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Friday
20th January, 1967

PARLIAMENTARY DEBATES

DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)

OFFICIAL REPORT

**THIRD SESSION OF THE SECOND PARLIAMENT
OF MALAYSIA**

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MALAYSIA

DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)

Official Report

Third Session of the Second Dewan Ra'ayat

Friday, 20th January, 1967

The House met at half-past Nine o'clock a.m.

PRESENT :

- The Honourable Mr Deputy Speaker, TUAN SYED ESA BIN ALWEE, J.M.N., S.M.J., P.I.S.
- „ the Prime Minister and Minister of Foreign Affairs, Y.T.M. TUNKU ABDUL RAHMAN PUTRA AL-HAJ, K.O.M. (Kuala Kedah).
- „ the Deputy Prime Minister, Minister of Defence and Minister of National and Rural Development, TUN HAJI ABDUL RAZAK BIN DATO' HUSSAIN, S.M.N. (Pekan).
- „ the Minister of Home Affairs and Minister of Justice, TUN DR ISMAIL BIN DATO' HAJI ABDUL RAHMAN, S.S.M., P.M.N. (Johor Timor).
- „ the Minister of Finance, TUAN TAN SIEW SIN, J.P. (Melaka Tengah).
- „ the Minister of Works, Posts and Telecommunications, TAN SRI V. T. SAMBANTHAN, P.M.N. (Sungei Siput).
- „ the Minister of Transport, TAN SRI HAJI SARDON BIN HAJI JUBIR, P.M.N. (Pontian Utara).
- „ the Minister of Education, TUAN MOHAMED KHIR JOHARI (Kedah Tengah).
- „ the Minister of Health, TUAN BAHAMAN BIN SAMSUDIN (Kuala Pilah).
- „ the Minister of Commerce and Industry, DR LIM SWEE AUN, J.P. (Larut Selatan).
- „ the Minister for Sarawak Affairs, TAN SRI TEMENGGONG JUGAH ANAK BARIENG, P.M.N., P.D.K. (Sarawak).
- „ the Minister of Agriculture and Co-operatives, TUAN HAJI MOHAMED GHAZALI BIN HAJI JAWI (Ulu Perak).
- „ the Minister of Lands and Mines, TUAN ABDUL RAHMAN BIN YA'KUB (Sarawak).
- „ the Minister for Sabah Affairs and Civil Defence, TUN DATU MUSTAPHA BIN DATU HARUN, S.M.N., P.D.K. (Sabah).
- „ the Assistant Minister of National and Rural Development, TUAN SULAIMAN BIN BULON, P.J.K. (Bagan Datoh).
- „ the Assistant Minister of Culture, Youth and Sports, ENSKU MUHSEIN BIN ABDUL KADIR, J.M.N., S.M.T., P.J.K. (Trengganu Tengah).

- The Honourable the Assistant Minister of Education, TUAN LEE SIOK YEW, A.M.N., P.J.K. (Sepang).
- „ the Parliamentary Secretary to the Minister of Health, TUAN IBRAHIM BIN ABDUL RAHMAN (Seberang Tengah).
- „ the Parliamentary Secretary to the Minister of Labour, TUAN LEE SAN CHOON, K.M.N. (Segamat Selatan).
- „ the Parliamentary Secretary to the Minister of Finance, TUAN ALI BIN HAJI AHMAD (Pontian Selatan).
- „ the Parliamentary Secretary to the Deputy Prime Minister, TUAN CHEN WING SUM (Damansara).
- „ TUAN ABDUL GHANI BIN ISHAK, A.M.N. (Melaka Utara).
- „ TUAN ABDUL KARIM BIN ABU, A.M.N. (Melaka Selatan).
- „ WAN ABDUL KADIR BIN ISMAIL, P.P.T. (Kuala Trengganu Utara).
- „ TUAN ABDUL RAHMAN BIN HAJI TALIB, P.J.K. (Kuantan).
- „ WAN ABDUL RAHMAN BIN DATU TUANKU BUJANG, A.B.S. (Sarawak).
- „ TUAN ABDUL SAMAD BIN GUL AHMAD MIANJI (Pasir Mas Hulu).
- „ DATO' ABDULLAH BIN ABDULRAHMAN, DATO' BIJAYA di-Raja (Kuala Trengganu Selatan).
- „ Y.A.M. TUNKU ABDULLAH IBNI AL-MARHUM TUANKU ABDUL RAHMAN, P.P.T. (Rawang).
- „ TUAN HAJI ABDULLAH BIN HAJI MOHD. SALLEH, A.M.N., S.M.J., P.I.S. (Segamat Utara).
- „ TUAN ABU BAKAR BIN HAMZAH, J.P. (Bachok)
- „ TUAN HAJI AHMAD BIN ABDULLAH, S.M.K. (Kelantan Hilir).
- „ TUAN AHMAD BIN ARSHAD, A.M.N. (Muar Utara).
- „ TUAN HAJI AHMAD BIN SA'AID, J.P. (Seