. Nampak-nya barangkali ada

juga orang ugama tadi, Yang Berhormat wakil dari PAS pun nampak-nya tidak berapa setuju. Jadi, aspek ugama ini panjang. Jadi, saya fikir tidak patut di-bawa dalam Dewan ini atas fasal ugama. Kalau kita hendak bawa pun patut-lah kita bawa aspek atas benefit yang akan dapat oleh ra'ayat dan juga oleh negeri. Jadi, oleh sebab itu saya boleh-lah berkata sa-tengah itu saya sokong-lah, sa-tengah lagi saya tidak sokong. Jadi, saya kalau boleh bagi saya lebeh suka Kerajaan buatkan dengan jalan anjoran, tidak guna-lah di-buat satu undang² dalam negeri kita pada masa ini.

Enche' Mohamed Khir Johari: Mr President, Sir, I must thank Honourable Members for the support that they have given this Bill, and I must say that the Bill has generated more interest here in the Senate than in the Lower House. This is probably due to the longer experience that people in the upper section of Parliament have over those in the lower section of Parliament (*Laughter*).

Of course, I would not expect a person like my good and learned friend the Honourable Dato' Dr Cheah Toon Lok to be able to put up a firm stand on this issue (*Laughter*). He has, therefore, supported this Bill with certain reservations and has put forward some words of caution for which I must thank him sincerely. I assure him that his advice and words of wisdom on the question of I.U.D., U.D.I., and so on (*Laughter*) will be conveyed to the Board when once it has started to function.

In support of this Bill, the Honourable Dr Cheah made a point that we need more and more people to safeguard the security of our country. I cannot agree with him more, but I submit that soldiers cannot fight on empty stomachs. We have got to find food to feed them; we have got to find clothes to clothe them. I can assure the Honourable Member that we are not going to limit the size of families merely for the sake of limiting. As far as I am concerned, nothing makes me more pleased than the sight of an expectant mother. I say so because it

1959, it was decided to convene an international conference of plenipotentiaries to consider the question of diplomatic intercourse and immunities. The United Nations Conference on diplomatic intercourse and immunities was convened in 1961 and met in Vienna from the 2nd March to the 14th April, 1961. The then Federation of Malaya participated in that Conference. At the conclusion of the Conference adopted on the 14th April, 1961, what is known as the Vienna Convention on Diplomatic Relations and Protocols concerning acquisition of nationality compulsory settlement of disputes. The Convention came into force on the 24th April, 1964. In 1965 the Government of Malaysia decided to accede to the Vienna Convention on Diplomatic Relations and the protocols attached thereto. On the 9th November, 1965, the Federation deposited its instruments of the session at the United Nations and the Convention came into force for the Federation on the 9th December, 1965, that is a month after the Convention has been acceded to by the Federation.

The Bill now before the House seeks to bring into force some articles of the Vienna Convention on Diplomatic Relations so as to enable the Federation to observe the Convention. It will be observed that only a certain provisions of the Vienna Convention have been inserted for the purpose of giving them legal effect in the Federation. The other provisions of the Vienna Convention not inserted in the Schedule may be observed by the Federation with having recourse to the aid or sanction of our law, hence there is no necessity to include them in the Schedule to this Bill.

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

Dato' Athi Nahappan: Mr President, Sir, in welcoming this, I should like to have some clarification. I note that there is no Minister around here, but nevertheless, I should like to draw attention to one point, so that at some time or other, there will be some clarification.

Sir, though this Bill gives legal efficacy to the Articles of the Vienna Convention on Diplomatic Relations, 1961, and it is certainly an improvement over the existing legislation, namely, the Diplomatic and Consular Privileges of 1957, the existing law under section 3 gives, of course, diplomatic privileges to the Head or the Chief Representative of any diplomatic mission who is entitled to immunity from suit and legal process and to inviolability of residence and official premises and so on. The same thing is accorded to the members of the official staff of the Chief Representative and also to the members of the family of the Chief Representative, or of the family of any member of the staff. This is incorporated in Part II of the present Ordinance of 1957, which has been repealed in the presented Ordinance, and it is by virtue of the fact that the Article itself is annexed to the Bill, and under Article 31 it is stated:

“A diplomatic agent shall enjoy immunity from the criminal jurisdiction of the receiving State. He shall also enjoy immunity from its civil and administrative jurisdiction, except in the case of:

- (a) a real action relating to private immovable property situated in the territory of the receiving State, unless he holds it on behalf of the sending State for the purposes of the mission;”

This means that in the case of a diplomatic mission here, it enjoys the immunity from civil and criminal proceedings generally, but in the case of a civil proceeding there is an exception, that is to say, where a diplomatic mission enters into an agreement in respect of immovable property, then it is caught by this Article. In the case of, for instance, a diplomatic agent, if he enters into an agreement in respect of a building here, say, a lease, and if he wants to take it for a period of two or three years, then in the course he enters into a number of covenants, terms, by which he agrees to keep the premises in good order, in a tenant-like fashion and then suddenly in utter disregard of the laws of the country here and having kept the premises in an untenant-like manner, putting the landlord in a very awkward situation,

rather subjecting him to unnecessary expenditure, he wants to leave the premises. What is the relief of the landlord? Under this Article, it appears that he can be brought to Court. The immunity does not extend, because any agreement with regard to immovable property catches him. Supposing he leaves the premises without giving proper notice, or without giving proper calendar months notice as required by the law, or leaving the premises in a bad shape, and the landlord wants damages, under this Article he can bring him to Court. But, of course, it says here under Article 31 that a diplomatic agent is not obliged to give evidence as a witness and that he may not submit to jurisdiction of the Court. It is interesting because further it says:

“No measures of execution may be taken in respect of a diplomatic agent except in the cases coming under sub-paragraphs (a), (b) and (c) ‘—(a) is related to the immovable property—’ . . . of paragraph 1 of this Article, and provided that the measures concerned can be taken without infringing the inviolability of his person or of his residence.”

It means that he does not come to the Court, and the landlord goes to the Court, gets the judgment. The landlord now wants to execute. Under this provision, he can execute provided he does not touch the person of the diplomatic agent nor does he enter into the residence of the diplomatic agent. Then what has he got left to seek remedy to recover his judgment debt? All that he can probably look around is for a vehicle owned by a diplomatic agent. Can he attach that under the execution? The privilege touches only as regards the inviolability of the person and also of his residence. Assuming he brings his motor vehicle outside, can it be attached? That is a point of interest.

I raise this purely from the practical angle, and there may be cases where landlords might find themselves in a very awkward situation, and the Ministry of External Affairs finds it equally awkward and delicate to see that some diplomat or other does not want to respect the law of the country, nor does he want to play fair. In a situation like this,

I think it should be made clear, and I have no doubt that the Ministry of External Affairs has instances like this. As I look around, I do not know which Minister is in a position to give a clarification on this point, Sir. Thank you.

Tuan Haji Abdul Hamid Khan: Mr President, Sir, I am sure the officers of the Ministry concerned will take a note of the remarks by the Honourable Member who will get the information required in due course, or by letter.

Dato' Athi Nahappan: I appreciate the assurance given by the Honourable Minister, Sir.

Question put, and agreed.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Deputy President *in the Chair*)

Clauses 1 to 7 inclusive ordered to stand part of the Bill.

Schedule ordered to stand part of the Bill.

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

THE WORKERS (MINIMUM STANDARD OF HOUSING) BILL

Second Reading

Dato' T. H. Tan: Mr President, Sir, I beg to move that a Bill intituled “an Act to prescribe minimum standards of housing for workers to require employers to provide nurseries and to allot land for workers and their dependants in a place of employment, and to provide for matters incidental thereto” be now read a second time.

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

The Minister of Labour (Enche' V. Manickavasagam): Mr President, Sir, the aim of this Bill is to consolidate and revise the legal provisions

relating to the housing of workers now contained in the remaining portions of the Labour Code and the various Enactments of the separate States of Malaya, so as to bring these up-to-date. In so doing, this Bill is part of the comprehensive exercise, now being undertaken in my Ministry to review and to bring up-to-date all labour laws.

The Bill does not compel employers to provide accommodation to their workers, but merely seeks to prescribe the minimum standards to be followed where such accommodation is, or is to be, provided under any existing arrangements or agreements with their workers. By and large, employers, especially in estates and mines, have found it both convenient and of mutual benefit to themselves and to their workers to house their workers in the place of employment itself. Sir, the Bill itself has been very carefully gone through by the National Joint Advisory Council and the various Ministries concerned.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Deputy President *in the Chair*)

Clauses 1 to 20 inclusive ordered to stand part of the Bill.

First Schedule ordered to stand part of the Bill.

Second Schedule ordered to stand part of the Bill.

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

THE CHILDREN AND YOUNG PERSONS (EMPLOYMENT) BILL

Second Reading

Dato' T. H. Tan: Mr President, Sir, I beg to move that a Bill intituled "an Act to regulate the employment of children and young persons" be now read a second time.

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

Enche' V. Manickavasagam: Mr President, Sir, as stated in the Explanatory Statement attached to the Bill, the aim of this Bill is to consolidate and revise the law relating to the employment of children and young persons. The present legal provisions relating to this matter are contained in two separate laws—the Children and Young Persons Ordinance, 1947, and the Employment Ordinance, 1955. Certain provisions of the law in these respective Ordinances appear to be contradictory, and the opportunity has been taken in drafting this Bill to reconcile this matter as well as to provide for certain improvements and modifications to meet the changed social and economic conditions of today.

Clause 19 of the Bill defines a child as a person under 14 years of age, while a young person is defined as a person of between 14 and 16 years of age. This clause also permits a higher age to be prescribed for a child, if this should be considered desirable at a later date.

Clause 2 of the Bill stipulates that a child may engage only in light employment in a family undertaking, or in a public entertainment under specific licence by the Commissioner for Labour, or in approved work connected with his education or training.

Clause 2 also sets out that a young person, that is a person between 14 and 16 years of age, may generally engage in any work, except underground work or work connected with electrical or moving machinery. Both children and young persons might be employed in public entertainment, but subject to such terms and conditions as might be laid down by the Commissioner. Female young persons are excluded from employment in hotels, bars, restaurants and other similar places, except where the establishment is under the management or control of her parent or guardian. This restriction is imposed to safeguard the morals of such young persons.

Provision is also made in sub-clause (4) of Clause 2 and Clause 3 of the

Bill for the Minister to permit children or young persons to engage in any other employment not specified in the Bill, where such is not dangerous to their life, limb, health or morals. The Minister may, for the same reasons, declare any employment permitted by the Bill, to be unsuitable for children or young persons.

Sir, the present Children and Young Persons Ordinance of 1947 permits the employment of a child after the age of 8, except in public entertainment, where the minimum age is 12. This Bill, however, does not stipulate any minimum age for the employment of a child, but merely specifies the limited categories of employment that a child may engage in. This is felt to be a more flexible manner of providing for such matters, as experience in the past has shown that in certain instances children below the age of 12 may have to be permitted especially in public entertainment. Also, while the existing law permits the employment of a child above the age of 8 as a domestic servant, this Bill prohibits such employment below the age of 14.

Clauses 4 to 6 of the Bill stipulates certain conditions, such as the number of hours of work and periods of rest for the children and young persons in employment. These provisions are similar to the existing provisions in the law.

Clause 7 of the Bill deals with the procedure in respect of licensing of children and young persons in public entertainment. Honourable Members will also note that all employment of children and young persons in public entertainment is subject to specific licensing by the Commissioner of Labour, and conditions may be imposed by the Commissioner on such employment, such as the number of performances in any day or periodic medical examinations, and so on.

Clause 8 of the Bill empowers the Minister to prescribe on the report of the Board of Inquiry on the minimum wages to be paid to children or young persons in any class of work where this is considered necessary.

Clauses 9 to 18 of the Bill provide for the administrative machinery and the making of regulations for carrying out the provisions and purposes of the Bill. It will be noted that the first operative Regulation is included in the Third Schedule to the Bill, and not promulgated separately for the sake of convenience to persons who are concerned with the provisions of this Bill.

Sir, this Bill has been drawn up in consultation with the National Joint Advisory Council and consultations have also been held with the various Ministries and statutory bodies concerned to ensure that its provisions do not run counter to existing provisions in other laws.

Dato' Athi Nahappan: Mr President, Sir, I do not wish to make a speech, but under Clause 2, sub-clause 2 (a) in the case of a child, the definition of which is also in the Bill, below the age of fourteen it has been said that,

“A child may be engaged in any of the following employments, that is to say, employment involving light work suitable to his capacity in any undertaking carried on by his family.”

It seems to be pretty sweeping to say “in any undertaking”, because it is known in Asian family sometimes children are brought up in the traditional way to pick up the work of their parents and they learn by the hard way. But can it be so sweeping as to say “any undertaking”? Would it be advisable to allow a family by virtue of its natural right over a child to engage the child in any undertaking? Sometimes it is, of course, qualified by the phrase “light work suitable to his capacity”. Has sufficient thought been given to this end? If so, what were the reasons that led to the phraseology of this particular requirement?

Enche' V. Manickavasagam: Mr President, Sir, this would give the child an opportunity to help family undertakings, such as in agricultural undertaking, where the child could help parents to do some light work; and if the Honourable Member would also see Clause 2 (4) of the Bill, where it is stated that if such work would endanger

the child's health the Minister has the powers to restrict such work.

Dato' J. E. S. Crawford: Mr President, Sir, there is only one point I want to touch on. I notice that the age of the child is fourteen years. Under the law at the moment children after the age of twelve have to apply for identity cards. As soon as they get their identity cards they usually consider they could start work. I wonder if the Government will consider amending it so that they do not have to have their identity cards until they are fourteen, so that there will be no confusion and they do not worry the employer to give them work, because as soon as they get their identity cards they think they should be given employment. Thank you, Sir.

Enche' V. Manickavasagam: I do not think the question of identity card comes into employment, because this is a separate exercise. Though children have to take their identity cards at the age of twelve, that does not mean that they should be given a job.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Deputy President *in the Chair*)

Clauses 1 to 19 inclusive ordered to stand part of the Bill.

First Schedule ordered to stand part of the Bill.

Second Schedule ordered to stand part of the Bill.

Third Schedule ordered to stand part of the Bill.

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

THE SUPPLEMENTARY SUPPLY (1965) BILL, 1966

Second Reading

Dato' T. H. Tan: Mr President, Sir, I beg to move that a Bill intituled "an

Act to apply sums out of the Consolidated Fund for additional expenditure for the service of the year 1965, and to appropriate such sums for certain purposes" be read a second time.

Dato' Y. T. Lee: Tuan Yang di-Pertua, saya menyokong.

The Assistant Minister of Finance (Dr Ng Kam Poh): Mr President, Sir, the Bill now presented to the House seeks authority for additional expenditure for 1965. Under the Financial Procedure Ordinance, 1957, the Treasury is empowered to issue money from the Contingencies Fund, pending the approval of supplementary estimates, to meet urgent and unforeseen expenditure for which no provision or insufficient provision had been entered in the approved Estimates. Some of the supplements now sought refer to such expenditure which has been authorised via the Contingencies Fund. Any sum authorised by the Treasury in such a manner must be reported to Parliament irrespective of whether the full amount has actually been spent or not.

The total supplement now sought is \$51,930,248, of which a sum of \$24,820,195 is charged on the Consolidated Fund by authority of the relevant laws and therefore needs no further approval of the House. The amount required to be appropriated by this Supplementary Bill is \$27,110,053 and this is mentioned in Clause 2 of the Bill. The original Estimates approved for 1965 amounted to \$1,598.9 million and taking into account the two supplements approved in May and November 1965 and the present supplement, the total estimates for 1965 amount to \$1,735.8 million, of which a sum of \$338.4 million is charge on the Consolidated Fund.

The need for these supplements is already explained in the Treasury Memorandum accompanying the Third Supplementary Estimates of Expenditure for 1965 tabled as Command Paper No. 7 of 1966. I will, therefore, confine myself to those items which are quite substantial and are of general interest to Honourable Members.

The largest supplement of Supply expenditure is in respect of Head S. 25—Contribution to Statutory Funds, with a sum of \$9.6 million, of which \$5 million is required for increasing the amount in the Supplies Trading Department Account to \$73 million; \$4 million for increasing the amount in the Inter-Administration Account to \$10 million so as to cover the needs of all the States of Malaysia; and \$0.6 million is for augmenting the State Reserve Fund and the Personal Advances (Public Officers) Fund. The next biggest item is in respect of Head S. 19—Education Grants and Subventions where an additional sum of \$7.2 million is required to meet the payment of statutory grants in respect of Primary and Secondary Schools in 1965. Head S. 24—Treasury General Services, requires an additional sum of \$2.36 million, of which \$2 million represents an advance towards the \$5 million equity investment in Bank Bumiputra already provided for in the Development Estimates and the balance of \$0.36 million is required for supplementing the provision for Road Grants to Municipalities. Head S. 32—Ministry of Health requires a supplement of \$1.2 million, of which \$0.9 million is for meeting the cost of extra provisions needed for hospitals and \$0.3 million is in respect of anti-malarial services, i.e., for settling arrears of housing allowances and wages of anti-malarial labourers and the cost of drugs for the treatment of aborigines. Head S. 33—Ministry of Home Affairs requires a sum of \$1.06 million to meet, among other things, the personal emoluments and other charges due to the increase in the strength of the Senoi Pra'ak, the expenditure on the protection of key points and the cost of emergency roads and airfields in Sabah; and the expenditure in providing financial assistance to fishermen affected by curfew orders. Head S. 21—Ministry of External Affairs requires a sum of \$0.95 million for supplementing the various sub-heads of the Ministry and for the payment of four years' advance on rented accommodation for the Malaysian High Commission and staff in Lagos, Nigeria. Head S. 12—Over-seas Service Aid Scheme requires a

sum of \$0.8 million since the original provision in the Estimates has proved to be an under-estimate as it was difficult at the time of framing the Estimates to forecast the likely expenditure. Head S. 34—Royal Malaysia Police requires a sum of \$0.84 million to meet the personal emoluments and other charges for the Malaysian component of Combined Intelligence Headquarters in Songkhla, Thailand and the cost of radio sets and equipment for the Police Force and its non-regular units in Sarawak and Sabah.

Dato' Dr Cheah Toon Lok: Mr President, Sir, speaking on the Supplementary Supply (1965) Bill, I would like to touch on Head S. 19—Education Grants and Subventions—amounting to over \$7 million. I believe that part of this supplementary estimate is intended to support the children of Malaysian workers in Singapore for their school education fees, because in Singapore the fees have risen for Malaysians. I also believe that cases have been brought to the attention of the Ministry of the penalty imposed upon the workers and the children of Malayan officers working in Singapore in respect of education.

Mr President, Sir, I believe that in Singapore school children are not required to pass the Lower School Certificate Examination, but they have to pass the School Certificate Examination. I know there is a lot of suffering by those employed by our Government in regard to this, because if their children do not pass the School Certificate Examination, they are penalised in respect of work in Malaysia, because we do recognise the Lower School Certificate Examination. So, those people have approached the authorities and also Members of Parliament to plead for their case. They ask that they may be permitted to send their children to hostels especially meant for their children, so that their children could pass the School Certificate Examination and find suitable employment in Malaysia. I think this penalty was not intended to be imposed on our workers and on our Malayan officers. In that respect, may I say that the people most

penalised by the educational system of Singapore are the members of the Customs Service and these officers are revenue producing officers, or to put it another way, the Customs Department is a revenue producing department, and as such, I hope, and also I plead, that the Minister of Education will look into this matter and give a remedy to those people whose children are affected. If we could subsidise the childrens' studies in Singapore, I think it would be much better for us to subsidise their education in certain parts of Malaysia—for instance, give a hostel for them nearer, either in Johore or in Selangor, for the children of the Customs officers in Singapore. I hope that the Minister of Education will look into this.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, Bill yang di-hadapan kita sekarang ini ia-lah permintaan tambahan bagi kali yang ketiga-nya tambahan wang untuk Budget tahun 1965. Dapat-lah kita memahamkan bahawa Kerajaan telah terpaksa membelanjakan wang dengan kerana ini berkali² minta tambahan daripada Dewan Parlimen. Dan mahu tidak mahu, Dewan ini akan meluluskan juga.

Ada pun soal, Tuan Yang di-Pertua, bagi saya ia-lah meminta kepada Kerajaan mengingat dan menginsafi betul² yang kita bukan-lah negeri yang besar dan jauh-lah sa-kali daripada sa-buah negeri yang kaya. Yang demikian jika dapat, mari kita chuba mengechilkan perbelanjaan² kita kechuali di-atas perkara² yang paling mustahak kapada kita supaya ada persediaan kewangan bagi kita untuk maksud² yang lebeh bagi kepentingan national di-masa depan, dan memikirkan puncha² hasil yang lebeh baik bagi negeri ini supaya keadaan kewangan kita lebeh baik daripada apa yang sedang berlaku sekarang ini. Daripada apa yang di-bentangkan dalam Dewan Ra'ayat dan juga di-sini, nyata-lah pada kita semua bahawa keadaan kewangan negeri kita tidak-lah bagitu baik, banyak ranchangan² besar bergantung kapada pinjaman luar negeri. Dengan sebab itu saya katakan tidak-lah bijak untuk membebaskan diri kita

untuk membuat perkara² yang kita anggap penting tetapi tidak terlalu penting sangat kapada kita yang mengakibatkan perkara² national terpaksa kita mengharapakan hutang. Gagal atau berjaya ranchangan national kita bergantung kapada dapat atau tidak pinjaman daripada Bank Dunia dan sa-bagai-nya. Ini apa yang saya chakap ia-lah bayangan² yang pernah dikemukakan oleh pehak Menteri² yang berkenaan sa-belum hari ini.

Saya bagi satu mithalan, Tuan Yang di-Pertua, bagi sa-buah negeri kita yang kechil bagini dan tidak-lah kaya benar, sa-buah Parlimen memakan belanja \$18 million tidak mustahak kapada kita, tetapi kita ingin berbangga diri kita. Kita perlu mengorbankan sa-jumlah \$18 million itu membuat bangunan Parlimen. Kita mahu menurut tradition barat—kebiasaan orang barat buat bangunan yang mendongak ke-langit. Kita tidak mahu membuat sa-suatu bangunan yang rendah tetapi mempunyai bentok kebudayaan kita sendiri. Kita membuat bangunan tinggi di-hadapan bangunan Parlimen termasuk dalam bangunan Parlimen ini menchakar langit, dan bilek² di-tetapan sa-bahagian untuk anggota Dewan berehat dengan meja, dengan talipon, dengan api, dengan bilek ayer tetapi tidak ada siapa yang pergi ka-sana. Kita telah membazirkan wang ra'ayat yang di-amanahkan oleh ra'ayat kapada kita. Kita telah membuat padang kapal terbang \$50 million lebeh, sedangkan kemudahan² yang ada di-Singapura tidak dapat kita alahkan. Yang demikian kita tidak dapat memanggil dan menjemput sharikat² penerbangan dunia—menggantikan Singapura dan mengambil tempat kita di-Kuala Lumpur ini. Dan itu-lah chontoh² bagaimana kita telah membelanjakan wang pada bukan tempat-nya dan belum tiba masa-nya.

Tuan Yang di-Pertua, kesulitan² kita di-dalam kewangan mengharapakan supaya kita berjimat kechuali dalam perkara² yang paling mustahak untuk kita membelanjakan. Dari sudut lain, saperti saya sebutkan pada permulaan tadi, sa-lain daripada berjimat kita harus memikirkan dari sudut menambah puncha hasil.

Saya bersetuju dengan pendapat Yang Berhormat Timbalan Perdana Menteri yang baharu² ini berkata bahawa kita mahu menjalankan gerakan maju untuk mengubah chara² pegawai bekerja, tidak mesti terlalu systematic menurut chara barat; mungkin di-England tidak sama kerana ini bekas colony-nya dahulu. Tetapi kita harus buat chara² kita asalkan benda itu dapat di-chapai—asal tujuan itu sampai, kita harus membuat sa-suatu yang lebeh chepat supaya kita dapat puncha² hasil yang lebeh chepat sementara itu hendak-lah di-tutup lubang² yang menimbulkan corruption—menutupkan segala puncha yang menimbulkan rasuah, sebab kalau terlalu mengadakan berbagai² peratoran ini akan menyekat kemajuan. Dasar terlalu melalui proses² yang proses² itu kalau kita kajikan tidak begitu penting, maka di-sana-lah peluang pegawai² menanggok di-ayer keroh.

Saya perchaya dari pengetahuan saya sa-tengah daripada Menteri² Kabinet yang pernah bekerja sa-bagai pegawai pentadbir pada masa yang lalu, jika mereka mahu dan mengharapkan perubahan perbezaan negeri kita ini yang baik dan mengharapkan kapada perubahan dalam serba serbi di-negeri kita ini, apa yang di-katakan oleh Yang Berhormat Tun, ada-lah satu ranchangan yang sangat baik asalkan kita dapat mengemukakan betul² ranchangan² yang concrete chara² pentadbiran yang concrete yang tidak mesti menurut sistem barat dari segala² seperti yang kita biasa 'amalkan. Kita boleh menurut sistem Amerika atau lain² negeri yang mana sahaja yang lebeh baik untuk menjadi pedoman dan panduan bagi negara kita ini.

Tuan Yang di-Pertua, saya mengharapkan supaya kita dapat meninjau untuk membetulkan susunan sistem pentadbiran kita supaya bertambah chekap, chepat, chergas dan berjaya dan kita tunggu-lah sa-jauh mana akan di-jalankan oleh Yang Berhormat Timbalan Perdana Menteri bagaimana azam-nya yang telah di-katakan baharu² ini.

Sa-lain daripada itu, Tuan Yang di-Pertua, kedudukan kita sa-bagai sa-buah negeri yang berada di-tengah

punchak pergolakan politik di-Tenggara Asia yang kita tidak dapat mengubah keadaan-nya, akan tetapi mereka-lah yang akan mengubah kita, hendak-lah kita perhatikan dari sekarang.

Pergolakan di-Tenggara Asia seperti yang berlaku di-Indonesia, nujum² pak belalang kita di-sini telah meramalkan, bahawa apabila gagal pemberontakan kominis—di-benteraskan—habis gulungan kominis di-Indonesia dan jatoh-nya sa-orang dewa Dr Subandrio dari kayangan-nya, maka tidak ada lagi-lah pressure yang akan meneruskan konferantasi terhadap negara kita. Ramalan ini salah, ramalan itu tidak betul dan boleh di-permain²kan oleh orang² Indonesia terhadap kita. Saya tidak tahu hal² yang sa-benar-nya sebab saya tidak pernah menjejak bumi apa yang di-katakan Indonesia itu. Tetapi daripada apa yang kita mengikut perkembangan, kerana mereka itu adalah negara jiran, chara berfikir manusia di-Indonesia itu telah jauh advance daripada chara berfikir manusia² yang di-katakan manusia Malaysia sekarang ini. Kita mengharapkan kita juga maju dalam berfikir, bukan kita mahu membesarkan orang lain dan mengecilkan kita sendiri. Kita mengharapkan kita juga maju dalam berfikir. Dengan sebab itu agak salah apabila kita mengatakan, kominis-lah yang menjadi miang keladi yang menyebabkan timbul-nya konferantasi, maka kita telah mengecilkan alat² lain, alat² negara Indonesia, parti² politik dan manusia-nya yang berfikir chara lain tidak sa-chara kominis, tetapi tahu hakikat Malaya yang sa-benar²-nya yang telah mengachau perekonomian Indonesia sa-lama ini.

Tuan Yang di-Pertua, Belanda bukan-lah satu bangsa yang besar yang menjajah bangsa Indonesia dan bukan satu bangsa yang terkuat. Sebab itu apabila Belanda memerintah Indonesia, Ingeris mengikut dari belakang. Dimana ada modal Belanda di-Indonesia di-sana ada modal Ingeris yang besar sa-lain daripada modal Ingeris yang bersendirian. Untok kepentingan Ingeris yang Belanda hanya sa-bagai mandor di-Indonesia dahulu, Singapura perlu hidup sa-bagai satu pelabohan

besar, seluroh kekayaan Indonesia harus keluar melalui Singapura dan barang²-nya ka-Indonesia melalui Singapura. Orang² yang berfikiran yang hidup saperti bangsa Indonesia, yang saya katakan sudah jauh berfikir dalam politik daripada kita, mengetahui hakikat ini dan siapa-kah yang akan membodohkan diri-nya apabila dia melihat dengan sendiri-nya, apabila dia tahu memikirkan hal keadaan hakikat yang sa-benar-nya dan kita pun yang memikirkan dan mengetahui mengapa Inggeris mendahului mendarat di-Surabaya sa-waktu Indonesia mengishtiarkan kemerdekaan mereka, mengapa Belanda memakai uniform Inggeris membonching dari belakang tentera Inggeris bertopeng untuk menjaga keamanan dan meluchutkan senjata Jepun, tetapi dengan tujuan untuk menjajah Indonesia kembali, mengapa Inggeris mendahului kalau tidak sa-suatu sebab untuk kepentingan Inggeris yang ada di-Indonesia. Sebab itu tidak hairan kalau bangsa Indonesia menentang Inggeris dan menentang segala ranchangan yang dijalankan oleh Inggeris di-Tenggara Asia ini.

Jadi, Tuan Yang di-Pertua, kalau kominis telah di-hanchorkan oleh Indonesia, alhamdulillah, sebab sa-bagai sa-orang Muslim saya tidak inginkan kominis sa-bagai sa-orang pejuang, pernah saya menulis sa-buah buku yang menganalisisakan umat Islam di-antara capitalism dan communism.

Jadi, Tuan Yang di-Pertua, soal kebangkitan bangsa² di-Asia Tenggara yang sedang berlaku sekarang ini dengan pesat-nya, kita di-Malaysia menganggap achoh tidak achoh, kerana kita bergantung kapada ekor baju orang² Inggeris. Jadi, Tuan Yang di-Pertua, ini harus di-perhatikan oleh Yang Teramat Mulia Perdana Menteri, yang juga kebetulan-nya menjadi Menteri Luar bagi negara kita ini. Kita jangan malu² untuk mengaku keadaan kalau ya kerana Inggeris sudah beberapa kali menyuarakan pendapat mereka, mereka sedia berunding langsung dengan Indonesia untuk menyelesaikan kerisis Malaysia. Kita malu, kita hentam Inggeris. Kalau itu

soal kita mesti rundingkan dengan kita. Apa yang ada di-dalam kelambu di-belakang tabir, wallah-hu'aalam. Orang mengatakan kita boneka, kita malu, marah. Akan tetapi sukar bagi kita untuk mengelapkan kenyataan politik yang sedang berlaku di-dalam negeri ini.

Jadi, Tuan Yang di-Pertua, saya mengharapkan kita menginsafi process perubahan politik yang sedang berlaku sekarang ini. Harus kita insafi betul² di-mana kita—akan ka-mana—di-masa akan datang. Kita tidak sanggup mengubah keadaan politik kita di-Asia Tenggara, tetapi mereka-lah yang di-sekeliling kita akan mengubah keadaannya. Sekarang ini kita mengharapkan Presiden Sukarno jatuh—Sukarno still the boss—maseh menjadi tuan di-Indonesia.

Keadaan di-sekeliling kita yang lain—apa yang kita lihat di-Vietnam. Di-Vietnam sendiri, Tuan Yang di-Pertua, keadaan bertambah merunching, serangan² Vietcong telah bertambah mendadak berani dan Presiden Johnson pun mengharap²kan kalau ada negara² yang boleh mengikhtiarkan supaya di-adakan perdamaian supaya dia dapat undor dan tidak malu. Amerika telah menanggung beban yang sangat besar untuk mempertahankan dunia bebas, kata mereka. Tetapi kita pun tentu-lah ada juga faedah-nya daripada apa yang di-buat oleh Amerika bagi kepentingan Amerika. Tetapi kalau Amerika tidak sanggup untuk mempertahankan terus, dari segi moral dunia telah mula mengutok, sa-hingga di-Amerika sendiri juga ada pendapat² tidak senang dengan sikap Amerika, apatah lagi negeri yang di-luar bloc Amerika. Di-Vietnam sendiri timbul angkatan² baharu daripada gulongan² Budist yang telah mempelupori kejatohan Ngo Dien Diam, sekarang telah mula² menunjokkan kembali belang mereka.

Boleh jadi, Tuan Yang di-Pertua, Amerika akan bersedia mengizinkan wujud sa-buah Kerajaan Champoran di-antara non-communist dengan Vietcong di-Vietnam dan Amerika akan keluar dari sana. Kalau ini terjadi, saya nampak akan terjadi, maka Laos

dengan perkongsian berkechuali—demokrasi dan Kominis. Kemboja 95% miring kepada bloc kiri dan kalau Vietnam selesai pula, kechuali Amerika sanggup berperang terus akan meletupkan Vietnam dengan bom hydrogen-nya tidak memperdulikan fikiran dunia, maka lain-lah soal yang akan terjadi. Kalau keadaan ini telah berubah, maka Siam (Thailand) akan menerima anchaman yang berat. Bila Thailand menerima anchaman yang berat dari perubahan politik Asia Tenggara seperti banjir yang besar ini, negara kita Malaysia akan menderita dan akan menerima kesan²-nya dan akhir-nya akan menerima serangan² kominis sa-chara berterang² ini akan berlaku.

Sebab itu, Tuan Yang di-Pertua, mari kita fikirkan nasib kita, mari kita fikirkan, jangan dalam membuat sesuatu jalan kita fikirkan nasib British. Sudah selalu kita memikirkan nasib British.

Nik Hassan bin Haji Nik Yahya:
Siapa fikir!

Enche' Amaluddin bin Darus:
Kerana memikirkan nasib dan kepentingan Inggeris di-Malaysia kita ini, kekayaan kita tidak banyak menolong perubahan. Kita kaya dengan hasil bumi, tetapi Kerajaan kita tidak cukup kaya kerana kekayaan itu untuk orang lain. Modal² Inggeris sa-belum merdeka tidak demikian, tetapi sesudah merdeka bertambah lagi, bukan bertambah kurang tetapi bertambah banyak. Sedangkan kita fikir modal national yang patut bertambah sesudah merdeka kerana kemerdekaan tidak bererti hanya politik. Kemerdekaan hendak-lah di-isi dengan politik dan ekonomi, tetapi kita bertambah di-jajah dalam ekonomi oleh kemasokan modal² asing, terutama modal Inggeris, yang bererti menambahkan chengkaman terhadap kemerdekaan politik kita sa-kali pun kita telah di-aku² *de facto* dan *de jure* sa-bagai negara dan bangsa yang merdeka.

Jadi, Tuan Yang di-Pertua, dengan keadaan kita yang sa-macham ini dapatkah kita mengubah keadaan? Tentu tidak dapat. Akan dapat-kah kita menyesuaikan diri dengan negara² tetangga

yang sedang berubah? Tentu tidak dapat. Kalau tidak dapat, apa yang akan jadi? Pertentangan yang mengakibatkan peperangan. Sejarah dunia telah menunjukkan pertentangan ekonomi, pertentangan faham antara Jepun dengan orang puteh, pertentangan ekonomi pertentangan faham di-antara German dengan orang puteh, Amerika dan sa-bagai-nya, lambat laun menchetuskan peperangan yang membunuh berpuluh² melion manusia. Dan kalau ini terjadi di-lengkongan Tenggara Asia dan negara kita, yang akan menerima akibat-nya ia-lah kita, yang akan hanchor ia-lah negara kita, yang akan mati ia-lah kita, yang akan musnah dan menderita ia-lah negara dan anak bangsa kita.

Jadi, Tuan Yang di-Pertua, harus kita fikirkan dalam² perubahan² supaya kita sesuai dengan perkembangan dan perubahan dunia, khusus-nya di-Tenggara Asia ini. Saya tidak mengharapkan supaya kita menyesuaikan diri dengan tenaga² kiri supaya kita tidak bergaduh dengan gulungan kiri yang sedang merubah keadaan Tenggara Asia, terutama di-utara kita, tetapi saya mengatakan kita harus menyesuaikan diri kita dengan perubahan dunia, khusus-nya Tenggara Asia menjadikan kita satu bangsa yang tegak di-atas kaki kita, berfikir dengan kepala kita sendiri, bertindak dengan tangan kita sendiri dan mengharapkan jaminan Bangsa² Bersatu untuk perdamaian dunia dan khusus-nya Tenggara Asia ini, sebab kita maseh kechil. Dalam perkara hendak menambah jumlah beranak supaya jadi askar banyak pun Menteri kita tengah berkira hendak mengurangkan anak. Jadi kita harus memikirkan itu, tetapi perubahan² mesti-lah di-fikirkan dari sudut kita harus mempunyai kekuatan dan kewibawaan satu bangsa yang merdeka dalam politik dan ekonomi. Jadi, Tuan Yang di-Pertua, saya kalau tidak detailkan chakapan saya ini—Ahli² Dewan ini terdiri daripada orang² yang boleh memikirkan jauh dapat menangkap, dapat memahami keadaan² dan mari-lah kita memikirkan untuk kita dan anak chuchu kita yang akan datang.

Tuan Yang di-Pertua, sa-lain daripada itu, saya tengok baharu dua hari yang lalu ia-itu pada 26 haribulan Mach, di-seluruh tanah ayer kita ini, bahagian Tanah Melayu, telah dilancarkan apa yang di-katakan Bulan Bahasa. Kerajaan juga membelanjakan wang untuk menjalankan Bulan Bahasa, kerana bertambah dekat masa pelaksanaan bahasa kebangsaan di-Tanah Melayu ini. Bagi Dewan ini tentu-lah maseh menunggu banyak tahun lagi, kerana sa-sudah 10 tahun sa-lepas Sarawak dan Sabah masok Malaysia baharu-lah akan di-gunakan bahasa kebangsaan, maka sementara itu Dewan ini tentu akan kekal menggunakan bahasa Melayu—bahasa kebangsaan dan bahasa Inggeris, kerana Perjanjian kemasokan Sarawak dan Sabah. Sekarang ini tengkat Tanah Melayu kita sedang chuba² menunggu tahun 1967 kalau² Parlimen ini meluluskan, membenarkan penggantian bahasa Inggeris kepada bahasa Melayu—kalau²—itu tengok-lah keadaan yang akan datang, Tuan Yang di-Pertua. Tetapi di-luar, kita menhadangkan kapada ra'ayat supaya menggunakan bahasa kebangsaan. Dari sekarang kita chuba ranchangan tiga bulan—entah empat bulan, tetapi dalam Dewan ini tidak ada sedikit bahang-nya sampai, kesan-nya tidak ada. Sa-panjang pagi ini tidak siapa pun yang chuba² untuk berchakap dalam bahasa kebangsaan, di-luar kita sedang kempen Bulan Bahasa Kebangsaan, di-sini tidak ada chuba². Jadi, makin banyak di-taroh baja, nampak-nya makin kurang subur pokok yang kita tanam itu. Jadi, Tuan Yang di-Pertua, tentu-lah ganjil kalau kita mengharap²kan ra'ayat mulai chuba² menggunakan bahasa kebangsaan, tetapi dalam Dewan ini tidak ada sa-orang pun yang chuba² hendak menggunakan bahasa kebangsaan supaya di-masa hadapan mereka dapat menggunakan bahasa kebangsaan yang sa-baik²-nya.

Jadi, Tuan Yang di-Pertua, saya suka menarek perhatian lagi kapada masalah pelajaran. Saya rasa dalam perchakapan saya ini perkara² ini-lah yang paling penting untuk saya sentoh. Pelajaran bagi sa-buah negara sangatlah mustahak, sebab satu daripada

penyakit manusia yang mesti di-hanchorkan dan di-benteras ia-lah kebodohan. Jadi, pelajaran ia-lah satu perkara yang sangat mustahak dan Kementerian Pelajaran memegang peranan yang sangat penting untuk membena dan membangun bangsa Malaysia yang di-harap²kan itu. Tuan Yang di-Pertua, sudah tentu polisi Kerajaan untuk menggantikan kita ini yang sekarang bernama bangsa warga-negara Persekutuan kapada bangsa Malaysia pada masa hadapan. Pembentokan satu bangsa daripada keadaan kita yang bergulongan, berpuak², yang bermacam aneka ragam berbeza dalam keturunan, berbeza dalam keyakinan, berbeza dalam bahasa dan berbeza dalam kebudayaan, ada-lah satu perkara yang sangat berat yang mahu ta' mahu terpaksa kita pikul untuk menchapai tujuan besar kita, menchapai sa-buah negara yang aman, ma'amor dan harmoni. Bagaimana chara menchapai masalah ini, saya merasa sangat kechewa dengan amalan yang di-jalankan oleh Kementerian Pelajaran, sebab saya perchaya sa-besar² tanggung-jawab dalam soal ini ia-lah Kementerian Pelajaran. Polisi pelajaran yang di-jalankan di-tanah ayer kita ini saya tidak nampak akan menghasilkan satu kejayaan, kechuali kalau keadaan sa-keiling negara kita ini tenteram, tidak ada siapa yang patut kita bimbangkan. Barangkali polisi sekarang ini baik dan kita akan sampai kapada matlamat yang kita harapkan dalam jangka panjang, tetapi suasana politik di-dalam tanah ayer kita ini ada hubungan dengan suasana dan perkembangan yang berlaku di-luar tanah ayer, terutama di-kawasan sa-keiling.

Jadi, Tuan Yang di-Pertua, saya tidak mengerti bagaimana akan di-kekalkan satu dasar yang mengizinkan sekolah beraneka ragam, yang di-sana di-ajar bahasa kebangsaan dalam sekolah² Tionghua, dalam sekolah Tamil, sekolah Panjabi—sekolah Siam tidak ada barangkali—sekolah yang memakai bahasa penghantar Inggeris dan sa-bagai-nya di-ajar bahasa kebangsaan, kemudian di-harapkan mereka akan sama dengan orang sekolah² kebangsaan, kemudian kita boleh

bentuk Malaysian Nation. Saya tidak mengerti. Kalau kita betul² hendak membena satu bangsa hendaklah dibena melalui satu saloran kalau betul² kita mahu mengeluarkan satu cake yang baik yang berchorak atau berbentuk ikan, kita harus masukkan bahan² yang dalam satu achuan-nya menggambarkan ikan, kita akan dapat mengeluarkan cake yang merupakan ikan, tetapi kalau kita masukkan berbagai² aneka ragam dengan chara sekarang ini, saya tidak nampak akan mendapat hasil, mengeluarkan satu bangsa Malaysia yang bersatu yang mempunyai satu fikiran yang sama yang boleh bekerjasama di-dalam negara kita ini.

Tuan Yang di-Pertua, saya perchaya tidak ada siapa pun yang memandang negeri ini, tanah ayer mereka, akan menentang sa-kira-nya di-negara kita ini hanya memakai satu sekolah, satu jenis sekolah, ia-itu sekolah kebangsaan, sekolah menengah kebangsaan dan universiti kebangsaan. Tidak ada siapa pun yang mengharapkan mereka itu di-terima sa-bagai warga negara negeri ini dengan penoh ikhlas, dengan penoh kaseh sayang, pada tanah ayer yang mereka telah datangi dengan penoh rasa tanggung-jawab untuk berkhidmat dengan negara ini di-mana darah mereka tumpah untuk menentang wujud-nya satu sekolah yang satu jenis berbentuk national, sekolah kebangsaan, sekolah menengah kebangsaan, universiti kebangsaan. Tidak ada sebab, sebab kita mahu menjadikan satu bangsa Malaysia bersama² dalam satu tanah ayer Malaysia, tentu-lah kita harus mempunyai satu bahasa kebangsaan Malaysia dan bahasa kebangsaan Malaysia itu, Tuan Yang di-Pertua, di-pilih daripada bahasa Melayu yang dia sudah tentu akan memenohi proses sa-bagai satu bahasa yang hidup, mungkin beberapa kata² bahasa China akan termasuk dalam bahasa kebangsaan kita, mungkin beberapa perkataan bahasa Tamil akan termasuk dalam bahasa kebangsaan kita, saperti beberapa perkataan Arab telah termasuk dalam bahasa kebangsaan kita, saperti beberapa perkataan Inggeris telah termasuk dalam bahasa kebangsaan kita, maka sa-bagai bahasa yang hidup, tentu-lah sanggup

menerima dan memperkayakan dirinya dalam proses perkembangan national.

Jadi, Tuan Yang di-Pertua, kalau kita dapat orang² yang betul² jujur kapada tanah ayer kita ini, tanah ayer Malaysia chinta betul² dengan penoh ikhlas bagi wujud satu keadaan normal yang harmony di-negeri ini, tidak akan timbul usaha² hendak pujok, hendak merayu; tidak mengapa tidak ada niat Kerajaan hendak menghapuskan kebudayaan dan bahasa² lain—tidak akan timbul itu! Jadi, sekarang Kerajaan bukan dalam peringkat pelaksanaan menuju kapada satu bahasa kebangsaan bagi menchapai matlamat wujud-nya satu bangsa Malaysia, tetapi Kerajaan dalam peringkat sekarang ini memujok² gulongan demi gulongan supaya bersabar—kami tidak akan hanchorkan bahasa dan kebudayaan tuan². Apa-kah satu Kerajaan ini mendapat kehormatan dari pada ra'ayat, atau satu Kerajaan yang goyang, kerana kegoyangan-nya itu-lah, maka dia terpaksa menyembah², mengharap²kan sa-hingga melupakan kepentingan national-nya sendiri.

Jadi, Tuan Yang di-Pertua, bahasa Tamil, bahasa Inggeris, bahasa China yang di-gunakan sekarang di-Malaya di-sekolah² ia-lah bahasa Ko You, bahasa Russia dan bahasa apa juga daripada bangsa² besar patut-lah diajar di-negeri kita ini—patut diajar di-dalam negeri kita ini merupakan sa-bagai satu Pusat Institute of Linguistic yang sa-patut-nya kita boleh mengadakan beberapa bahasa sa-hingga bangsa kita ini kaya, kaya dengan pengetahuan bahasa² supaya kita boleh belajar di-France, kita boleh belajar di-Germany, kita boleh belajar di-Russia, tetapi sharat-nya kita tanamkan dahulu fahaman Malaysia dan kita akan menjadi satu bangsa yang mempunyai pendirian—hantar-lah ka-mana² pun, ambil-lah ilmu dalam mana² pun, tidak akan merosakkan kita semua-nya kembali untuk berkhidmat kapada bangsa kita.

Sekarang kita harus pergi ka-England. Di-chelup oleh England, semua menjadi Made-in-England. Ini merugikan kepentingan national. Jadi, Tuan Yang di-Pertua, maksud saya

kita boleh menjalankan sekolah kebangsaan hanya satu, ia-itu semua anak² masok dalam sekolah kebangsaan. Tiap² sekolah rendah di-negeri ini di-jadikan sekolah kebangsaan, ya'ani sekolah rendah, sekolah Tiong Hua, sekolah Tamil, sekolah apa pun juga, semua-nya harus di-jadikan sekolah kebangsaan rendah. Di-tentang? Meng-apa di-tentang, kalau mahu jujur ka-pada negeri ini? Kita mahu bentok satu bangsa Malaysia, satu bangsa Malaysia yang bersatu, akan kuat, tetapi satu bangsa Malaysia yang ber-cherai² saperti ini akan menerima ajal-nya dan keruntohan-nya pada satu masa akan datang, kerana proses per-kembangan politik yang sedang berlaku di-luar tanah ayer kita, di-sakeliling kita ini. Jadi, Tuan Yang di-Pertua, saya mahu berchakap atas sa-suatu² yang baik dan saya mahu menyampaik-an satu² yang baik, yang benar kepada Dewan ini.

Dalam Perlembagaan betul menjaga bahasa² lain—tidak akan di-hapuskan. Kebudayaan tidak akan di-hapuskan. Ya, tidak siapa yang mesti menghapus-kan siapa. Menghapuskan bahasa lain itu bukan kewajipan kita, tetapi bukan kewajipan kita menggalakkan bahasa lain daripada bahasa national. Meng-hapuskan—jangan! Menggalakkan pun jangan. Biar-lah sa-siapa yang ber-chakap di-rumah-nya dengan ibu bapa-nya yang dia suka, tetapi dari segi national, dari segi kebangsaan, kita hanya punya satu, ia-itu satu bahasa bagi satu bangsa di-dalam satu tanah ayer. Kita harus mempunyai satu. Sekarang ini kita main olok². Biarkan sekolah jenis kebangsaan bahasa China, jenis kebangsaan bahasa Tamil, jenis kebangsaan bahasa Inggeris, buka sekolah kebangsaan—sekolah yang paling tinggi taraf-nya konon; sekolah yang paling tinggi konon-nya, sekolah yang paling tinggi ia-lah sekolah ke-bangsaan, tetapi di-katakan kepada ibu bapa, ibu bapa tidak di-paksa, dia boleh masok ka-mana² yang dia suka. Jadi, ibu bapa ini tertarek ka-sana. Ibu bapa ini tertarek ka-sini. Sekolah ke-bangsaan ini tinggal juga, nama-nya tinggi, tetapi quality-nya rendah, macham Dewan Negara ini juga. Nama-nya terlampau tinggi, tetapi

pandangan orang terlalu rendah—rubber stamp dan sa-bagai-nya. Jadi, kita tidak mahu di-katakan begitu. Sekolah kebangsaan ia-lah sekolah yang paling tinggi taraf-nya. Mengapa tidak semua anak² warga-negara kita masok ka-sekolah kebangsaan? Mang-apa tidak boleh? Oh! democracy, menjaga hati ra'ayat. Mengapa pada masa dahulu sa-belum merdeka ada sekolah kebangsaan, kebebasan untuk sekolah bangsa asing membuka sekolah, menjadi warga-negara; bahasa China dan Tamil ada sekarang ini. Sekolah Inggeris tidak di-pujok², tetapi ramai orang meminta-nya, berchampur China, berchampur keturunan India, ber-champur keturunan Melayu dan sa-bagai-nya di-dalam satu sekolah, ter-bentok-lah satu gulungan manusia, satu mentality yang berfikir hampir² sama di-antara beberapa gulungan ra'ayat dalam negeri ini dari satu sekolah ka-satu sekolah. Mengapa boleh jadi begitu dan tidak boleh berlaku dalam satu sekolah kebangsaan apabila kita mahu membentok satu bangsa, satu bangsa Malaysia, melalu² satu bahasa kebangsaan?

Kerajaan tidak bersunggo² dalam perkara ini. Tidak ada jaminan bagi anak² yang keluar daripada sekolah kebangsaan. Tidak ada attraction. Siapa mahu menghantar anak²-nya? Saya oleh kerana perasaan kebangsaan ter-lalu kuat, saya hantarkan anak saya kepada sekolah kebangsaan, sa-kali pun dengan penoh kesedehan dan lelehan ayer mata memikirkan jaminan hidup anak saya masa hadapan. Apa bodoh-kah saya tidak menghantar anak saya ka-sekolah Inggeris yang mendapat priority dalam kehidupan sekarang ini dan jaminan masa hada-pan—tidak bodoh. Saya sudah me-mikirkan semua, tetapi apa erti-nya berchakap untuk menegakkan kebang-saan, kalau hanya pura² chuba menipu orang lain, tetapi kita meng-agongkan bangsa penjajah dan bahasa penjajah, mengekalkan sa-sudah mer-deka. Itu bukan kena pada tempat-nya. Mari kita chuba menjadikan satu jenis sekolah sahaja, dan sa-lain dari bahasa kebangsaan, Tuan Yang di-Pertua, saya mahu dua bahasa lagi di-wajibkan di-dalam sekolah² kebangsaan—ia-itu bahasa Inggeris dan Arab.

Boleh jadi tuan² tidak mengerti nilai bahasa Arab, tuan² akan memandang kechil. Wah! itu fikiran ahli ugama—tidak! Bahasa itu mempunyai mutu, kalau ia di-mengertikan betul². Sa-waktu saya dalam sekolah Arab di-Pulau Pinang, sa-orang professor daripada Franchis pernah berchakap di-sekolah saya menyatakan, "Tuan² beruntung kerana dapat mempelajari bahasa Arab, kerana dia bahasa undang²."

Bahasa Arab ada-lah bahasa al-Qur'an, ia-itu bahasa undang². Saya kata betul apa yang di-katakan, kerana kita dapati bahawa sa-nya Qur'an itu ada-lah sumber segala hukum² untuk mententeramkan dunia. Jadi, kata professor itu, tuan² beruntung, kerana tuan² dapat mempelajari bahasa Arab, sebab bahasa Arab itu ada-lah sumber undang², puncha-nya undang².

Ada empat bahasa patut di-pelajari kata-nya, yang pertama-nya bahasa Arab, sebab kita hidup dengan undang². Kedua-nya bahasa Jerman kata-nya, kerana bahasa Jerman bahasa sain, waktu itu Jerman yang paling tinggi dalam sain. Yang ketiga bahasa French ia-itu bahasa perjanjian di-antara satu nation dengan satu nation yang tetap, perkataan²-nya tidak saperti bahasa Inggeris yang boleh di-putar belit asal pandai memainkan. Keempat-nya bahasa Inggeris, ia-itu bahasa perniagaan international. Jadi bagus bagi negeri kita. Saya mahu kalau dapat bahasa Inggeris dan bahasa Arab itu di-jadikan mata pelajaran wajib, dan sa-lain daripada itu kita adakan kelas² lain, sekolah² lain, sekolah² bahasa, supaya bangsa kita mengetahui beberapa bahasa lain yang membolehkan anak² kita di-kirim ka-luar negeri menyambong pelajaran-nya, mengirim mereka itu sa-bagai diplomat di-luar negeri yang tidak jahil di-dalam negeri orang.

Jadi, Tuan Yang di-Pertua, usaha kita membentok satu bangsa ia-itu bangsa Malaysia, biar-lah benar² bukan olok². Dasar pelajaran berbagai jenis sekolah yang di-jalankan sekarang ini tidak menolong chita² kita. Anak² yang keluar dari berbagai jenis sekolah ini di-didek oleh guru yang berlainan walau pun mata pelajaran-nya hampir

sama di-susun untuk kepentingan Malaysia, tetapi bagaimana pun watak-nya akan berbeza, dan bagaimana dapat kita menchantumkan kembali sa-telah di-galakkan mengekalkan perkauman sa-lama²-nya, pada hal kita mahu satu nation di-bena sa-berapa segera.

Parti² politik wujud dengan perkauman, UMNO ada-lah parti perkauman, MCA parti perkauman, MIC parti perkauman, bagaimana kita akan terus berkaum² saperti ini pada hal kita telah menchetuskan satu keadaan politik yang menyebabkan kita terpaksa menwujudkan satu bangsa sedangkan kita sendiri ada-lah merupakan gerakan² perkauman. Ini mesti di-hanchorokan mula² dari kita sendiri. Saya berani menchabar—PAS sendiri bukan perkauman, kami ada-lah satu parti politik yang tegak di-atas konsep dan ideoloji, terbuka kepada semua warga-negara yang menerima konsep ia-itu konsep Islam. Siapa juga warga-negara Malaysia boleh menjadi anggota biasa PMIP—PAS, dan tidak saperti UMNO tidak boleh orang lain hendak masok, payah, kalau dia bukan Melayu, tidak saperti MCA kalau orang Melayu hendak masok tidak boleh, kechuali masok jadi associate member dahulu, masa itu MCA buat lottery ada-lah orang Melayu masok fasal hendak beli ticket lottery. Keadaan ini tidak boleh kekal dan kita mahu satu nation, itu-lah mesti di-fikirkan. Kita mesti bertindak sa-belum terlambat kerana satu nation harus melalui pelajaran dan pelajaran/perkembangan politik Tenggara Asia, Tuan Yang di-Pertua.

Jadi, Tuan Yang di-Pertua, apa yang saya chakap pada hari ini, masaalah pelajaran ia-lah satu polisi yang saya fikirkan untuk kepentingan negara, untuk concept, bukan untuk menindas gulongan lain, bukan hendak menekan perkembangan bahasa China, bukan hendak menekan perkembangan bahasa Tamil dan apa juga, tetapi soal-nya soal national—soal kebangsaan kita. Ini mesti di-atasi dari segala²-nya kalau kita letakkan yang ini hampir sama juga, tidak ada jaminan kepada wujud-nya satu keadaan yang membawa kepada perpaduan antara kita sama kita di-dalam masa yang singkat dan

dalam masa yang singkat—itu kemungkinan berbagai² akan berlaku maka kita akan menyesal, menyesal kemudian. Pepatah Melayu mengatakan, sesal dahulu pendapatan sesal kemudian tidak ada guna-nya.

Jadi, Tuan Yang di-Pertua, saya harap apa yang saya chakapkan ini di-fikirkan dan di-dalamkan betul² bagi muslihat kita bersama. Kapada mereka yang mengatakan, Malaysia tanah ayer mereka dan undivided loyalty itu buktikan-lah benar² jangan chuba main ulor² tarek sa-hingga mengakibatkan kemungkinan jaminan untok pemakaian bahasa kebangsaan di-Malaya dalam tahun 1967, belum tentu berhasil akibat daripada tarek-menarek yang sedang berlaku sekarang ini. Kita tahu demam politik sedang ada di-dalam tanah ayer kita ini, biar-lah saya tidak membuka penyakit demam itu, diamkan-lah sahaja. Kita mengharapkan ketenangan dan maju di-dalam keadaan yang baik, sa-terus-nya untok kepentingan negara dan generation kita di-masa hadapan. Sekian.

Mr Deputy President: Ahli² Yang Berhormat, meshuarat di-tempohkan lima belas minit.

Sitting suspended at 4.15 p.m.

Sitting resumed at 4.45 p.m.

(Mr Deputy President in the Chair.)

Debate resumed.

Enche' Abdul Rahman bin Ahmad:

Tuan Yang di-Pertua, di-dalam membahath berkenaan Rang Undang² Perbekalan Tambahan tahun 1965, saya suka mengambil bahagian sadikit ia-itu berkaitan dengan Kementerian Pertanian dan Kerjasama serta Kementerian Perdagangan dan Perusahaan.

Baharu² ini, di-Dewan Ra'ayat banyak juga di-perchakapkan berkenaan dengan kelewatan Kerajaan menetapkan harga padi bagi tahun 1965 yang menyebabkan kerugian kapada petani², pada keseluruhannya, dan ada juga kedengaran suara yang menudoh Kerajaan di-atas kelambatan ini sengaja di-lengah²kan dan sa-lain daripada itu, Tuan Yang di-Pertua,

ada yang menuntut supaya Kerajaan membuat ganti rugi atas kerugian yang di-terima oleh petani².

Soal ketetapan atau pun kelewatan meletak harga padi bagi tahun 1965, telah kita dengar jawapan daripada Kementerian yang berkenaan, bahawa bagi tahun 1966 ini ketetapan akan di-buat sa-berapa awal yang boleh atau pun sa-lewat²-nya pada bulan lapan, kalau ta' silap pada ingatan saya, dan kita berasa shukor-lah di-atas ingatan atau pun perhatian Kementerian yang berkenaan atau pun Kerajaan kita.

Apa yang saya hendak chakapkan di-sini, ia-lah sa-kali pun ketetapan akan di-buat bagi tahun ini pada bulan lapan sa-lewat²-nya, tetapi apa yang biasa di-buat atau pun di-amalkan oleh Kerajaan kita dalam menentukan harga padi ia-lah dengan syarat pada masa penentuan di-buat ia-itu padi akan di-terima dengan harga sa-banyak \$16 di-pintu kilang, atau pun padi itu hendak-lah kering dan chuchi daripada sampah dan abok atau pun daripada kekotoran. Ketetapan yang bagini biasa-nya tidak-lah sesuai dengan apa yang biasa di-amalkan oleh kilang² private terutama-nya. Penentuan harga padi ini hanya boleh di-terima bagi kilang² Kerajaan sahaja. Jadi dalam hal ini suka-lah saya minta perhatian Kementerian yang berkenaan bahawa hari ini, saperti mana tahun² yang lalu, ia-itu ketetapan di-buat oleh Kementerian Perdagangan pada hal hasil yang di-keluarkan ia-lah oleh Kementerian Pertanian dan Shari'at Kerjasama.

Soal harga ini, kalau kilang Kerajaan, memang di-terima mengikut sa-bagaimana penentuan Kerajaan, ia-itu padi yang tidak basah atau pun padi kering, padi tidak pula di-kira panjang, pendek dan champor². Tetapi sa-bahagian besar daripada kilang² yang ada dalam negeri kita ia-lah terdiri daripada kilang² private yang mana beras yang di-kisar itu akan di-hantar kapada Kerajaan. Di-dalam menerima beras pula, Kerajaan menetapkan harga dengan chara bekelas² ia-itu A, B, C—dia ada category A, B, C sampai F. Jadi sa-lagi amalan-nya yang bagini ada pada Kerajaan, maka sa-lama itu-lah penentuan harga atau pun ketetapan harga, tidak boleh di-buat atau

pun tidak boleh di-amalkan oleh kilang² private, ia-itu sa-lagi tidak ada classification. Jadi hari ini biasa-nya buat masa ini, case padi² di-kira kelas 1, 2, dan 3. Kelas 1 di-maksudkan seperti mana yang saya tahu pada hari ini di-Perlis dan Kedah, ia-itu padi panjang putih harga pada masa ini \$17, walau pun Kerajaan menetapkan sa-rendah²-nya \$16 tetapi pada bulan ini atau pun pada minggu ini, sudah naik sa-hingga \$17 sampai \$17.20. Padi champor, padi merah panjang atau pun champor, di-kira \$16.20 sen atau pun \$16.30 sen pada masa ini dan padi pendek di-kira \$16. Bila kita bertanya mengapa ketetapan atau pun harga yang di-tawar-nya bagini. Kata-nya Kerajaan menerima beras padi hari ini mengikut kelas².

Jadi maksud saya di-dalam hal hendak menentukan harga padi bagi tahun 1966, supaya perkara ini dapat sa-benar²-nya sampai harga padi itu kepada petani² yang sa-bahagian besar daripada penduduk² negeri ini, patut-lah Kerajaan menimbangkan sa-mula, ia-itu kalau-lah tidak dapat beras ini di-terima dengan tidak ada kelas, ia-itu saya perchaya dan mustahil tidak boleh di-buat bagitu, ia-itu harga beras tetap juga akan di-terima untuk kelas² A, B, C, dan D, maka harga padi patut-lah di-timbang ia-itu biar-lah ada kelas ia-itu kelas 1 padi panjang kelas 2 padi panjang champor, atau pun kelas 3 padi pendek. Dengan keadaan yang bagini baharu-lah dapat benar² petani² menerima harga seperti mana yang di-jamin oleh Kerajaan. Jikalau tidak hal ini pada biasa-nya di-tentukan tidak di-dalam keadaan baik kalau padi No. 1 keadaan-nya di-jadikan padi No. 2 atau pun padi No. 2 jadi No. 3 jarang sangat, kechuali kalau orang² itu faham betul atas padi² yang di-jual oleh petani² itu.

Jadi itu-lah permintaan saya daripada Kementerian yang berkenaan supaya menimbang sa-mula dalam masa hendak menentukan harga supaya harga padi dapat betul² terjamin seperti mana dapat sampai kepada petani² yang sa-benar-nya. Jikalau tidak hal ini akan di-main²kan oleh kilang² saudagar atau pun pem-

beli² yang menjadi orang tengah pada masa ini. Itu-lah sahaja, Tuan Yang di-Pertua, sekian-lah, terima kaseh.

Nik Hassan bin Haji Nik Yahya:

Tuan Yang di-Pertua, saya suka hendak berchakap sa-patah dua berkenaan dengan Bill ini dan menyentoh berkenaan dengan Kementerian Pelajaran. Saya rasa sudah sampai-lah masa-nya bagi Kementerian Pelajaran menyemak kembali dasar² bagi membantu Sekolah² Ugama Islam bagaimana yang telah ada dalam penyata sa-masa Rahman Talib menjadi Menteri dahulu ia-itu satu penyata bagi membantu Sekolah² Ugama Ra'ayat yang mana di-susun dan di-beri bantuan mengikut chara² yang tertentu daripada perengkat A sampai kepada perengkat bantuan penoh.

Saya, sungguh-lah sukachita mendengarkan usaha Kementerian Pelajaran untok hendak menyusun isi atau pun sukatan pelajaran dan sa-bagai-nya bagi Sekolah² Ugama ini. Tetapi bagi Sekolah² Ugama ini satu perkara yang besar yang mustahak di-timbangkan ia-lah tentang bantuan. Di-seluruh Malaysia ini bantuan yang di-beri chuma bantuan yang tidak boleh chukup di-berikan kepada sekolah² itu. Ada perengkat yang di-berikan \$10 satu kepala murid bagi sa-tahun, ada sekolah yang di-beri \$15 satu kepala murid bagi sa-tahun dan habis tinggi yang di-beri pada hari ini ia-lah barangkali \$25 atau pun \$20 bagi satu kepala murid bagi sa-tahun bagi satu sekolah itu.

Daripada pengalaman saya dalam perkara ini, bantuan² yang di-beri itu tidak boleh menchukupi bagi menjalankan sekolah itu. Dengan kerana tidak menchukupi perbelanjaan itu, maka terpaksa-lah sekolah² ugama ra'ayat ini menjalankan pentadbiran sekolah itu dengan guru² yang tidak berkelayakan, dengan guru² yang tidak mempunyai kebolehan yang tinggi. Jadi dengan kerana itu isi atau pun apa yang hendak di-susun dalam sekolah itu mengikut sukatan yang diranchangkan oleh Kementerian, sudah tentu-lah tidak dapat di-jalankan melainkan guru² yang ada di-dalam sekolah itu di-beri bantuan penoh oleh

Kerajaan. Jadi kalau sa-kira-nya Kerajaan maseh ragu² dalam memberikan bantuan penoh kepada gaji² guru bagi sekolah² ugama ra'ayat ini, maka selagi itu-lah usaha untok membaikinya tidak dapat di-jalankan. Jadi mengikut sa-tahu saya dalam dasar ranchangan bantuan ini, sekolah itu tidak boleh dapat bantuan penoh melainkan bangunan dan tapak bangunan-nya dan juga guru² di-dalam sekolah itu mempunyai sijil kelulusan yang tinggi yang di-akui oleh Kerajaan dengan sa-penoh-nya, baharu-lah sekolah itu dapat meminta daripada Kerajaan bantuan penoh. Jadi bagaimana sekolah itu hendak mengadakan guru dengan mempunyai kelayakan yang tinggi sa-kira-nya kebolehan kewangan-nya terbatas. Jadi ini-lah sebab-nya satu² sekolah ugama ra'ayat itu tidak boleh naik, tidak boleh maju, tidak boleh mengadakan guru yang berkelayakan tinggi, melainkan Kerajaan lebeh dahulu memberikan bantuan yang chukup untok mereka dapat membayar gaji guru yang berkelayakan.

Jadi ini-lah sebab-nya saya kata bagi menjaga sekolah² ini mustahaklah dasar bantuan itu yang di-buat dalam masa Enche' Abdul Rahman Talib menjadi Menteri Pelajaran itu di-semak kembali, di-susun balek dan, kalau boleh, di-ambil satu dasar supaya kesemua sekolah² ugama ra'ayat yang di-fikirkan layak, terutama-nya di-pusat² bandar, hendaklah di-beri bantuan penoh oleh Kerajaan supaya sekolah² itu dapat membawa diri-nya, menyusun diri-nya, dengan sempurna. Saya rasa perlu saya berchakap perkara ini kerana dalam keadaan hari ini, kalau sekolah² ugama ra'ayat ini Kerajaan tidak membelanjakan sedikit untok susunannya, saya rasa susah-lah sedikit kita hendak mengawal sekolah itu; sebab sekolah² ini sekolah ra'ayat yang tidak di-bantu penoh oleh Kerajaan. Jadi syarat² dan perkara² yang akan dikenakan kepada sekolah itu tentu-lah tidak dapat Kerajaan hendak mengawal dengan sa-penoh-nya. Bagaimana Kerajaan telah membelanjakan wang bagi sekolah ra'ayat saperti sekolah kebangsaan, sekolah Melayu atau pun sekolah China, yang di-bantu penoh

dengan mengikut syarat Kerajaan itu. Jadi saya fikir kena-lah di-kaji balek sekolah ugama ra'ayat ini. Jadi dengan chara itu saya rasa ada baik-nya pada Kerajaan, supaya Kerajaan boleh mengawal sekolah² itu. Lagi pula dasar itu pun sudah lama, sudah banyak tahun tidak di-kaji dan tidak di-fikirkan, sudah sampai masa-nya hari ini patut di-kaji balek berkenaan dengan persekolahan itu.

Perkara yang kedua, bersabit dengan pelajaran ini, saya suka hendak memberi pandangan sedikit berkenaan dengan sekolah² bebas. Bagaimana Menteri Pelajaran ada berkata tadi, menjadi satu perkara yang rumit bagi Kementerian Pelajaran hendak mengadakan sekolah² yang chukup bagi kesemua murid yang patut ada dalam bangku sekolah. Jadi dengan kerumitan itu, dengan kesusahan Kementerian hendak mengadakan chukup sekolah, chukup tempat bagi pelajaran ini, maka timbul-lah satu dasar yang Kerajaan buat ia-itu kita pechahkan dasar pelajaran baharu kita ini ia-itu sekolah yang di-bantu penoh oleh Kerajaan dan sekolah bebas. Bagaimana tuan² tahu sekolah bebas ini ada di-merata negeri kita ini dan sekolah bebas ini ada dua golongan. Ada sekolah bebas pada segi perniagaan, ada sekolah bebas yang di-bena oleh ibu bapa sendiri. Jadi sekolah² bebas yang di-bena, di-buat, di-susunkan oleh ibu bapa sendiri yang berkehendak pada anak-nya yang tidak mampu, tidak dapat melanjutkan pelajaran di-sekolah² Kerajaan itu, maka sekolah bebas ini di-bena sendiri oleh ibu bapa. Jadi sekolah² ini di-katakan sekolah bebas pada masa ini tidak ada sedikit pun sumbangan atau bantuan, mahu pun pada bantuan tahunan atau pun derma atau bantuan daripada badan² Kerajaan. Jadi pada masa dahulu Lembaga Loteri Kebajikan Masyarakat pernah memberi bantuan kepada sekolah² ra'ayat ini untok membina sekolah, menolong sekolah² bebas ini untok memajukan perjalanannya. Tetapi apabila wang Lembaga Loteri Kebajikan Masyarakat ini telah dipindahkan, di-masok dalam Treasury (Kerajaan), maka Kerajaan tidak dapat

lagi mengeluarkan wang itu untuk bantuan kepada sekolah² bebas yang mana di-bena oleh ra'ayat sendiri.

Jadi saya rasa ini ada-lah satu kerugian yang besar kerana Kerajaan tidak ada peruntukan untuk membantu sekolah² bebas mahu pun sekolah bebas yang di-bena oleh ibu bapa sendiri. Jadi tidak ada peruntukan dalam Kementerian Pelajaran untuk memberi grant atau pun bantuan yang bagaimana biasa di-berikan oleh Lembaga Loteri Kebajikan Masyarakat. Jadi saya rasa perlu di-timbangkan kembali supaya Lembaga Loteri Kebajikan Masyarakat itu di-beri juga satu peruntukan khas kepada lembaga itu supaya lembaga itu mempunyai hak dalam committee menimbangkan bantuan² yang perlu di-fikirkan mustahak yang patut dapat menerima bantuan daripada Lembaga Loteri Kebajikan Masyarakat itu.

Pada masa ini Lembaga Loteri chuma menjalankan loteri, badan ini sudah menjadi beku tidak bergerak lagi dalam perkara membantu hal pelajaran, hal kemasyarakatan dan sebagainya, jadi ini satu perkara yang sangat merugikan ra'ayat kita. Jadi kalau semua masuk Treasury dan Treasury menjalankan mengikut chara² peratoran Kerajaan, maka sekolah² yang patut mendapat bantuan daripada Lembaga Loteri Kebajikan Masyarakat tidak boleh dapat bantuan lagi, kerana mengikut apa yang saya tahu berkenaan dengan persekolahan ini, Treasury tidak mahu keluaran lagi melainkan kepada sekolah Kerajaan atau pun wang itu di-keluarkan mengikut dasar Kerajaan. Jadi sekolah² bebas yang di-bena oleh ra'ayat sendiri—yang di-buat oleh ra'ayat sendiri itu—tidak dapat satu macham galakan daripada pehak Kerajaan atau daripada badan Kerajaan. Bagaimana kita tahu hari ini banyak murid²—anak² yang maseh berada di-dalam sekolah² bebas yang di-bena khas oleh ra'ayat sendiri—oleh ibu bapa sendiri dengan tenaga dan harap kepada bantuan kewangan daripada puncia ahli² perniagaan dan sebagainya. Jadi kalau tidak ada galakan daripada Kerajaan berma'ana kita discouragement pembenaan sekolah² bebas

bagi memberi pelajaran kepada anak negeri kita yang tidak dapat melanjutkan pelajaran di-dalam sekolah² Kerajaan. Banyak murid² kita yang maseh kuat perasaan hendak melanjutkan pelajaran.

Saya sendiri tahu, saya ada sa-buah sekolah di-Kelantan yang mana murid² yang tidak lulus dalam sekolah Kerajaan apabila masuk di-sekolah bebas yang saya bena sendiri, kita boleh dapat kelulusan lebeh baik daripada sekolah Kerajaan. Mengikut pengalaman saya pada tahun ini yang L.C.E. boleh lulus lebeh daripada 50 peratus, yang Cambridge boleh lulus 60 peratus lebeh, ini murid yang tidak lulus dalam sekolah Kerajaan. Bila masuk sekolah bebas—sekolah di-bena oleh ra'ayat sendiri dengan kawalan ibu bapa sendiri kita polishkan anak² itu dengan lebeh baik lagi otak-nya itu kita boleh beri satu pengajaran yang lebeh sempurna lagi walau pun guru² itu tidak berkebolehan sa-bagaimana guru² sekolah Kerajaan, tetapi dengan kerana kawalan, jagaan di-sekolah kita itu dengan betul², kita boleh dapat betulkan murid itu sehingga dia boleh masuk pepereksaan dengan kelulusan yang baik yang mana dia di-dalam sekolah Kerajaan sa-tahun dua tahun pereksa dua tiga kali tidak pass tetapi bila masuk sekolah bebas—sekolah ra'ayat sendiri buat dengan kawalan yang rapi, boleh lulus dengan baik.

Jadi ini satu perkara yang patut menjadi satu chontoh kepada kita jangan kita memikirkan sekolah bebas itu sekolah yang di-bena oleh ra'ayat itu tidak berguna. Kita mesti ingat mesti ada guna-nya sebab mana budak² umur lebeh tetapi chenderongan dia mengambil pelajaran itu ada lagi, dia masuk ka-sekolah bebas—dengan masuk sekolah bebas ini dia boleh lulus dengan usaha, dengan jagaan, dengan kawalan, dia boleh lulus, jadi satu ke-untungan yang besar bagi Kerajaan sendiri, sebab sekolah² bebas ini menolong Kerajaan—menolong Kerajaan membena sekolah memberi tempat yang lebeh baik. Saya bimbang kalau sa-kira-nya galakan sa-umpama ini tidak di-beri tenaga dan usaha ra'ayat sendiri dalam perkembangan pelajaran

ini boleh dapat sa-makin sa-hari sa-makin pudar, sa-makin sa-hari sa-makin mati nanti ra'ayat terasa dia tidak ada lagi tanggung-jawab dalam memberi pelajaran kepada anak, chuma berpelok tuboh sahaja harapkan Kementerian Pelajaran menjalankan persekolahan anak mereka, nanti dia fikir hal persekolahan anak aku ini kalau ta' pass di-sekolah Kerajaan chukuplah. Itu ma'ana budak itu tidak belajar, otak-nya tidak betul, mithal-nya, jadi tinggal-lah bagitu sahaja. Jadi itu satu kerugian yang besar. Tetapi sa-kira-nya ibu bapa, ra'ayat sendiri, sanggup membena sekolah dengan galakan daripada Kerajaan, saya rasa ini satu keuntungan yang besar bagi bangsa kita. Jadi itu sahaja yang saya fikir ada baik-nya kita hidupkan balek tenaga pergerakan Lembaga Loteri Kebajikan Masharakat ini bagi kepentingan pelajaran anak² kita, bagi kepentingan yang sa-umpama ini supaya wang Lembaga Loteri Kebajikan Masharakat yang di-masokkan dalam Treasury yang mana patut di-simpan oleh Lembaga Loteri Kebajikan Masharakat itu sendiri untuk memberi galakan kepada badan² yang di-fikirkan oleh Kerajaan patut di-galakkan sebab ini-lah puncha hasil yang boleh kita salorkan kepada badan² ra'ayat yang di-jalankan sendiri oleh ra'ayat.

Hari ini kita kena-lah faham orang² berniaga pun masing² kena chukai mahal. Ini sudah mendatangkan perasaan lemah hendak mendermakan duit, ada perasaan Income Tax, lagi, Turn-over Tax lagi dan berbagai² tax kita kena. Dia kata kami sudah bagi tax banyak kepada Kerajaan, awak minta kepada Kerajaan, jadi semua ra'ayat minta kepada Kerajaan. Jadi, ini-lah satu perkara yang kita tidak mahu galakkan bagitu. Kalau boleh, biar-lah badan² saperti Lembaga Loteri Kebajikan Masharakat ini memberi galakan kepada badan² ra'ayat kemudian badan² ra'ayat itu boleh memulakan, boleh bergerak kemudian mereka itu boleh-lah menemui saudagar², ahli² dermawan untuk menghidupkan badan pergerakan mereka itu. Jadi ini satu perkara yang mustahak yang saya pandang, telah lama saya perhatikan yang

patut kita dapat timbangan daripada Kementerian yang berkenaan.

Saya tidak hendak sentoh-lah Kementerian lain agak Kementerian Pelajaran-lah yang paling banyak dalam negeri kita ini bagi sa'at ini, jadi dua perkara yang saya minta—saya merayukan kepada Yang Berhormat Enche' Mohamed Khir yang ada di-hadapan saya ini minta tolong-lah timbangan dasar bantuan kepada sekolah ugama ra'ayat dan juga shorkan-lah kepada pejabat² Kementerian lain supaya Lembaga Loteri Kebajikan Masharakat itu dapat di-galakkan kembali dengan peruntukan khas yang di-reservekan—yang di-asingkan dan di-beri kuasa untuk mereka itu menjalankan sa-lain daripada di-masokkan dalam Treasury. Sekian sahaja, terima kaseh.

Enche' Mohamed Khir Johari: Tuan Yang di-Pertua, saya ucapkan terima kaseh kepada Ahli Yang Berhormat yang berchakap baharu tadi. Pertama dia minta menyemak dasar bantuan kepada sekolah² ugama ra'ayat. Bagi fikiran saya sendiri sa-lagi sekolah² ugama ra'ayat ini tidak masuk di-bawah jajaan Kementerian Pelajaran terus, maka sa-lama itu-lah tidak dapat kita menjadikan sekolah itu dengan sa-benar²-nya berguna kepada kanak² atau pun budak² yang belajar di-sekolah itu. Soal memberi bantuan sahaja tidak menchukopi. Apa yang penting, pada fikiran saya, ia-lah soal kawalan bagi sekolah itu di-bawah Kementerian Pelajaran. Jadi saya sendiri telah mengeshorkan kepada pehak² yang berkenaan supaya apa yang saya telah chakapkan dahulu bagi sekolah² ini di-masokkan di-bawah Kementerian Pelajaran. Saya harap shor saya itu akan di-terima oleh semua pehak yang berkenaan supaya dapat-lah pada masa itu kita ubahkan nasib sekolah itu daripada keadaan sekarang kepada keadaan yang lebeh membena untuk anak² sa-banyak 50,000 orang yang belajar di-sekolah² tersebut.

Berkenaan dengan perkara yang kedua ia-itu Bantuan Kepada Sekolah² Bebas, saya suka menerangkan, sa-kira-nya sekolah² bebas itu telah di-dirikan oleh ibu bapa dengan tujuan sa-mata²

untuk memberi pelajaran lanjutan kepada anak² dan dengan tidak berdasarkan kepada commercial, maka sekolah² itu boleh mendapat bantuan daripada Kementerian Pembangunan Negara dan Luar Bandar. Boleh mendapat bantuan sa-kira-nya Ahli Yang Berhormat itu tahu sekolah² yang patut menerima bantuan dan boleh-lah dia membuat permohonan melalui Kementerian Pelajaran kepada Kementerian Pembangunan Negara dan Luar Bandar dan saya mengaku tiap² permintaan itu, kalau benar-lah, saya akan menyokong supaya dapat kelulusan daripada Kementerian itu. Tidak payah kita beri wang loteri pun, wang Kerajaan kita pun boleh di-berikan, sa-bagaimana yang kita berikan sekarang ini Bantuan Kepada Sekolah² Ugama Ra'ayat—datang-nya daripada wang itu juga. Kalau kita beri bantuan sekolah bebas ugama ra'ayat, boleh juga kita beri bantuan daripada wang itu kepada sekolah² tersebut.

Tadi saya dengar, waktu saya tidak ada di-sini, sa-orang Ahli Yang Berhormat yang telah berchakap berkenaan dengan pelajaran ia-itu kita patut menggalakkan anak² kita masuk ka-sekolah² kebangsaan. Itu memang-lah berjalan sekarang ini tinggal lagi bilangan-nya tidak-lah saperti mana yang kita kehendaki. Tetapi keadaan ini tentu-lah akan berubah daripada satu masa ka-satu masa.

Berkenaan dengan apa yang di-katakan tadi ia-itu pehak Kerajaan di-galakkan anak² kita masuk ka-sekolah² Inggeris. Sa-benar-nya ini kita tidak menggalakkan. Tiap² tahun kita meminta ibu bapa-nya sendiri menentukan sekolah mana-kah yang mereka itu hendak hantar anak-nya. Saya suka kalau Ahli Yang Berhormat itu menasihati Yang Berhormat Ahli Dewan Ra'ayat daripada Parti PAS yang menjadi ahli bagi kawasan Besut, supaya anak-nya yang sudah ada di-sekolah kebangsaan tidak di-tarek balek. Dia menulis surat kepada saya meminta kebenaran hendak beri anak-nya keluar dari sekolah kebangsaan hendak masuk sekolah Inggeris (*Ketawa*). Jadi saya menasihatkan Ahli Yang Berhormat dari Besut itu, tolong-lah supaya jangan berbuat begitu supaya orang lain

jangan pandai berchakap tetapi kita sendiri tidak menjalankan atau tidak peraktikkan apa yang kita chakapkan itu.

Kemudian bahasa Arab untuk di-jadikan bahasa yang mesti di-pelajari di-sekolah² kebangsaan. Saya ingat kalau kita jadikan bahasa Arab, lagi terok-lah budak² kita. Sekarang ini bahasa Inggeris dalam sekolah kebangsaan sudah pun di-mestikan. Kalau budak yang belajar di-sekolah² bahasa pengantar bahasa China, sudah-lah dikenakan bahasa China, dia mesti mem-pelajari juga (compulsory) bahasa Inggeris, kemudian dia belajar bahasa kebangsaan yang mesti di-pelajari juga. Kalau kita buboh banyak² nanti, otak dia pechah kerana terlampau banyak exercise otak-nya. Jadi, saya harap bahasa Arab ini pun memang kita tahu berguna tetapi tidak-lah begitu berguna daripada segi commercial, daripada segi perniagaan, daripada segi dunia antara bangsa. Kita semua bersetuju bahawa bahasa Inggeris lebih lagi berguna, fasal itu-lah kita jadikan bahasa Inggeris itu bahasa yang kedua dalam sekolah² kita daripada awal sa-hingga akhir-nya.

Now, Sir, there is one more point raised by the Hon'ble Dr Dato' Cheah Toon Lok's, I refer to his request that the children of Malaysian Customs Officers, who are serving in Singapore, should be exempted from or should be subsidised in connection with the high school fees that are being charged by the Singapore Government. I would like to inform the Hon'ble Member that the children of Customs Officers serving in Singapore are now exempted from the payment of the extra school fees by the Singapore Government.

Dr Cheah Toon Lok: Mr President, Sir, as a matter of clarification, I said that we have already subsidised the children of officers in Singapore but the educational system in Singapore is different from that of Malaysia. Could not the money with which they are being subsidised be transferred to pay for fees or hostel charges in Malaysia, and Johore as well, so that they could receive education in Malaysia instead of Singapore?

Enche' Mohamed Khir Johari: If there are such requests from parents who want to transfer their children to Malaysia the Ministry has always helped them in every case to be accommodated in schools in Malaysia. The question of subsidy for these children is a separate matter because that has got to be considered on the merits of each case. I hope the Hon'ble Member is satisfied.

Dato' Haji Mohamed Noah bin Omar: Dato' Yang di-Pertua, saya hendak berchakap pendek sahaja dalam perbahathan ini. Saya suka hendak merojokkan pada Menteri yang berkenaan di-dalam Command Paper No. 8/1966—Kementerian Luar Negeri, Head S. 21 Pechahan-kepala 25. Di-sini ada peruntokan khas sa-banyak \$1,440,597 bagi tahun 1965 dan ditambah lagi dalam tahun 1965 juga sa-banyak \$229,907 dan sekarang diminta persetujuan supaya di-beri lagi peruntokan tambahan sa-banyak \$313,715. Mengikut kenyataan yang diberikan di-dalam Command Paper ini, wang tambahan sa-banyak \$313,715 ini di-kehendaki kerana hendak membayar pendahuluan sa-lama empat tahun sewa rumah di-Lagos, Nigeria. Saya tidak tahu macham mana sampai begitu banyak pendahuluan (advance) sa-hingga empat tahun bagi sa-buah rumah. Biasa-nya kalau kita hendak menyewa sa-buah rumah pun, kalau ada tuan rumah hendak sewa terlebih dahulu, satinggi²-nya kita boleh beri dalam sa-tahun—ini sampai empat tahun pendahuluan di-beri kapada tuan punya rumah itu. Ini saya rasa di-buat terlalu luar daripada kebiasaan. Ini bukan bayaran sewa nampak-nya, ini pendahuluan (advance) sa-lama empat tahun bagi sa-buah rumah. Ini yang menjadi satu kemushkilan pada saya. Saya harap mendapat kenyataan daripada Yang Berhormat Menteri yang berkenaan.

Ada satu perkara yang kecil sedikit, tidak begitu mustahak, tetapi saya suka juga mendapat penjelasan. Pada muka 12—Peruntokan kerana Perdana Menteri ia-itu wang sa-banyak yang hendak di-minta supaya di-persetujukan sa-banyak \$49,000. Ini kerana belanja dua

orang Menteri yang datang dalam tahun 1965 melawat ka-Kuala Lumpur ini ia-itu ibu negeri Malaysia. Yang saya tidak faham, pada satu Menteri di-belanjakan sa-banyak \$30,000 dan pada satu Menteri yang lain pula di-belanja hanya-lah \$19,000. Kedua² itu Menteri dari satu negeri yang besar yang boleh di-katakan sama taraf-nya. Bagaimana pada satu Menteri itu di-belanjakan sa-banyak \$30,000 walhal yang satu lagi hanya-lah \$19,000. Ini satu perkara yang kecil tetapi saya minta di-terangkan. Saya harap dapat penjelasan daripada Menteri yang berkenaan.

Mr Deputy President: Ahli² Yang Berhormat ada-kah Ahli² lain hendak berchakap berkenaan dengan Supplementary Bill ini terlebih dahulu dari saya meminta Menteri² itu menjawab-nya.

Enche' Saidon bin Kechut: Tuan Yang di-Pertua, saya rasa saya juga hendak mengambil sedikit peluang dalam sidang petang ini kerana ganjil sa-kali-lah kalau saya selalu berchakap tidak pula berchakap hari ini. Jadi, dalam perkara Rang Undang² Perbekalan Tambahan ini saya sa-benarnya menyokong Rang Undang² ini dan saya ingin hendak menyentoh beberapa Kementerian sa-chara yang sa-rengkas²-nya.

Satu daripada-nya Kementerian yang berkenaan dengan Pegawai Dagang yang berada di-Sarawak ia-itu saya sangat tertarek hati dalam surat-khabar satu dua hari ini yang mana Yang Berhormat Dato' Temenggong Jugah, Menteri Hal Ehwal Sarawak, telah pun melaporkan kapada Yang Amat Berhormat Timbalan Perdana Menteri menyatakan yang Pegawai² Dagang British yang ada di-Sarawak itu berlagak sa-bagai *Tuan Besar* sa-olah² Sarawak itu maseh di-bawah kongkongan-nya di-zaman penjajah. Bagaimana yang saya sendiri mengetahui sedikit sa-banyak tentang masalah Sarawak, saya nampak Pegawai² British yang ada di-Sarawak ini barangkali kalau tidak semua sa-bahagian yang besar juga jumlah-nya, bukan sahaja mereka ini berlagak sa-bagai *Tuan*

Besar, tetapi juga mungkin menjalankan asutan² yang boleh memalingkan ta'at setia ra'ayat Sarawak kepada Kerajaan Malaysia ia-itu Kerajaan Pusat. Bagaimana saya chuba² hendak ketengahkan perkara ini pada masa² persidangan Dewan yang telah lalu, maka ia-itu apa yang saya gambarkan saya sendiri menengok banyak pejabat² dan banyak juga tempat meshuarat terpenting bagi pehak pentadbiran Kerajaan di-Sarawak dan rumah² persaorang ia-itu gambar² Yang di-Pertuan Agong dan Permaisuri Agong kita maseh belum lagi di-hiasi di-tempat² yang mustahak, tetapi gambar² lain yang mempunyai unsor² penjajah. Dan saya rasa saya patut berterima kaseh kepada Yang Amat Berhormat Timbalan Perdana Menteri kerana memberi satu perjanjian kepada Dato' Temenggong Jugah bahawa Yang Amat Berhormat Timbalan Perdana Menteri akan pergi menyiasat sendiri dan akan mengambil suatu tindakan yang tegas kalau perkara² yang demikian benar berlaku.

Saya suka menambah dalam tindakan yang akan di-ambil nanti perkara ini kalau benar berlaku ia-itu bukan sahaja terhadap pegawai² yang berlagak sa-bagai penjajah di-Sarawak itu, tetapi kepada pemimpin² ra'ayat Sarawak sendiri yang lekas sanggup menjadi talibarut dan sanggup menjadi pengkhianat demi kepentingan anasir² luar yang mahu menarek orang ramai atau pengikut²-nya di-Sarawak itu mendewa² anasir² yang membahayakan kepentingan Kerajaan Pusat kita.

Sa-lain daripada itu, satu perkara yang saya tertarek hati ia-itu perkara ini—perkara yang saya baca dalam siaran akhbar dan perkara ini juga perkara yang benar ia-itu berhubung dengan pemergian Yang Teramat Mulia Tunku ka-Singapura dan chuba membawa balek dengan sa-chara pujok rayu yang berkhidmat sa-kali kerana hendak mengadakan ketenteraman dan keamanan di-antara kedua buah negeri ia-itu Malaysia dengan Singapura ia-itu bawa sahaja-lah Enche' Lee Kuan Yew ini main golf, segala²-nya akan selesai kata-nya. Saya rasa perkara pemisahan Singapura dengan Malaysia

akibat daripada tekanan² yang di-lakukan sa-chara menyinggong perasaan dan menyayat hati ada-lah boleh di-katakan sa-bagai penyakit yang maseh lagi di-tanggung oleh ra'ayat Malaysia ini, terutama-nya orang² Melayu sendiri ia-itu dapat di-katakan sa-bagai penyakit duri di-dalam daging. Kalau kita katakan pemisahan Singapura dengan Malaysia ini kerana beberapa kepentingan untuk kebaikan di-antara kedua buah negeri, barangkali perkara ini benar dan saya rasa kalau kata pepatah orang² tua, luka sudah hilang parut tinggal juga. Tetapi sa-telah pemisahan ini kita maseh nampak tekanan² dan perbuatan² yang menyinggong perasaan kita lebeh hebat lagi daripada Singapura berchantum dengan kita maseh di-jalankan sa-hingga pada hari ini. Saya rasa kalau-lah usaha dan ikhtiar Tunku berhulor tidak bersambut, tepok sa-belah tangan, maka saya rasa perkara ini sa-benar²-nya lebeh menepati kalau di-katakan Tunku sahaja-lah yang merendahkan diri dan chuba hendak melutut kepada satu orang yang tidak mahu bertolak ansor, sa-orang yang tidak mahu bertimbang rasa dan tidak mementingkan kepentingan antara kedua buah negeri yang berdekatan dan berjiran dengan kita. Dan saya tidak tahu-lah kalau apa yang ada di-sabalek hikmat dengan chara bermain golf nanti semua-nya akan selesai. Itu saya pulangkan kepada kebijaksanaan Yang Teramat Mulia Tunku.

Tuan Yang di-Pertua, satu perkara lagi ia-itu saya terbacha dalam surat-khabar—ini perkara surat-khabar ini bagus juga—saya sa-betul-nya tidak ada kesiapan, tetapi bacha surat-khabar datang ilham. Saya terbacha kapal haji yang hendak pergi belayar ka-Mekah baharu² ini mati di-tengah lautan—bukan orang-nya mati, tetapi kapal-nya mati. Jadi entah berapa jam, kemudian di-terbangkan jurutera-nya membaiki kapal. Apa yang saya tahu tahun dahulu itu-lah dalam Dewan Ra'ayat saya sendiri mendengar memang di-bawa pegawai kebajikan haji yang menjadi wakil dalam Dewan Ra'ayat hampir² kipas kapal haji itu hendak terchabut, tahun dahulu, kapal

itu juga—kapal *Kuala Lumpur* ini, tetapi tahun ini lagi sa-kali, dan saya rasa kalau masa hendak balek ini besok saya takut belah dua kapal ini. Jadi, ini satu perkara yang harus di-ambil perhatian yang berat bahawa dalam soal yang bagini mustahak bagi kesejahteraan ra'ayat Malaysia yang akan menunaikan haji ia-itu salah satu daripada tugas Kerajaan bagi kepentingan ugama, satu ugama yang dipandang berdaulat di-negera Malaysia ini dengan bayaran yang di-beri oleh orang² yang pergi hendak mengambil haji. Kalau keadaan kenderaan ini maseh dalam keadaan yang tidak memuaskan hati, saya rasa kalau sudah kapal-nya tidak memuaskan hati tentu-lah layanan² yang lain dalam kapal ini juga tidak memuaskan hati, kerana pehak² yang bertanggung-jawab dalam soal ini tidak mengambil berat dan tidak mengambil hirau, kerana dari sa-tahun ka-tahun keadaan ini maseh timbul lagi. Satu perkara lagi tentang paspot orang² yang hendak mengambil haji ini, kalau tidak silap saya, dikenakan sa-tahun \$20 tetapi saya tidak tahu masaalah paspot ini dikenakan \$20 sampai begitu mahal, sedang paspot antara-bangsa yang kita pakai ka-luar negeri di-kenakan selama 5 tahun, kalau tidak silap saya \$15 sahaja. Kenapa-kah perbezaan ini boleh berlaku hanya di-antara sa-tahun dengan 5 tahun bayaran-nya mempunyai lebih dan kurang.

Tuan Yang di-Pertua, saya ingin menyentuh satu perkara lagi ia-itu perkara yang di-terangkan dalam Dewan Ra'ayat baharu² ini. Ingin saya bangkitkan lagi di-sini berhubung dengan rumah pangsa yang baharu² ini di-undi dan Menteri Kerajaan Tempatan dan Perumahan menerangkan perkara itu. Permintaan daripada orang² yang bukan Melayu 6,000 kemudian permintaan daripada orang² Melayu 117. Jadi, bila di-undi hanya dari bilangan 117 ini 20 sahaja lebih kurang yang di-dapati oleh orang Melayu. Saya merasa masaalah perumahan ini satu masaalah besar di-kawasan Ibu Kota negara Malaysia ini, dan kalau saya katakan perbandingan

di-antara 6,000 dengan 117 saya rasa patut-lah kalau 117 itu tidak payah pun di-undi, kalau di-undi pun untuk memberi tempat-nya ia-itu untuk di-undi kerana mendapat, bukan di-undi kerana tidak mendapat, bila di-undi 117 ini tinggal-lah 20 dan bilangan yang sa-kecil ini tentu-lah mendatangkan perasaan yang tidak puas hati. Dan perkara yang demikian saya rasa kerana rumah pangsa banyak lagi di-dirikan di-kawasan Ibu Kota ini. Saya harap perkara ini di-ambil perhatian.

Ada satu dua perkara lagi, Tuan Yang di-Pertua, yang saya hendak chakapkan di-sini ia-itu berhubung dengan kedudukan guru ugama dalam Pasokan Tentera—ini saya rasa dalam Kementerian Pertahanan—yang saya juga baca dalam surat-khabar hari ini kerana saya sa-betul-nya, bagaimana saya katakan tadi, saya tengok surat-khabar, benar kata-nya benar-lah, tidak benar itu tidak-lah. Jadi, masaalah guru² ugama ini yang di-turunkan pangkat-nya daripada Division II menjadi III, gaji-nya lebih di-turunkan dan keadaan tugas² yang di-terangkan sa-bagaimana yang kita tahu mereka ini sama² ka-medan perjuangan, sentiasa mengikut parajurit kita ka-mana sahaja, mereka ini yang meniupkan semangat, mereka ini-lah yang menyempurnakan mayat dan sentiasa berada bersama² dengan parajurit kita di-mana sahaja mereka berada.

Jadi, masaalah-nya, kalau saya hendak kata bagi guru² ugama mithal-nya sa-bagai sa-orang pekerja makan gaji yang di-beri gaji oleh majikan, atau pun Kerajaan. Saya rasa, policy Kerajaan kita tidak ada dengan chara yang di-atas itu di-turunkan ka-bawah, tetapi biasa-nya yang di-bawah itu dinaikkan ka-atas, kechuali kalau dia melakukan satu perkara yang mengandongi kesalahan² yang tidak boleh di-ma'afkan, dan saya rasa perkara guru² ugama ini mendapat gaji dan layanan yang tidak baik dan tidak memuaskan, sudah beberapa kali kita keluarkan ia-lah berbalek² keadaan-nya yang kita dapat jawapan, ia-itu kalau Kerajaan Negeri, dia kata Kerajaan Pusat, Kerajaan Pusat kata Kerajaan

Negeri. Jadi, wal hasil-nya pergi ka-sana, pergi ka-mari, sa-rupa juga. Keadaan ini masih belum memuaskan.

Satu perkara yang saya hendak berchakap, ia-itu yang penghabisan-nya, Tuan Yang di-Pertua, ia-itu saya suka hendak menarek perhatian dan saya rasa Menteri yang berkenaan tidak ada—tetapi biar-lah saya terangkan juga, kerana ini tugas saya. Perkara ini telah pun di-ambil keputusan dalam salah satu perjumpaan ramai bagi orang² yang bijak pandai dari kalangan² orang² yang mengetahui tentang kedudukan perkara ini, ia-itu sa-buah buku yang mengesahkan cherita² pelanchongan yang menarek perhatian dan minat pelanchong² ka-negara kita ini Malaysia. Buku ini, kalau tidak silap saya di-namakan: "*TO MALAYSIA WITH FEELING*", ia-itu di-karang oleh Miss Maxine Atwater sa-orang wanita Amerika yang mencheritakan sa-telah ia sampai ka-Malaysia, dan dia ini sa-bagai sa-orang pegawai dari Pacific Area Travel Association, ia-itu membuat satu gambaran yang mengatakan pelanchongan di-Malaysia dan buku ini telah di-siarkan di-United Kingdom dan Europe di-mana² tempat di-negara² besar. Apa yang menarek perhatian di-dalam buku ini, saya ada bawa buku ini—ini dia buku-nya, Tuan Yang di-Pertua: "*TO MALAYSIA WITH FEELING*" ia-itu menyatakan pada muka 6 dalam buku ini.

Pada satu masa beliau ini sampai ka-Perak, dan Duli Yang Maha Mulia Sultan Perak menjemput dia dalam satu jamuan teh, kemudian dia menyatakan, dia di-suruh, dia melihat Sultan Perak ini dudok di-atas kerusi yang berkushen yang berma'ana, pada pendapat saya, sa-olah²-nya membayangkan orang² Melayu ini ta' pernah dudok di-atas kerusi yang berkushen daripada Raja-nya sampai-lah kepada orang²—ra'ayat hamba-nya, ia-itu daripada ra'ayat jelata. Dan kemudian dia menyatakan, Raja kita ini memakai pula sa-buah topi dan berjubah. Saya rasa perkara pakai jubah oleh Duli Yang Maha Mulia Raja² dalam satu² Majlis macham ini, ta' pernah kita

jumpa, entah-lah kalau mata saya kelabu, ta' tahu-lah.

Jadi, sa-lain daripada itu dia menyatakan juga dalam muka 6 ini, ia-itu Duli Yang Maha Mulia Sultan Perak ini di-kelilingi oleh beberapa orang isteri² yang erti-nya entah berapa puluh, kalau tidak ratus, barangkali puluh isteri-nya. Ini asal ada perempuan yang ada di-kelilingi di-Majlis itu, isteri Sultan Perak ini. Ini ada buku-nya sa-bagai satu saksi, kalau ta' perchaya boleh tengok. Jadi, ini membayangkan bahawa menjunjukkan raja kita ini sa-orang yang berjubah; sa-orang yang tidak pernah dudok di-sabua² kerusi yang berkushen dan isteri-nya ada berpuluh² mengeliling-nya.

Dan satu perkara lagi, pada muka 15 dia mencheritakan kesah di-Sunday Market, Kampong Baharu, ia-itu dia menyatakan, memandang wanita² Melayu yang ada di-situ memakai pakaian ketat, kain² yang mahal yang berwarna warni dan mempunyai pandangan yang menarek, tetapi sayang-nya semua-nya berkaki ayam, kata dia. Ini dalam buku ini, dia kata. Saya tidak fikir, kalau wanita² Melayu pakai ketat, kain belah—itu zaman sekarang ini memang menarek, tetapi sa-kurang²-nya sliper pun dia mesti pakai. Tetapi dia menyatakan dalam buku ini berkaki ayam. Jadi, apa yang menarek perhatian saya dalam buku ini, di-keluarkan sa-telah di-luluskan oleh Kementerian Perdagangan dan Perusahaan.

Buku ini sudah di-siarkan di-seluruh dunia. Jadi, pada pendapat saya dalam kenyataan Maxine Atwater ini sa-mata² hendak menghinakan orang² Malaysia, hendak menghinakan orang² Melayu, merendahkan mertabat dan maruah orang² yang ada di-Malaysia. Jadi yang mendukachitakan saya, kenapa-kah Kementerian yang berkenaan mengeluarkan buku ini dengan tidak menyamak, atau sengaja dia hendak chuba sebahat dalam perkara ini dan satu lagi, saya hendak tahu chara benar, atau pun tidak benar bahawa pegawai yang berkenaan dalam soal pelanchongan di-Malaysia ini, ia-itu kalau tidak silap saya, Enche'

Osman Siru, ada-kah dia bersama² ta' menyasiat dan tidak menengok perkara ini, maka benda ini di-benarkan keluar dengan tidak ada satu penelitian yang sa-patut-nya. Jadi, sama ada perkataan ini menghina orang² Melayu, atau pun tidak, saya serahkan kepada Dewan ini untuk menimbang-nya.

Jadi, sa-lain daripada itu, Tuan Yang di-Pertua, yang penghabisan saka-li, ia-itu berhubung dengan chatitan ini, saya maseh teringat lagi ber-hubong dengan siaran surat khabar yang memburokkan Ahli² Dewan Negara. Saya rasa saya memang tidak hendak mencheritakan perkara ini, tetapi biar-lah, kalau saya tidak mencheritakan, geram saya itu tidak habis. Jadi, kalau-lah hendak kita pertimbangkan masaalah ini benar² dan saya lebeh suka-lah kita ta' mahu layan perkara ini; kita anggap orang yang menulis ini semua budak² yang maseh beringus lagi, orang yang sudah putus asa dan barangkali, orang yang hendak mampus besok agak-nya.

Jadi, soal Ahli² Dewan Negara ini, satu soal yang di-pertanggung-jawab-kan kepada Kerajaan yang di-pilih oleh ra'ayat dalam satu negara democ-racy saperti Malaysia. Jadi, soal masok pintu belakang—itu tidak timbul. Soal kawasan, kalau hendak di-fikirkan, barangkali, kalau kita chakap, kalau hendak di-fikirkan sa-orang Ahli Dewan Ra'ayat yang mempunyai kuasa kawasan² yang tertentu, kita tahu, barangkali bebe-rapa banyak kawasan daripada Ahli Dewan Negara ini pergi merempoh, menjalankan tugas² penting untuk masharakat. Mereka yang bertanggung-jawab dalam kawasan ini pun, kita dengar selalu ta' pernah sampai ka-kawasan-nya, dan timbul masaalah-nya, konon-nya Ahli Dewan Negara ini hendak minta jadi Menteri, hendak minta tambah elaun. Itu tadi saya dengar sedikit—kalau dia langsungkan tadi, saya tidak berchakap langsung hari ini dalam persidangan ini, tetapi biar saya mengatakan, kalau hendak chakap, Ahli Dewan ini sendiri me-nyebutkan tentang elaun, atau hendak jadi Menteri—itu hak Ahli Dewan ini;

mereka di-luar itu apa ada fasal; macham anjing menyalak bukit—ta' ada fasal. Kami di-sini mempunyai tugas sa-bagai Ahli Dewan.

Jadi, sa-benar-nya perkara ini tim-bul ia-lah, kalau tidak salah saya, Enche' Abu Bakar Hamzah dalam Dewan Ra'ayat, tolong² hendak ber-budi konon-nya kepada Ahli² Dewan Negara. Bila dia orang hiboh dalam Dewan Ra'ayat meminta naik elaun, dia kata kenapa Ahli² Dewan Negara itu di-tinggalkan? Ini masaalah yang timbul. Jadi, Ahli² Dewan Ra'ayat banyak yang sudah jadi Menteri. Kita di-sini, barangkali hari itu ta' ada sa-orang yang minta jadi menteri. Kalau minta pun, pengarang² akhbar ini ta' ada fasal. Jadi, apa yang menjadi perkara yang saya ingin hendak me-nyatakan di-sini bahawa ini-lah penu-lis² akhbar ini, bukan menjadi bahan saya—penulis ini sa-kadar menulis, dapat berita, di-sampaikan, dia tulis sama ada hendak di-terima, atau tidak, tetapi pengarang-nya ini ada satu ruangan khas yang di-pergunakan untuk kepentingan-nya, bukan kepentingan pembacha dan bukan kepentingan untok orang ramai. Jadi, kalau kita tengok orang² yang macham ini yang menggunakan kesempatan yang tidak bertanggung-jawab ini dalam ruangan pengarang itu, dia akan menggunakan, ia-itu dia akan menunjukkan sentiasa, kalau hendak elok dasar Kerajaan Malaysia luar negeri, bagini buat, kata dia. Kalau hendak elok pentadbiran itu, bagini buat, kata dia. Saya nampak orang ini dia selalu yang hendak jadi lebeh daripada Yang Amat Berhormat Tun Abdul Razak, lebeh daripada Cabinet kita, lebeh daripada Tunku Perdana Menteri kita. Dia-lah sa-orang yang pandai. Kalau ta' ada dia, Malaysia ini ta' dapat di-tubuhkan. Bagitu-lah sa-olah²-nya.

Jadi, saya rasa orang yang sa-macham ini, kita hendak bacha balek cherita Mat Jenin itu, bila dia di-tengah² khayal itu, bila dia terpegang pelepah mampus itu, dia pun jatuh ka-bawah. Itu yang kita kasehan. Jadi saya rasa orang² yang macham ini biar-lah dia menggunakan kebolehan dan kepan-daian dia itu kepada tempat-nya dan

jangan-lah memandangkan sa-saorang itu barangkali di-sebabkan beberapa perkara kekurangan pada dia, barangkali orang ini tidak dapat berbuat sesuatu, dan tidak dapat pula mengambil kesempatan dalam sa-suatu yang dia boleh buat. Jadi untuk keadilan kita dalam hidup sa-bagai ra'ayat disa-buah negara ini saya rasa perasaan muhibbah ini-lah yang harus kita jaga kerana persahabatan-lah yang akan membawakan kepada keamanan dan ketenteraman. Sa-saorang manusia apabila di-chabul hak-nya, apabila di-singgong kehormatan-nya, akan bangun-lah dia menentang berhabis²an jikalau sa-kira-nya dia memikirkan dia benar di-dalam sa-suatu yang diperjuangkan.

Jadi saya rasa, Tuan Yang di-Pertua, saya nampak barangkali hari pun sudah malam saya pun hendak balek lekas. kawan² pun barangkali masam², jadi sampai di-sini sahaja-lah dapat membuatkan apa ucapan dan saya ucapkan terima kaseh.

The Minister of Lands and Mines (Enche' Abdul-Rahman bin Ya'kub): Tuan Yang di-Pertua, pertama berkenaan masalah jemputan Yang Teramat Mulia Tunku kepada Enche' Lee Kuan Yew hendak bermain golf di-Kuala Lumpur atau pun di-Malaya ini. Yang Berhormat Senator kita kata tadi, ini menjokkan bahawa Yang Teramat Mulia Tunku kita sangat² merendahkan diri dan melutut kepada orang yang sengaja tidak mahu bekerjasama dengan kita. Tetapi ta'arif saya, Tuan Yang di-Pertua, ia-lah ini menjokkan kebijaksanaan Yang Teramat Mulia Tunku sa-bagai sa-orang statesman, sa-bagai sa-orang yang chinta kepada keamanan dan sa-bagai sa-orang yang mengamalkan polisi hendak bekerjasama dengan Kerajaan negeri Singapura.

Berhubong dengan masalah pegawai dagang di-Sarawak, yang sa-benarnya Yang Berhormat Menteri bagi Hal Ehwal Sarawak telah mengadu kepada Yang Teramat Mulia Tunku dahulu berkenaan dengan sa-orang pegawai yang tertentu di-bawah Kementerian

Pertanian dan Hutan di-Sarawak. Pegawai itu, kalau saya tidak salah, nama-nya ia-lah Mr Pittmen. Pada tengah hari tadi saya telah berbual dengan Menteri Kerajaan negeri Sarawak yang berkenaan dan dia memberi tahu saya tindakan telah pun di-ambil oleh-nya sendiri menukarkan pegawai tersebut daripada satu tempat di-mana dia telah berkhidmat dan menerima komplin daripada orang² kampung kepada satu tempat yang lain. Jadi kita akan melihat sa-lanjut-nya dan lagi penyiasatan akan di-jalankan oleh yang Amat Berhormat Timbalan Perdana Menteri kita mengenai pegawai² yang lain yang harus ada berkelakuan bongkak.

Tuan Yang di-Pertua, Yang Berhormat Senator Enche' Amaluddin dari Kelantan berkata, kita ini memandang rendah kepada Indonesia tetapi sa-balek-nya Indonesia ada-lah lebeh maju daripada kita. Pemimpin² Indonesia mempunyai fikiran yang lebeh tinggi, yang lebeh halus, yang lebeh maju daripada pemimpin² dalam Malaysia. Elok, sedap betul mereka mempunyai sifat demikian, itu yang kita mahu, rakan² kita dalam negeri² jiran kita mempunyai fikiran yang lebeh tinggi yang maju yang baik daripada kita. Tetapi biar-lah, kalau untok saya, biar-lah kita ini bodoh tidak jadi apa asal negara kita ini aman, ma'amor, tidak kachau bilau macham di-Indonesia. Biar-lah mereka itu maju tetapi kemajuan itu apa pula? Kita nampak dalam sa-bulan dua ini, apa sudah berlaku di-sana. Anak negeri Indonesia, chuba-lah kita ini fikir dengan apa yang kita ketahui, satu kenyataan yang tidak boleh kita nafikan, lapar; siapa yang salah, salah pemimpin Indonesia yang di-anggap oleh Senator itu tadi bijak, terlampau bijak. Indonesia menghentam British, tetapi Yang Berhormat itu kata, tengok, dia tidak mahu kepada British, kita ini apa kita buat, kita berpegang kepada ekor baju British, kita menjaga kepentingan British. Tetapi lojik-nya kalau di-hentam British, kalau tidak suka kepada British, kenapa tidak putus perhubungan diplomatik dengan British, kenapa putus perhubungan diplomatik dengan

kita, kenapa hentam kita, kenapa ketika Sarawak di-dalam pemerintah Colony dahulu tidak di-hentam, berbaik², sedangkan orang Pontianak, orang Sabah daripada Indonesia, beratus² yang datang ka-Sarawak membeli gula, membeli susu, kenapa sa-telah Malaysia di-tubuhkan baharu hendak gadoh dengan kita, siapa yang di-hentam, orang Malaysia sendiri. Ini-lah fikiran yang lojik menurut Ahli Yang Berhormat itu, ini-lah fikiran yang maju, ia-lah fikiran yang tinggi menurut ta'arif Ahli PAS. Untok kita biar-lah mereka maju dalam ta'arif sademikian, biar-lah kita bodoh asal sahaja kita ada dengan rancangan pembangunan saperti telah kita buat di-negara kita ini.

Kita sakalian ketahuī bahawa Malaysia mempunyai foreign policy yang independent yang sesuai, sa-chuchok dengan kepentingan negara kita sendiri. Kita tidak peduli British, kita tidak peduli siapa, masalah kebangsaan kita tegas, tetapi kita menerima kenyataan. Kita tidak termakan perkataan yang kosong saperti yang di-laku oleh pemimpin² di-Indonesia yang pro-komunis dahulu saperti Subandrio. Kita menerima kenyataan ya'ani di-dalam dunia ini, sama ada Russia, mahu pun British, mahu pun Kominis China, tidak boleh hidup dengan sendiri-nya sahaja, mesti ada kerjasama dengan negara yang lain. Jadi polisi luar kita, kita sanggup bekerjasama dengan mana satu negeri yang sanggup bekerjasama dengan kita. Itu dia polisi kita, tidak salah. Mana satu negara yang kata, "kita berdiri atas kaki sendiri, sa-ratus peratus dengan tidak perlu di-bantu oleh negara yang lain". Itu omong kosong. Tidak ada satu negara dalam dunia yang sa-ratus peratus self supporting, tidak ada. Jadi kita realistic. Sa-bagaimana biasa polisi Kerajaan Perikatan pragmatic, realistic, bukan bergantung kepada ideoloji yang kosong. Kita dengar khabar beberapa hari ini dalam Indonesia pemimpin² Indonesia, ra'ayat Indonesia, telah bosan dengan perkataan² yang kosong. Mereka mahu rancangan konkret, rancangan pembangunan yang konkret, yang akan memenohkan perut ra'ayat di-dalam negeri.

Kita tidak memikir dan kita tidak perlu menjaga kepentingan British. Kita sa-buah negara kecil, kita tidak dapat berlagak sa-bagai sa-buah negara yang besar. British sa-buah negara yang besar daripada kita boleh menjaga kepentingan mereka sendiri tidak perlu hendak di-jaga oleh Malaysia. Kita menjaga kepentingan Malaysia sendiri, tetapi polisi di-dalam masaalah perusahaan, perniagaan kita, kita tegas dengan tidak ada foreign capital masok dalam negeri kita, perkembangan kita tidak dapat di-jalan dengan sa-chepat mungkin. Tetapi dalam menjalankan polisi ini yang kita mahu foreign capital masok, kita menggalak dengan sa-berapa boleh-nya joint venture supaya apabila foreign capital itu masok, anak negeri kita dapat kesempatan daripada foreign capital ini untok bersama² dapat nikmat daripada joint venture ini. Kalau kita tidak mahu foreign capital masok, sa-bagaimana kita saksi dalam beberapa negeri jiran kita, apa yang berlaku, kita sendiri dalam negeri ini tidak mempunyai chukup capital. Tidak mempunyai chukup capital untok pembangunan. Dengan soal demikian-lah tidak lama lagi Yang Berhormat Menteri Kewangan akan keluar negeri, akan meminjam wang kapada Bank Dunia dan lain supaya dapat kita menjalankan pembangunan negara kita. Jadi approach kita ini, chara kita bekerja dalam negeri, satu chara yang realistic, satu chara bukan-nya mimpi² sahaja sa-bagai harus-nya yang di-jalankan oleh Kerajaan negeri PAS berharap kapada shurga akan datang dahulu. Kita ini dalam dunia, kita fikir hal dunia, kita fikir kepentingan ra'ayat, shurga will take care of this House.

Jikalau saya tidak salah, ketika saya keluar tadi, Tuan Yang di-Pertua, Yang Berhormat Senator Enche' Amaluddin telah menyentoh, saya telah di-beritahu ia-itu Menteri² yang bangun di-sini berchakap, terutama sa-kali saya sendiri, telah mengemukakan beberapa Rang Undang² itu dalam bahasa Inggeris. Ya, saya mengaku, Rang Undang² ini saya terima pada awal pagi Sabtu, jadi terpaksa saya bacha sampai pukul dua malam untok menkajikan soalan² yang

lain, tidak sempat saya hendak menterjemahkan Rang Undang² ini. Tetapi sa-bagaimana yang telah dikatakan oleh rakan saya tadi Yang Berhormat Menteri Pelajaran, PAS ini selalu tahu mengata² orang. Baharu pagi ini tadi kita dengar Yang Berhormat Senator Enche' Wan Mustapha berchakap dalam bahasa Inggeris, tidak chakap Melayu, kerana apa dia sendiri tidak tahu sangat bahasa Melayu dia chakap Bahasa Inggeris labeh pandai daripada bahasa Melayu. Terima kaseh Tuan Yang di-Pertua.

Dr Ng Kam Poh: Mr President, Sir, the whole of the debate on the Supplementary Supply (1965) Bill, 1966, was confined to all the other Ministries except the Treasury. So, it leaves me with very little to comment about, except to say a few words where the Honourable Enche' Amaluddin bin Darus from the P.M.I.P. castigated the Government for coming always to the Dewan Ra'ayat as well as to the Senate for supplementary supply estimates. The reason for this, as I have said before in the Dewan Ra'ayat, and now in the Senate, is that this is proof of the stringency practised by the Treasury. We could have doubled our yearly estimates in the Budget and not come a single time to Parliament for approval. But the Treasury in general, and the Minister of Finance in particular, exercise the utmost stringency and so all Ministries having not enough money have to come to the Dewan Ra'ayat and Dewan Negara for supplements. So, Sir, you see for yourself, it is a tribute and not a way of wasting money.

Commenting on the question from the Honourable Senator Dato' Haji Noaha (*Laughter*)—I am sorry if I pronounced the name wrongly—about the item for rents in Lagos, which is four years rent in advance, this is because in Lagos the situation is different. There is a tremendous shortage of housing there and if you wish to rent a house, they will not ask you to pay one year's rent in advance, they will ask you to pay five years' rent in advance, and should you want

to build an Embassy, they will ask you to build the Embassy on a piece of land and the whole total cost of the Embassy will have to be given over to the private owner. Such being the case, we cannot help but submit to the demands of the private individual. Anybody who has been to Nigeria can tell you this—it is a fact. We are forced to—the Treasury usually does not give money just like that, you know. The Treasury is very stingy with its money, I can assure you that (*Laughter*). So when we give money there must be a good reason.

Mr President, Sir, there is another question, concerning Head S. 7—Prime Minister, by the Honourable Dato' Haji Mohamed Noah. He asked why, in the case of one delegation from South Korea and one delegation from South Vietnam, we have spent \$30,000 on one delegation and \$19,000 on the other. Mr President, Sir, the answer is very simple: one delegation was larger than the other. It is as simple as that (*Laughter*). The delegation from South Vietnam composed only of about 10 to 15 persons, whereas the delegation from South Korea composed of about 30 to 40 people. That is why we had to spend so much money. I believe the Honourable Senator has been to Korea and he knows how expensive the tastes are in that country, and to his liking too, I believe. (*Laughter*).

The last question which I wish to answer is the point raised by the Honourable Enche' Saidon bin Kechut, concerning Guru² Ugama, Islamic Religious Teachers, being demoted from Division II to Division III. He said he read about it in the newspapers. I can assure the Honourable Senator that such a thing is not true and nobody has ever been demoted. There is no reason for demoting anybody. We may chuck out somebody (*Laughter*) but no reason for demoting somebody. So, Sir, such a thing has not occurred. Perhaps in the enthusiasm of the Press they might have made a slight error—I do not know, I did not read that section in the Press.

Mr President, Sir, I think all the questions have been ably answered

by Honourable Ministers who have spoken just now. So I need only close with these words: that the Treasury will always guard the monies that are placed in the hands of the Minister of Finance in this country with a great deal of caution. It will never be spent, unnecessarily. Thank you. (*Applause*).

Question put, and agreed to.

Bill accordingly read a second time.

Third Reading

Dato' T. H. Tan: Mr President, Sir, I beg to move that the Supplementary Supply (1965) Bill, 1966, be read a third time and passed.

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

Question put, and agreed to.

Bill accordingly read a third time and passed.

THE JUDGES' REMUNERATION (AMENDMENT) BILL

Second Reading

Dato' T. H. Tan: Mr President, Sir, I beg to move that a Bill intituled "an Act to amend the Judges' Remuneration Act, 1963" be read a second time.

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

The Minister of Lands and Mines (Enche' Abdul-Rahman bin Ya'kub): Mr President, Sir, Article 125 (6) and (9) of the Constitution prescribes that Parliament shall by law provide for the remuneration of Judges of the Federal Court and also of the High Court. The Judges' Remuneration Act, 1963, makes such provision. The Alliance Government feels that it will be in keeping with the dignity of the high office of Judge, that Judges throughout Malaysia should be provided with cars by Government. As Honourable Senators are aware, Judges do a considerable amount of travelling in the course of their duties. The Lord President and the Chief Justice of the High Court, Malaya, have already been accorded the privilege of being provided with cars by Government. So, also, is the Chief Justice of the High Court in Borneo.

This Bill seeks to extend a similar privilege to the Judges of the Federal Court and also all Judges of the High Court.

Dato' Athi Nahappan: Mr President, Sir, while welcoming this Bill, I should also like to state that there is another service which is urgently needed to be accorded to the Judges, and that is, Sir, the provision of having for the High Court Judges the services of a stenographer to take down verbatim report of the evidence given in court. At the moment in the High Court, the Judges themselves take down the evidence as best as they can, but it is certainly not a verbatim report; and this has been found to be inadequate for all concerned, especially when the matter is to go up by way of appeal to the Federal Court. In other advanced countries, this provision is there. In the United Kingdom, in the United States, they even, I am told, use tape recorders. In Hong Kong, I am told, they use tape recorders. I think it is in the interest of justice to provide this additional service to the Judges, for they have to keep a very close watch on the proceedings themselves; and if they are additionally required to take down the notes of all these information and evidence, which are very technical sometimes, it is asking too much of the judges. The present system has gone on for a long, long time but it certainly needs to be improved. I understand recently there has been some request to this effect too, and I hope that the Honourable Minister of Justice will look into this and provide to the High Court Judges, no matter whether the proceedings are civil or criminal, a stenographer to take down verbatim reports, and if that is not possible, to be provided with tape recorders so that the whole proceedings can be recorded, and if the parties go on appeal, they can have a re-production of this, if they so want it, in detail. Thank you very much.

Enche' Abdul-Rahman bin Ya'kub: Mr President, Sir, the request will be considered.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr (Deputy) President *in the Chair*)

Clauses 1 to 3 inclusive ordered to stand part of the Bill.

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

THE EDUCATION (AMENDMENT) BILL

Second Reading

Dato' T. H. Tan: Mr President, Sir, I beg to move that a Bill intituled "an Act to amend section 4 of the Education (Amendment) Act, 1963" be read a second time.

Dato' Y. T. Lee: Mr President, Sir, I beg to second.

The Minister of Education (Enche' Mohamed Khir Johari): Mr President, Sir, this Bill seeks to amend the Education (Amendment) Act, 1963, substituting certain new provisions in place of the provisions contained in section 4 of that Act. The object of these amendments is to remove anomalies in the application of education rates, so as to levy it more equitably in proportion to the income from the property and at the same time to improve the administrative machinery for its collection, so as to facilitate the collection of the maximum possible education rates at the lowest possible cost.

Honourable Members will note that, under this Bill, the States of Malaya, for the purposes of Education rates, will still be divided into two areas: namely that of Local Authority areas and areas outside the Local Authority. Under this Bill, however, there is a slight difference from the Education (Amendment) Act of 1963 in that the Local Authority areas do not include the Rural District Councils of Malacca Tengah, Jasin and Alor Gajah. This means that in the case of Malacca, the collection of Education rates outside

Malacca Municipality in 1967, if and when this Bill is approved will be done through the Land Offices.

The reason for this is that the Rural District Councils in Malacca which include all areas in the State, except the Malacca Municipality Area, are not at present collecting any assessment from most of the properties in these areas and are accordingly without the administrative machinery for collecting Education rates. This could not be done without incurring heavy expenditure on preparing records and engaging staff to collect such rates. The State Authority of Malacca also considers that the collection of Education rates in the State of Malacca, outside the Malacca Municipality, should be done by the Land Offices as areas outside the Local Authorities.

Mr President, Sir, the text of sub-clause 3 of Clause 4 of the Bill remains the same as in the Education (Amendment) Act of 1963. Under this Clause, the Minister allocates for Local Authority Areas such sum as he considers appropriate for any areas in which Section 4 has effect, and the education rate to meet that amount shall be levied by the Rating Authority as additional to the general rate levied by the Rating Authority in the year as appears to that Authority necessary to raise the sum. In this respect, I must assure the House that the amount is allocated only after very careful consideration and after consulting the Ministry of Local Government and Housing and also the Valuation Division of the Treasury.

Sub-clause (5) of Clause 4 of the Bill makes provision for the Minister to determine the rate on the second category of areas—i.e., areas outside Local Authorities. The House will note that in the Education (Amendment) Act, 1963, the Authority in prescribing the education rate for each category of holdings outside Local Authority areas is a State Government. But under this Bill it is sought to vest this authority with the Federal Government. This amendment is considered necessary in order to ensure uniformity of education rates in all the States of Malaya.

Sub-clause 6 of Clause 4 of this Bill gives power to the Minister to impose the rates on any immoveable property according to acreage notwithstanding its value or the fact that no quit rent of any kind is payable in respect of such property. This is to ensure that all land owners, who are able to pay education rate, are made to pay. The maximum rate of \$1 per acre or part of an acre under the old provision is deleted in this Bill, so that a more fair rate would be imposed on holdings which justify paying education rate at more than \$1 per acre. The rate for these holdings will be considered very carefully after consultation with the Minister of Lands and Mines.

Sub-clauses 4 and 7 of Clause 3 deal with the recovery of arrears in respect of category of areas. The difference in this Bill is that in the case of the second category of areas, namely outside local authority areas, the arrears are recoverable by the Collector of Land Revenue concerned in the same manner and to the same extent as the collection and recovery of quit rent.

Dato' Athi Nahappan: May I seek clarification from the Honourable the Minister as to the definition of the word "local authority"? It is of course clearly stated under Clause 2, but what is of particular interest here is about the Rural District Councils, say for instance, Province Wellesley. We have two categories here. Firstly, "local authority" means a Municipality, Town Board, Town Council or Rural Board. Does it mean the same thing as Rural Councils; say in the Province Wellesley Majlis Daerah Tengah or Majlis Daerah Selatan, but does not include any local councils—that is clear—or any Rural District Councils of Malacca Tengah, Jasin or Alor Gajah? The exception seems to be with reference to Malacca only. What about Province Wellesley?

Enche' Mohamed Khir Johari: In the case of Province Wellesley or Penang, there are facilities for the collection of rates by these Councils. It is only in the case of Malacca Tengah, Jasin and Alor Gajah, as I explained, they are

not collecting any assessment from most of the properties in their areas. That is the only difference.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr President *in the Chair*)

Clauses 1 to 3 inclusive ordered to stand part of the Bill.

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

THE MEDICAL REGISTRATION (AMENDMENT) BILL

Second Reading

Dato' T. H. Tan: Mr President, Sir, I beg to move that the Bill intituled "an Act to amend the Medical Registration Ordinance, 1952" be read a second time.

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

Enche' Bahaman bin Samsudin: Mr President, Sir, the purpose of this Bill is to enable Malaysian doctors with foreign medical degrees to practise in Malaya. Doctors who wish to practise in Malaya have to be registered under Section 9 and Section 10 of the Medical Registration Ordinance, 1952. Under the present Ordinance, doctors can be registered either (i) provisionally in order to serve a period of housemanship or (ii) fully with or without conditions. The Ordinance allows those who have qualified from the University of Singapore and certain Commonwealth countries, after they have served the full period of housemanship, to be registered without any conditions. Doctors who come outside the province of this category can be granted registration subject to certain conditions, and these conditions normally are that they work with the Government or with missionary bodies.

In recent years there are Malaysians, who have gone to medical schools

abroad whose qualifications would only be registrable with conditions, which means that they cannot go into private practice. There is a general shortage of doctors in Malaya, particularly in Government service. The proposed amendment to the Medical Registration Ordinance will enable a citizen of the Federation, who comes within that category that is with foreign qualifications other than those from certain Commonwealth countries to be registered in two ways: the first, after passing an examination set by the Medical Council; or secondly after serving satisfactorily for at least three years with the Ministry of Health. This will give a choice to doctors with foreign medical degrees to go immediately into private practice after the examination, or to serve the Government for a period after which to go into private practice. It is hoped that by this amendment many Malaysian doctors with foreign medical degrees from unrecognised institutions would come back to join Government service.

Sabah and Sarawak have their own Medical Registration Ordinances. Action will be taken to have one uniform Ordinance for Malaysia in due course.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Deputy President *in the Chair*)

Clauses 1 to 3—

Dato' Athi Nahappan: Mr Chairman, Sir, will the Honourable the Minister say who is to be satisfied as to the satisfactory service to be rendered for three years? I find here that the Director of Medical Services is required to give a certificate that the person is suitable. Is he also required to satisfy himself that the doctor concerned had satisfactorily served for three years? Is he the person or some other authority?

Enche' Bahaman bin Samsudin: The Director of Medical Services.

Clauses 1 to 3 inclusive ordered to stand part of the Bill.

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

THE COMPANIES (AMENDMENT) BILL

Second Reading

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

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

Dato' T. H. Tan: Mr President, Sir, Honourable Members will recall that the new Companies Act, 1965, was passed by the Dewan Ra'ayat at its session on the 9th August last year. The Act was subsequently passed by this Senate on the 16th August last year, and assented to by His Majesty the Yang di-Pertuan Agong on the 5th November, 1965. When the new Companies Bill was first introduced into Parliament, the Minister assured both Houses that if there were any practical difficulties encountered in the Companies Law, he would be prepared to come to the House, or Parliament, again to move any amendment considered necessary and justified. Although the Companies Act, 1965, is yet to come into force, representations have been received from the public concerning the high rate of fees charged for registration of new companies under the new Act. As an example, it was pointed out that a new company with an authorised capital of \$100,000,000 would have to pay a fee of \$201,200 compared with \$1,500 under the existing Ordinance, \$5,350 in England and \$26,270 in Australia. In the light of these representations the Government has reviewed the registration fees chargeable under the new Act. Whilst it could not consider reverting to the very low rates charged under the existing Companies Ordinance prescribed some 20 years ago in 1946, the Government has agreed to revise

substantially the rates of registration fees of companies with authorised capital exceeding \$1,000,000. As proposed in the Bill, subject to a maximum of \$35,000 the new rates are comparable to those obtainable in Australia which have been cited for comparison. One may ask, why rates for companies with an authorised capital of \$1,000,000 and less have not been reduced. Having regard to present circumstances, the rates as prescribed under the new Companies Act in respect of those companies are considered reasonable. They represent very modest increases over the existing rates which have been prescribed in circumstances prevailing 20 years ago. The agreement of the House of Parliament is now sought for amendment of scale of fees now prescribed under the New Companies Act for the registration of companies in the light of representations of difficulties by the public.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Deputy President *in the Chair*)

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

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

ORDER OF BUSINESS

(Motion)

Dato' T. H. Tan: Mr President, Sir, in dealing with the next item on the agenda, I beg leave to move.

That the Federation of Malaya Rubber Exchange (Incorporation) (Amendment) Bill appearing as item 18 in the Order Paper be considered immediately before the Rubber Export Registration Bill (item 17).

The purpose of this motion is merely to facilitate explanations to the Bills in question.

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

Question put, and agreed to.

Resolved,

That the Federation of Malaya Rubber Exchange (Incorporation) (Amendment) Bill appearing as item 18 in the Order Paper be considered immediately before the Rubber Export Registration Bill (item 17).

THE FEDERATION OF MALAYA RUBBER EXCHANGE (INCORPORATION) (AMENDMENT) BILL

Second Reading

Dato' T. H. Tan: Sir, I beg to move that a Bill intituled "an Act to amend the Federation of Malaya Rubber Exchange (Incorporation) Act, 1962", be now read a second time.

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

Dato' T. H. Tan: Mr President, Sir, the Federation of Malaya Rubber Exchange (Incorporation) Act was passed by Parliament in 1962, following which the Federation of Malaya Rubber Exchange was established in Kuala Lumpur. The establishment of a rubber exchange in the country was motivated by a desire to have an organised rubber market which would regulate the trading of rubber in this country through a set of rules of conduct to ensure stability and discipline, and which would provide all the facilities of trading and safeguards necessary to traders and thereby ensure international confidence. But since its inception in 1962, the Federation of Malaya Rubber Exchange, despite the persevering and diligent efforts of its Boards of Directors and Government financial support, has only met with limited success. This is because the amount of business transacted through the exchange has not been up to expectations due mainly to the development towards direct trading between producers and consumers without going through an organised market. This development, however, is a healthy one and should not be discouraged, especially in this era, when we are progressively developing technically to specify the rubber and when we have to meet the

challenge of the aggressive sales techniques of synthetic rubber which are conducted direct between the producers and consumers. As a result of this development, the volume of business passing through the Exchange has not yielded the revenue required to make it financially self-supporting, so that at the end of 1965, it was necessary for the Government to grant it a loan of \$250,000 to enable the Exchange to meet its annual administrative expenditure. At the end of 1965, the Government set up a committee of officials and representatives of the rubber trade and industry, to review the operation of the Exchange. This committee recommended that in spite of the trend towards direct selling of rubber, the Exchange continues to exist. As Malaysia is the biggest natural rubber producer in the world, it is in the national interest, as well as in the interest of the rubber trade and industry, that there should be an organised rubber market in this country. Such a market would ensure the availability of reliable information on prices, provide safeguards to producers, traders and consumers, in the form of contracts, brokers, guarantee arrangements, sampling and arbitration procedures, which are essential in creating confidence in international trade, and enable operation of various trading facilities such as auctions, hedging, arbitrary transactions. However, the committee recommended that measures should be taken to improve the organisation and operation of the Exchange, in order to make it more effective; and to achieve this, it will be necessary for the Board of Directors of the Exchange to be enlarged from the present number of eleven members to a maximum of twenty-five, so that the Board could have on it a wider representation of persons with knowledge of international rubber trade.

It is also proposed to amend the rules and by-laws of the exchange so as to enable interlinking of its contracts with those of overseas markets and to admit the participation of overseas members in its activities.

While it is neither the Government's intention to interfere with the operations of the Federation of Malaya Rubber Exchange, nor to hamper trade, Government considers it necessary that as the Exchange is incorporated by an Act of Parliament and will derive additional revenue from the fees on registration of rubber exports enforced by Government, the legislative provisions of which are set out in a separate Bill which will be moved later, it is appropriate that the Chairman and the Deputy Chairman should be appointed by the Government which should also have power to give to the Exchange directions not inconsistent with the provisions of the existing Act. The Federation of Malaya Rubber Exchange began its operations prior to the formation of Malaysia. Now that we are a separate nation, it is only right that the organisation should be restyled from the "Federation of Malaya Rubber Exchange" as the "Malaysian Rubber Exchange" although at this stage its operations will be confined only to the States of Malaya. Sir, the Federation of Malaya Rubber Exchange has, since its inception, performed an essential function in the development of the country's rubber trade. With the proposed re-organisation, the Government is confident that the Exchange will become an effective international rubber market.

Dato' J. E. S. Crawford: Mr President. Sir, I just wish to rise to fully support the Bill and to hope that this new Rubber Exchange will become the biggest Rubber Exchange in the world which it should be as Malaya is the biggest rubber producer. Thank you. (*Applause*).

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Deputy President *in the Chair*)

Clauses 1 to 8 inclusive ordered to stand part of the Bill.

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

THE RUBBER EXPORT REGISTRATION BILL

Second Reading

Dato' T. H. Tan: Mr President, Sir, I beg to move that a Bill intituled "an Act to provide for the registration of rubber exported from the States of Malaya and for matters incidental thereto", be now read a second time.

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

Dato' T. H. Tan: Mr President, Sir, the Federation of Malaya Rubber Exchange which was established early in 1962 has met with limited success, partly because the amount of business transacted through the Exchange had not been up to expectations as a result of the development towards direct trading between producers and consumers without going through an organised market. This development was a healthy one which should not be discouraged in the face of aggressive sale techniques of synthetic rubber which are conducted direct between the producers and consumers. Apart from this direct sale, there is also a good percentage of rubber which is consigned from this country to overseas markets and sold at prices below those ruling in the Malaysian Market. Thus, this type of sale which is different from that of direct sale between producers and consumers not only bypasses the local market but deprives this country of foreign exchange. The committee of officials and representatives of the rubber trade and industry which I mentioned earlier had examined this type of sale and had recommended that such a practice be discouraged. This recommendation has been accepted by Government, and it has been decided that a legislation be introduced to require all rubber shipped or exported overseas to be registered with the

Malaysia Rubber Exchange, and rubber shall only be exported on the issue of a certificate by the Exchange. Through this method, it is possible to obtain particulars of rubber exports, particularly in respect of the price. This is the main intention of the Bill now before this House. Under the Bill, fees will have to be paid for the registration at such rates as the Minister of Commerce and Industry may fix from time to time, and such fees will be credited to the revenue of the Exchange. It is hoped that these fees, which will be fixed at a very low rate, will provide the Exchange with adequate revenue for it to meet its expenditure, so that it will not continue to depend on the Government financially. In order to avoid any difficulty and unnecessary burden on the part of the trade, it has been decided that applications for certificates for rubber exports will be issued in denominations from one ton (every part of the ton to be regarded as one ton) to 50 tons and that application for such certificates and their uses can be made in advance. Thus, the trader who has obtained a certificate in advance can export his rubber without any further difficulty.

The Bill also provides for the Minister of Commerce and Industry to make regulations for the proper carrying out of these provisions, and this will enable the Government to introduce from time to time measures which will be of interest to the rubber trade.

Sir, these are the main features of the Bill which is aimed at strengthening the rubber market in this country and making it viable and effective. With the measures which it is proposed to take under the Bill for the re-organisation of the Exchange we can look forward to increased activities in the local rubber market which will benefit the national economy. All factors of the rubber trade and industry have been consulted on this Bill and they have supported it unanimously.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

Mr Deputy President *in the Chair*)

Clauses 1 to 14 inclusive ordered to stand part of the Bill.

First Schedule ordered to stand part of the Bill.

Second Schedule ordered to stand part of the Bill.

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

THE HOUSING DEVELOPERS (CONTROL AND LICENSING) BILL

Second Reading

Dato' T. H. Tan: Mr President, Sir, I beg to move that a Bill intituled "an Act to provide for the control and licensing of the business of Housing Development in the Federation and for matters connected therewith", be now read a second time.

Dato' Y. T. Lee: Mr President, Sir, I beg to second.

Dato' T. H. Tan: Mr President, Sir, as was stated by the Honourable Minister for Local Government and Housing in the Dewan Ra'ayat, this Bill is a straightforward one and, as explained in the Explanatory Note of the Bill, the Bill, among other things, empowers the Minister to issue directions to a Licensed Housing Developer for the purpose of safeguarding the interests of purchasers, make such other general directions as are considered appropriate and to carry out investigations into the affairs of a housing developer. Power is also given to the Minister to make rules for the purpose of administrating the Bill.

The Bill provides certain conditions which must be fulfilled before a housing developer is issued with a licence to carry on any housing development. Provision is made for the Controller of Housing to revoke a licence issued to a housing developer where the housing developer does not meet his

obligations. Provision is also made for a licensed developer to be heard before his licence is revoked, and the housing developer has the right to appeal to the Minister against any decisions of the Controller. This Bill will only apply to the States of Malaya, and Co-operative societies are excluded from the operation of the Bill.

As members are aware, there have been repeated instances where innocent members of the public have fallen victims of rapacious and unscrupulous persons, who pose as housing developers and obtain substantial deposits as booking fees for houses, which they not only do not intend to build but also are in no position to do so.

The Ministry concerned has received a continuous stream of letters from several persons concerned that they have paid deposits for houses in housing schemes and found to their dismay that no houses were being built and that they could not recover their deposits. A good parallel to this are the mushroom insurance companies which only a few years ago prior to the introduction of the Insurance Act, 1963, swindled ignorant people of millions of dollars.

In the Dewan Ra'ayat the Minister concerned gave a large number of examples of cases of such swindling. The Government, therefore, considers that some measures should be taken to protect the people from bogus housing developers; hence the Bill before the Senate today.

Again, Sir, this subject had evoked much public interest in recent months and there is no doubt that some form of control must be exercised centrally by Government through housing and provision of housing accommodation is a State subject. No *bona fide* developer, however—need to have any fear of this legislation.

The Ministry of Local Government and Housing is currently drawing up rules under section 24 (1) of this Bill for the purpose of implementing the provisions contained in this Bill. There appears to be some misgivings in certain quarters regarding the introduction of this Bill. For instance, the

Kim Tin Seah, an Association of Penang and Province Wellesley Building Contractors and Building Materials Suppliers held an emergency meeting to discuss the Bill and considered the hardships that would be imposed on them. They fear that the introduction of this Bill would adversely affect the building industry, and that lots of workers in the industry will become unemployed. The meeting resolved that they should appeal to the Minister of Local Government and housing to reconsider his decision on the relevant clauses which affect the small developers. The Minister in the Lower House took the opportunity to allay the fears, especially the fears of the smalltime developers. It will be seen from Clause 6 of section 2 that the Minister has absolute discretion to waive any or all the conditions set out in paragraphs (a), (b) or (d) of Sub-section 1 of Clause 6.

If a *bona fide* applicant for a licence under this Act is unable to comply with one or more of the conditions set out in Clause 6 of this Act, he should then produce cogent reasons for not being able to comply with such conditions. It shall be in the discretion of the Minister, having considered all the reasons, to waive the whole or part of the conditions, if necessary. The Act provides for an applicant to make a cash deposit of \$100,000 or in such other form as the Minister may determine; this could take, for example, the form of a banker's guarantee. There is no reason for waiving the position of \$100,000 deposit as pre-condition for licensing. The fears on the part of the Association, which I mentioned earlier, are mainly imaginary and do not have substance. Any genuine, *bona fide*, developer need have no fear whatsoever. The Bill is primarily intended to protect the house purchasing public and not to stifle the building industry. It is to be stated here that all State Governments have been consulted and they have given their unqualified support to this Bill and also, as required under Article 95 (A) of the Malaysian Constitution, the Bill has been agreed to by the National Council

for Local Government at a meeting held recently.

Nik Hassan bin Haji Nik Yahya:

Tuan Yang di-Pertua, saya suka hendak berchakap dalam perkara Rang Undang² ini kerana beberapa perkara mungkin timbul dengan adanya undang² yang baharu ini. Satu perkara yang mustahak mendapat keterangan, tetapi Menteri tidak ada di-sini, saya tidak tahu-lah ada-kah Yang Berhormat Dato' T. H. Tan kita dapat memberi keterangan yang jelas, ia-itu dalam beberapa fasal permulaan dalam mana di-sebutkan dalam undang² ini ia-itu apa yang di-katakan housing development di-sharatkan lebeh daripada 4 units bangunan rumah. Jadi, perkara ini saya rasa ada-lah sangat kechil unit yang di-tetapkan yang mesti di-kenakan lesen itu. Jadi, umpama-nya kalau sa-kira-nya satu² orang yang mempunyai sa-keping tanah umpama-nya dan dia suka hendak memajukan tanah itu dengan modal-nya sendiri—dengan modal-nya sendiri—untuk membena beberapa unit rumah untuk di-jualkan kepada orang ramai. Jadi, dengan ini kalau mengikut undang² ini tiap² orang yang hendak membena rumah dengan tujuan atau pun chita² hendak jualkan rumah itu, hendak-lah lebeh dahulu mendapatkan lesen. Apabila hendak dapatkan lesen itu syarat-nya mesti-lah menyimpan wang cash deposit kepada Kerajaan sa-banyak \$100,000. Jadi, bagi orang² yang bermodal kechil yang mempunyai tanah-nya sendiri yang suka hendak memajukan tanah itu untuk menchari kesenangan dengan chara menjualkan rumah itu, mereka itu sa-lain daripada mempunyai tanah-nya sendiri yang sudah menjadi modal-nya terpaksa menchari wang \$100,000 untuk di-simpan kepada Kerajaan dan mesti menchari pula beberapa ratus ribu ringgit pula untuk mendirikan bangunan itu sa-belum bangunan itu dapat di-jual. Jadi, chara ini saya rasa sunggoh pun undang² ini kita di-sini tidak boleh menegah, tidak boleh membangkang, tetapi pada pandangan saya chara ini ia-lah chara menyekat pehak orang² yang kechil, orang yang

mempunyai tanah, yang bermodal kecil, untuk membena rumah dengan sa-chara kecil menchari keuntungan daripada hasil tanah yang ada padanya itu. Dan orang² ini apabila disekat bagini terpaksa menyerahkan tanah itu kepada kapitalis² yang mempunyai modal yang besar untuk menjalankan perniagaan perumahan itu.

Jadi, bagi saya, saya nampak dengan chara ini kita mengurangkan, menahan perkembangan perumahan, perniagaan perumahan ini di-kalangan peringkat yang bermodal rendah dan kita menggalakkan kaum² modal yang besar memegang tanah², memperniagakan rumah² dengan menggunakan, dengan menekan kepada pehak² pemodal kecil yang mempunyai tanah² yang sedikit ini.

Jadi, kalau sa-kira-nya perhatian yang berat tidak di-beri kepada pemodal² kecil ini, saya rasa ini boleh, yang pertama boleh kita menahan kemajuan bagaimana rayuan yang di-buat oleh beberapa pertubuhan itu. Yang kedua, kita memberi satu galakan kepada pemodal² besar supaya mereka ini monopoly perniagaan perumahan ini. Saya rasa perkara perumahan ini berbeza dengan perkara insurance. Perkara insurance nyawa, lain. Perkara insurance nyawa ini boleh di-tipu kepada ra'ayat, kerana orang² yang menjual insurance itu, dia pergi ka-kampung membawa lidah, membawa suara berchakap, membawa borang--itu sahaja, tetapi perkara perumahan ini berbeza. Sa-orang yang hendak membeli rumah, dia hendak tengok di-mana rumah itu hendak di-buat. Ada-kah tidak tanah tapak-nya. Di-mana pelan-nya. Berbagai² soal yang akan timbul daripada orang yang hendak membeli rumah, atau pun hendak membeli tanah di-tempat rumah itu hendak di-dirikan. Ini berbeza jauh daripada company insurance. Company insurance ini chuma dikeluarkan resit. Di-beri surat, kata-nya sudah di-aku² di-masokkan dalam insurance, tetapi perkara membeli rumah dan tanah ini lain. Satu orang yang hendak membeli tanah, atau hendak membeli rumah, dia mahu tengok, mahu pilih di-mana tanah-nya,

tempat mana, rumah mana, berapa besar, bagaimana pelan-nya. Di-sini beza-nya jauh. Ma'ana benda perumahan ini, benda yang mesti ada dilihat. Ada tempat-nya, ada geran-nya—lain, lain daripada perkara insurance. Perkara insurance ini boleh jadi di-tipu dengan kerana orang kampung tidak tahu di-mana tempat-nya investment yang di-buat-nya itu tidak di-ketahui, chuma di-beri resit, di-beri geran, di-beri surat—itu sahaja. Apa yang mereka boleh pegangkan chuma pegang surat, tetapi perkara rumah dan tanah ini perkara lain.

Jadi, saya tidak tahu-lah chita² yang lebeh jauh bagi Kementerian ini, tetapi apa yang saya bimbangkan, kita menyekat perkembangan perumahan ini, umpama-nya kalau negeri yang kurang maju seperti di-Pantai Timor umpama-nya, pemodal² besar daripada Singapura, daripada Kuala Lumpur, yang pergi ka-Kota Bharu, bandar yang belum dapat di-buka. Dia pergi di-sana, dia dapat tanah², di-dirikan rumah² untuk perniagaan, manakala tuan tanah itu sendiri tidak dapat hendak menjalankan, kerana tidak ada wang cash yang boleh di-simpan dengan Kerajaan. Jadi, ma'ana-nya, kalau ada bumiputera kita yang mempunyai tanah sendiri yang ada usaha dan fikiran sendiri untuk mengambil bahagian dalam perumahan ini, maka bumiputera itu tidak dapat menjalankan, walau pun ada tanah, walau pun ada harta. Jadi, itu perkara yang besar yang menjadi masaalah-nya, terutamanya di-negeri saya di-Kelantan, semua tanah boleh di-katakan dalam Malay Reservation, Malay Reservation itu, orang bangsa lain, atau orang² yang bukan Melayu tidak boleh dapat memileki tanah, tetapi kalau sa-kira-nya di-adakan syarat pula, orang² Melayu—bumiputera yang hendak buat rumah itu kena simpan \$100,000 deposit dengan Kerajaan. Tanah ada, wang cash tidak ada. Jadi, hendak mengator pelan tidak boleh, hendak panggil orang lain datang membeli tanah, tidak dapat, kerana orang² lain tidak dapat memileki tanah itu. Jadi dua kesulitan yang besar. Jadi, perkembangan perumahan, perniagaan perumahan ini pada

segi bumiputera pun menjadi satu halangan yang besar.

Mereka ini tidak dapat hendak mendaftarkan diri bagi menjadi ahli perniagaan rumah yang berlesen dengan sa-benar²-nya, kerana tidak ada modal cash. Jadi, daripada Bill ini, ada satu syarat yang mengatakan Menteri boleh menimbangkan, menghapuskan beberapa syarat itu. Jadi, saya minta supaya apabila Bill ini berjalan, Menteri yang berkenaan itu memberi satu perkecualian yang khas kepada kaum² yang bermodal kecil, terutama-nya bagi bumiputera kita yang chuba hendak mengambil bahagian sama dalam hal perumahan ini supaya tidak di-kenakan, tidak di-kenakan syarat yang mesti menyimpan wang deposit cash dengan Kerajaan dalam perkara perniagaan perumahan ini.

Saya suka hendak bertanya satu lagi ia-lah perkataan di-sini di-katakan ma'ana developer itu ia-lah kata dia di-ma'anakan untuk pembangunan, mendirikan rumah, atau pun tempat tinggal di-atas tanah. Kata dia di-sini: With the view of selling. Jadi, ma'ananya pada pandangan hendak menjual rumah itu, baik, kalau sa-kira-nya ada satu orang yang berpakat 10 orang umpama-nya dia bena rumah itu dengan satu pakatan yang tidak disebutkan dengan chadangan hendak menjual, tetapi satu perkongsian yang lebeh daripada empat orang itu, bagaimana syarat² undang² ini, ada-kah orang² ini mesti mendapat lesen dahulu, baharu dapat buat rumah? Pada hal, dia bukan satu developer yang betul², yang hendak berniaga—tidak. Dia ada tanah, dia hendak develop, dia berpakat dengan kawan dia, rakan dia—boleh 10 orang, satu rumah satu orang. Kita buat. Buat masing² beli. Di-situ beli itu ma'ananya sudah termasuk di-bawah undang² ini, tetapi pada hakikat-nya bukan beli macham satu perkongsian sahaja—masing² membeli rumah itu. Ada-kah ini di-sifatkan developer yang mesti di-lesen dan mesti menyimpan deposit mengikut syarat, atau pun bagaimana hendak di-ta'ariffkan orang yang samacham ini?

Ta'arif tentang menjual ini, saya fikir satu perkara yang rumit juga, sebab orang yang hendak buat rumah itu pada mula-nya dia kata dia hendak jual. Dia buat dahulu. Bila rumah sudah siap, dia jual. Bila dia jual, ta' siapa yang tahu. Ia jual senyap² macham itu. Jadi, dalam undang² ini ada mensyaratkan, tidak ada sa-sorang itu boleh tulis nama-nya sa-bagai Housing Developer, melainkan mendapat lesen. Dia tidak tulis Housing Developer. Dia tidak pakai sign board. Dia tidak pakai nama. Dia buat senyap² sahaja dengan tidak ada sign board, atau pun tidak masok nama sa-bagai Housing Developer, tetapi dia berpakat buat rumah, kemudian dia jual. Ada-kah ini dimasukkan di-bawah ta'arif mesti di-sifatkan orang yang mesti mendapat lesen. Jadi, ini-lah beberapa perkara yang saya minta keterangan daripada Menteri yang berkenaan dan kira-nya Menteri ini ta' ada, sa-bagaimana Menteri kita kata tadi, ada orang² di-belakang banguku kita ini, tolonglah ambil ingatan dan menyampaikan kepada Menteri yang berkenaan supaya apa yang kita perkatakan di-sini di-ambil ingatan, ia-itu sa-bagaimana yang di-takuti oleh beberapa pertubuhan pehak yang kecil ini di-takuti oleh monopoly oleh pehak kaum modal yang besar yang boleh mengeluarkan modal di-situ. Saya takut kerana bagini, ada kejadian² dalam negeri kita ini macham Malaya Borneo Building Society. Malaya Borneo Building Society ini yang di-bantu oleh Kerajaan dengan modal sa-bagai kemudahan, apabila pemodal yang kecil umpama-nya hendak meminta bantuan modal atau pun hendak buat scheme atau pun hendak mendapatkan bantuan modal daripada Malaya Borneo Building Society. bila kita hendak dapat modal daripada Malaya Borneo Building Society, Malaya Borneo Building Society kata apa, dia kata wang tidak ada, estimate tidak ada. Tetapi ada kala-nya, apabila kita menemui satu² sharikat lain—orang lain—orang itu pergi kepada Malaya Borneo Building Society, Malaya Borneo Building Society boleh keluar-keluar modal—ada pula wang-nya! Jadi

Malaya Borneo Building Society ini pun satu penyakit. Saya tengok di-Borneo Building Society ini patut juga Kerajaan awasi betul². Apabila orang kita pergi berjumpa dengan-nya, hendak minta pinjaman untuk membuat rumah, dia kata wang tidak ada. Tetapi kalau ada sharikat, ada orang lain yang pergi kepada Malaya Borneo Building Society, dia kata, dia boleh keluarkan modal dengan chukup. Sehingga ada sa-tengah yang saya tahu, apabila pergi kepada Malaya Borneo Building Society, dia kata wang tidak ada, boleh pergi berkira dengan E.P.F. E.P.F. boleh memberi wang menerusi Malaya Borneo Building Society. Ini dia! Jadi E.P.F. tidak dapat memberi pinjaman wang untuk perumahan kepada orang² yang tidak di-akui betul² mempunyai kelayakan. Jadi, ada orang yang berbaik, yang chukup rapat dengan Malaya Borneo Building Society ini, di-beri satu nasehat; "Awak pergi berjumpa dengan E.P.F., E.P.F. boleh memberi wang kepada Borneo Building Society, Borneo Building Society beri kepada taukeh itu. Taukeh itu beri kepada bumiputera dan bumiputera ini boleh buat rumah.

Jadi jalan jauh, kalau bumiputera mahu dapat pinjaman daripada Malaya Borneo Building Society ini, kena-lah pusing ikut taukeh. Ada benda berlaku bagitu yang sa-patut di-kaji.

Jadi, bagi saya kalau Malaya Borneo Building Society tidak boleh menolong dalam perumahan kepada orang yang pendapatan rendah, menerusi sharikat² rendah, chuma menolong kepada perengkat yang besar² sahaja, jadi dengan membawa undang² ini, lagi berat bagi pehak kaum yang kecil ini hendak dapatkan bantuan daripada Kerajaan dalam satu² scheme. Yang saya terpaksa berchakap benda ini kerana terutama sa-kali di-negeri Kelantan; banyak tanah kosong, banyak ranchangan perumahan boleh di-buat tetapi apabila approach Borneo Building Society dia kata wang tidak ada. Ini dia! Jadi, itu-lah saya hendak minta supaya Kementerian yang berkenaan mengambil perhatian yang berat

dalam perkara ini. Sekian, terima kasih.

Enche' Lim Hee Hong: Tuan Yang di-Pertua, berkenaan ucapan Senator Nik Hassan tadi, saya bersetuju dengan pendapat dia tetapi ada satu jalan saya tunjukkan kepada Ahli Yang Berhormat itu. Di-dalam Kuala Lumpur ada satu dua company (developer) yang membena rumah yang tidak payah di-beri tanah. Dia berkongsi sama dengan tuan tanah itu. jadi kedua² orang berpakat masuk plan di-Local Authority. Bila plan itu sudah di-luluskan dia advertise menjual rumah² dia. Kalau ada orang hendak membeli rumah pergi-lah sama dia membayar chengkeram, kalau bagini dia tidak payah pergi sana, dia dapat plan approved, dapat tanah, tidak kena bayar wang. Tetapi kalau dia masuk kongsi, bila sudah jual satu² rumah dia bayar sama tuan rumah itu, jadi tidak payah-lah masuk banyak modal. Fasal ini banyak orang sudah kena tipu yang saya dapat tahu. Terima kasih.

Enche' S. O. K. Ubaidulla: Mr President, Sir, I welcome this Bill very warmly as a timely and much needed one. I have also learned of the assurance given by the Minister concerned in the Lower House, and the same has been again said by the Honourable Dato' T. H. Tan just now. I have also read the powers of the Minister in sub-clause (2) of Clause 6. However, Sir, the compelling and realistic reason which was given by those people concerned with the building industry is not a thing that should be overlooked.

The provision of \$500,000 paid-up capital and \$100,000 deposit would appear to be too small a figure for a big-build company and too big a figure for a small-build company. When the Bill intends to control even four-unit housing schemes, the amount of \$500,000 paid-up capital and \$100,000 deposit would appear a very large one. I would rather suggest a sliding scale that would be more realistic—say, \$100,000 paid-up capital and \$20,000 deposit. This would

be the beginning of the sliding scale and it can go up depending on the largeness of the company. This would appear to be a figure that would stimulate small developers to come forward to develop their business.

Sir, I would appeal to the Honourable Minister to consider this question favourably. Though I know that he has all the powers to help the genuine developers, but if this suggestion goes into the Bill it will cut down a lot of the unnecessary intervening and giving of his precious time.

Dato' Athi Nahappan: Mr President, Sir, I should just like to make one or two remarks. Sir, there is no mention at all throughout this Bill—and I have been trying to run through it—about the developers evidence in relation to the land on which the buildings are to be put up. A number of instances have been discovered where a person who does not own a land, or he owns it in undivided co-ownership with someone else, puts up buildings and the buyers believing that the land is the person's, believing that he may be the absolute owner or hoping that one day he will sub-divide the land and issue the necessary title, do go into bargains and buy a property and they seem to be endlessly waiting. In the meanwhile, the property is mortgaged and comfortably remains in the hands of a bank, who has first priority claim over the land, and if there is default on the part of the developer, the bank certainly has a first charge over the land. The people who have bought the properties just have a building as their own which cannot be removed, and in terms of law if it is a fixture it becomes part of the land. We have not heard instances where people have been asked to vacate, but I know of a number of agreements which have been made and houses were bought in the hope of getting sub-divided title and people are waiting and waiting.

Now, in imposing conditions here, under Clause 5, the Controller is given a wide range of discretionary power: he may impose such conditions as he

may deem fit and proper. I suggest that before issuing any kind of licence, the Controller should satisfy himself as to the land itself, whether or not the buyer of the house ultimately will be in a position to get his land safely and without having to face risks and hazards. Because these simple buyers hope to get the land—they are in great need—they simply enter into agreements, taking some risks. Since this is a remedial legislation, and Government has taken upon the paternal role of helping people, I should suggest that the conditions should include also the question of ownership of land of the developers. I consider this is fundamental and important. In fact, I have known of cases where ostensible builders went and showed some property that did not belong to them and collected the advance money and disappeared. I have also known of cases where there had been difficulty in getting sub-divisions because of quarrels between the undivided co-owners and they had not been able to come to some kind of agreement on divisions as to the parcels of land. This is an important question, but—unfortunately the Bill is silent on it—nowhere does it mention about the question of land ownership.

Now, with regard to the other point, the discretion vested in the Minister, he can of course waive off all the conditions as stated in Clause 6. This idea of \$100,000—he may waive that as well completely or he may impose partly, but I think the work of the Minister is going to be unenviable because very often he may find himself in a position of having to waive off in respect of a company, or a group of persons, who are financially very sound and impose conditions on people who are with very limited capital and want to enter into this project; and if he tries to show discretion to one, then very often he might be the object of very strong adverse criticism on the ground that the wealthier ones are being given the benefit of discretion and the moderate ones are being penalised with these conditions. But, then, the Minister has the responsibility to see that the buyer

gets security. I would, on the other hand, go along with my friend, the Honourable Senator Ubaidulla: let there be a clear-cut scale—so much of capital involved, so much of deposit you have to raise and deposit with the Government, rather than leaving it with the Minister—it may be more, it may be less. It may be a subject of accusations that favouritism has been shown in one case and not in the other case. I do not know how the Ministry is going to exercise this very wide and absolute discretion under sub-clause 2 of Clause 6.

As regards the deposit itself, it is not very clear. During the time available I have been trying to see the point as to when this deposit will be returned. There does not seem to be provision as to that. Presumably, when the building is over, the deposit will be returned, and it will not be kept unduly long time, because many of these people may have to borrow money to make the deposit and the Government should not sleep over the question of returning the deposit. There should be again a fixed time period and I hope that it will be given in the regulations that may be introduced under this legislation.

With these observations, Sir, I consider this is a very desirable Bill in the light of experience gained; and I hope that this will bring about the good that it is intended. Thank you very much.

The Minister for Welfare Services (Tuan Haji Abdul Hamid Khan bin Haji Sakhawat Ali Khan): Tuan Yang di-Pertua, saya mengucapkan ribuan terima kasih kepada tuan² yang telah berchakap, yang menyokong Rang Undang² ini. Tentang keraguan bagi sa-tengah² Ahli Yang Berhormat ia-itu berkenaan dengan wang petarohan, ia-itu sa-bagaimana telah di-nyatakan ia-itu dalam Clause 6 (2)—Menteri ada berkuasa penoh untuk menim-bangkan perkara itu, dan saya rasa keraguan itu tidak payah-lah timbul.

Satu perkara lagi yang di-bangkitkan oleh sa-orang Ahli Yang Berhormat berkenaan dengan perkataan “develop”

ia-itu di-sini ada di-sebut ia-itu: untuk membenakan rumah² untuk di-jual dan jikalau-lah pada rasa saya ada sa-kumpulan dua tiga orang yang membuat rumah bersama untuk di-bahagikan di-antara mereka itu, orang ini tentu-lah tidak mengeluarkan wang pendahuluan kepada sa-siapa yang tertentu.

Tujuan Bill ini ada-lah untuk menjagakan kepentingan orang² yang membeli rumah yang memberi deposit. jika kerana soal deposit ini tidak berbangkit, jadi keraguan ini tidak ada.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Deputy President *in the Chair*)

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

Schedule ordered to stand part of the Bill.

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

THE NATIONAL LAND REHABILITATION AND CONSOLIDATION AUTHORITY (AMENDMENT) BILL

Second Reading

Dato' T. H. Tan: Mr President, Sir, I beg to move that the Bill intituled “an Act to amend the National Land Rehabilitation and Consolidation Authority Act, 1966” be read a second time.

Dato' Y. T. Lee: Mr President, Sir, I beg to second.

Menteri Tanah dan Galian (Enche' Abdul-Rahman bin Ya'kub): Tuan Yang di-Pertua, oleh kerana sebab² di-kemukakan Rang Undang² ini ada di-terangkan dengan jelas-nya dalam huraian pada hujung Rang Undang² ini maka tidak-lah perlu saya rasa

bagi saya menambahkan penjelasan yang lain.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Deputy President *in the Chair*)

Clauses 1 to 5 inclusive ordered to stand part of the Bill.

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

Mr Deputy President: Honourable Members, the Senate is now adjourned *sine die*.

Adjourned at 7.22 p.m.

WRITTEN ANSWERS TO QUESTIONS

MINISTRY OF EDUCATION

Teachers

1. Tuan S. P. S. Nathan asks the Minister of Education to state clearly whether it was an off-cuff complaint or whether he has evidence to prove that a handful of teachers are only devoting 10 per cent of their time to their duties as teachers and spend the rest of the time in trade union activities, as alleged by him recently in Segamat, and whether he knows to which unions these teachers are affiliated, the names of the unions, and what action he intends to take against these teachers.

The Minister of Education (Tuan Mohd. Khir Johari): My reference to some teachers devoting 10% of their teaching time to duties as teachers and the remainder for trade union activities was based on reports which have come to me. These require investigation and if they are proved, I shall cause action to be taken in accordance with the existing regulations.

Until I have definite proof, I am unable to state which unions the teachers belong to.

Higher Educational Facilities in Malaysia

2. Tuan S. P. S. Nathan asks the Minister of Education to state when the preliminary work on the proposed Penang University would start and what faculties are to be housed in this university.

Tuan Mohd. Khir Johari: The Higher Education Planning Committee which is reviewing the needs for higher educational facilities in Malaysia as a whole is in the process of concluding its report. This review includes the question of having university level education in Penang in the context of the country's overall needs for higher education.

Regional Educational Institute

3. Tuan S. P. S. Nathan asks the Minister of Education whether the Ministry of Education is working out

a plan for the establishment of a special regional institute to deal with mutual problems in education of the ASA countries, and the progress made so far.

Tuan Mohd. Khir Johari: At the moment there is no proposal yet for the establishment of a regional educational institute specially for ASA countries. However, a proposal is being put forward by this Ministry to the Secretariat of South-East Asian Ministers of Education for the possible establishment of such an Institute as a Regional project.

Sixth Form Centre

4. Tuan S. P. S. Nathan asks the Minister of Education to state whether it is a fact that there is only one centre in the State of Pahang for students wishing to take up Higher School Certificate, and if so, whether the Ministry of Education is planning to open up new centres elsewhere in the State of Pahang.

Tuan Mohd. Khir Johari: In the 1965 Sixth Form Entrance Examination only 33 science candidates and 28 art candidates in Pahang qualified for Sixth Form education. These numbers do not, as yet, warrant the opening of more than one Sixth Form centre in the State of Pahang.

Automatic Promotion to Form Five

5. Tuan S. P. S. Nathan asks the Minister of Education whether his Ministry has received any complaint from parents of students in Form Four of the "tidak apa" attitude of the teachers, who are alleged to have told the students that they could consider the year as a "Honeymoon Year" and relax in view of the automatic promotion to Form Five.

Tuan Mohd. Khir Johari: The Ministry has not received any formal complaint on this matter although something to this effect has been talked about.

Association of Passed Students of the Tamil Teachers' Preparatory Examination

6. Tuan S. P. S. Nathan asks the Minister of Education to state categorically, from the beginning, what

transpired between the Ministry of Education and the members of the Association of Passed Students of the Tamil Teachers' Preparatory Examination, before certain members of the Association went on a Hunger Strike early this year.

Tuan Mohd. Khir Johari: Prior to 1956 those who had not attained their 20th birthday and had passed the Standard 7 (Tamil examination) which was also known as the Preparatory Examination for Tamil/Telegu teachers, were eligible for employment as teachers in schools where vacancies existed and to receive training in the part-time teacher training classes.

In accordance with the recommendations of the Report of the Education Committee, 1956, it was decided to discontinue the Standard 7 (Tamil examination) after August 1958. This decision was in line with the Education Policy which requires, as the minimum qualification for teachers in both National and National-Type Primary Schools to possess a basic educational qualification a Lower Certificate of Education plus approved professional training.

However, appeals and representations were made to the Ministry of Education by some of the students to conduct the Standard 7 examination for their own academic improvement. It was clearly undertaken by these students who made the appeals with the purpose of their request was to enable them obtain employment in other walks of life and not necessarily teaching.

In consideration of the appeals, the Ministry of Education allowed an extension of the Standard 7 examination for a further period of two years, i.e., 1956 and 1960. During this two-year period the classes were organised and conducted on a private basis by the students concerned.

When the Ministry of Education refused to consider the demand made by the Association of Passed Students of the Tamil Teachers' Preparatory Examination that part-time training for such teachers be re-opened some members of the Association went on a hunger strike.

7. Tuan S. P. S. Nathan asks the Minister of Education to state without any reservation, what the Ministry of Education proposes to offer to the members of the Association of Passed Students of the Tamil Teachers' Preparatory Examination once and for all to settle their long outstanding claims.

Tuan Mohd. Khir Johari: The Ministry of Education has issued a press statement indicating to the members of the Association of Passed Students of the Tamil Teachers' Preparatory Examination that the Ministry is willing to grant a further concession to the particular group for which the claim has been made, regarding age for entry to the Tamil medium unit at the Day Training College at Kuala Lumpur provided they sat and passed the Lower Certificate of Education by the end of 1968. This means that these students will have three more years to study and qualify themselves for training as teachers.

Tamil Language

8. Tuan S. P. S. Nathan asks the Minister of Education to state what facilities the Ministry has provided for children who pass standard six in Tamil language to continue and enrich themselves in the language to enter the Indian Studies Department in the University of Malaya.

Tuan Mohd. Khir Johari: Though the media of instruction in aided secondary schools are the National Language and English, there is provision for the study of Tamil Language in the secondary school from Form One right up to Form Six if 15 or more pupils request for the teaching of this language. Pupils can offer Tamil as a subject in the Lower Certificate of Education Examination, in the Malaysian Certificate of Education/School Certificate Examination, and in the Higher School Certificate Examination.

9. Tuan S. P. S. Nathan asks the Minister of Education whether he is aware of the wide gap created in between standard six and the University level to an aspiring student who wants

to take a degree course in the Indian Studies Department of the University of Malaya.

Tuan Mohd. Khir Johari: As has been stated in the answer to another question the aspiring pupils who wish to take a degree course in the Indian Studies Department of the University of Malaya can study Tamil from the primary school and continue the study of that language in the secondary school. They may offer Tamil as a subject in the Lower Certificate of Education, in the Malaysia School Certificate/School Certificate Examination, and in the Higher School Certificate Examination.

10. Tuan S. P. S. Nathan asks the Minister of Education to state (a) what is the response for the teaching of Tamil or Chinese languages in the English stream schools for children who wish to study these languages; (b) what is the number of English stream schools in the State of Selangor, and the number of such schools in which the above two languages are taught.

Tuan Mohd. Khir Johari:

(a) The response has been very satisfactory.

(b) In the State of Selangor out of a total of 164 English medium primary and secondary schools, Chinese and Tamil are being taught as a subject in 130 of these schools.

MINISTRY OF HOME AFFAIRS

Publications

11. Tuan S. P. S. Nathan asks the Minister of Home Affairs whether there is any substance in the allegations made by the leaders in the Borneo territories against the Singapore Government's publications, alleging that they are trying to drive a wedge between them and the Central Government, and if so, what steps the Central Government proposes to take against the entry and distribution of such publications in the Malaysian States.

The Minister of Home Affairs (Dato' Dr Ismail bin Dato' Haji Abdul Rahman): The Government of any country has the right to prohibit entry into its territory publications or other propaganda materials which it considers to be prejudicial to its interests. Publications from overseas including those from the State of Singapore will be dealt with in accordance with the above international practice.

MINISTRY OF FINANCE

National Shipping Line

12. Tuan S. P. S. Nathan asks the Minister of Finance to give some details of a proposed shipping line to serve countries in South-East Asia, Australia and New Zealand, which he had discussed with the Australian visitors attending the Seminar on Democracy and Development, held recently in Kuala Lumpur.

The Minister of Finance (Tuan Tan Siew Sin): The Malaysian Government has under study the question as to whether or not there should be a national shipping line, and if so, how this should be formed. Whether such a line if established should serve South-East Asia, as well as Australia and New Zealand arose in a general discussion that the Minister of Finance had with a group of journalists and university staff from Australia on 22nd February, 1966 on matters relating to finance, economics and politics in the context of Malaysia in the South-East Asian region. In such circumstances it is premature to go into details at this stage.

MINISTRY OF LABOUR

Extension of Collective Bargaining Agreements

13. Tuan S. P. S. Nathan asks the Minister of Labour to clarify the difficulties which have arisen in the passage of legislation on Extension of Collective Bargaining Agreements finalised by the N.J.L.A.C. some four years ago.

The Minister of Labour (Tuan V. Manickavasagam): The original draft

of the Bill has been found to be inadequate. The Bill is still under close examination by the Government.

Relationship between the Ministry of Labour, Employers' Organisations and Trade Unions

14. Tuan S. P. S. Nathan asks the Minister of Labour in view of the alarming crisis-ridden state of relations between the Ministry of Labour, employers' organisations and trade unions, whether he would favourably consider convening a top-level conference of representatives of these groups to discuss and lay down broad guide lines on industrial relations for compliance by all concerned.

Tuan V. Manickavasagam: I do not consider that the state of relations between the Ministry of Labour, employers' organisations and trade unions in this country is in any way alarming or crisis-ridden.

Trade Disputes

15. Tuan S. P. S. Nathan asks the Ministry of Labour to state if he was aware that there is developing serious despondency amongst trade union circles that employers are taking undue advantage of the Essential (Trade Disputes) Regulations, 1965, to dodge negotiations on claims and referring even ordinary items to the Industrial Arbitration Tribunal, and what action he has taken or contemplates taking to reverse this trend.

Tuan V. Manickavasagam: The power to refer a trade dispute to the Tribunal is vested in the Minister alone and I will only do so where I am satisfied that the parties themselves have exhausted all possible means of coming to a settlement by themselves.

In any case, of the 34 disputes so far reported to me under the Regulations, 26 of the reports were made by workers' trade unions and 11 of the 14 disputes referred to the Tribunal, were originally reported to me by such trade unions.

MINISTRY OF LANDS AND MINES

Land Alienation

16. Tuan S. P. S. Nathan asks the Minister of Lands and Mines to state Government's policy on land alienation for large scale agricultural development.

The Minister of Lands and Mines (Tuan Abdul Rahman bin Ya'kub): The policy followed by State Governments as formulated by the National Land Council in 1965 is as follows:

- (a) In view of the Federal Government's declared policy for greater diversification of our agricultural economy and to encourage and foster the expansion of private capital investments, Land Application Books which have hitherto been closed may now be re-opened but only to the extent of permitting applications to be made under the Land Code in respect of specific areas selected and indicated by the State Authority.
- (b) Areas to be alienated for smallholders, co-operatives, companies and private enterprises, should first be selected with due regard to relevant factors and earmarked by the State Authority.
- (c) The extent and procedure of alienation of land to companies should be left to the discretion of the State Governments bearing in mind the prime need for additional revenue to meet State Expenditure.
- (d) Alienation of land to companies be confined to remote areas while land near road frontage be earmarked for alienation to smallholders under organised schemes.
- (e) Alienation of land to companies should only be considered for the cultivation of crops other than rubber.

17. Tuan S. P. S. Nathan asks the Minister of Lands and Mines to state whether the allocation of 55,000 acres of land at Kampong Aur in the Pekan District for oil palm cultivation to the

newly formed Pahang Permanent Government Staff Co-operative Society is consistent with Government land alienation policy.

Tuan Abdul Rahman bin Ya'kub: Yes.

18. Tuan S. P. S. Nathan asks the Minister of Lands and Mines to give details of blocks of land alienated to genuine and traditional cultivators, planters and ra'ayat for agricultural development during 1965 and the first quarter of 1966.

Tuan Abdul Rahman bin Ya'kub: Answer will be sent to the Honourable Member as soon as all the necessary details are obtained from all the State Governments.

State Commissioner of Lands and Mines

19. Tuan S. P. S. Nathan asks the Minister of Lands and Mines to state if it is a normal practice for a State Commissioner of Lands and Mines to be elected Secretary of a Co-operative Society which has been allocated 55,000 acres for oil palm cultivation.

Tuan Abdul Rahman bin Ya'kub: No; and I am not aware that any State Commissioner of Lands and Mines has been elected, by virtue of his office, Secretary of any Co-operative Society.

MINISTRY OF TRANSPORT

The Penang Port Commission

20. Tuan S. P. S. Nathan asks the Minister of Transport in view of the serious threat to port operations at Penang following a deadlock in negotiations on a wage claim and improved conditions of service between the Penang Port Commission and the Penang Port Commission Employees Union, what action he has taken, or proposes to take, to restore good relations between the two parties.

The Minister of Transport (Dato' Haji Sardon bin Haji Jubir): The dispute between the Commission and the Penang Port Commission Employees Union relating to the Union's claims for revision of salaries and conditions of service which falls within the province of the Ministry of Labour has virtually been reported by both the Union and the Commission to the Honourable the Minister of Labour under regulation 4 of the Essential (Trade Disputes in the Essential Services) Regulations, 1965. It is understood that the Industrial Relations Division of the Ministry of Labour is actively dealing with the matter with a view to promoting a settlement of the dispute. It is hoped that the efforts of the officials of the Ministry of Labour, which handles these matters will be successful.

21. Tuan S. P. S. Nathan asks the Minister of Transport in view of the serious threat at disruption of the port operations at Penang, whether he would modify his directive to the Penang Port Commission so that more funds may be made available to the Commission to enable the Commission to reach an amicable settlement with the Union on its wage claim and improved conditions of service.

Dato' Haji Sardon bin Haji Jubir: As the dispute is now dealt with by the Ministry of Labour under the provisions of the Essential Regulations, the dispute will in all probability be referred to the Industrial Arbitration Tribunal if the Minister of Labour fails to promote a settlement of the dispute. As any award made by the Industrial Arbitration Tribunal will be final and conclusive both the Penang Port Commission and the Penang Port Commission Employees Union will be bound to comply with it. Therefore the question of a further directive from me to the Penang Port Commission does not arise.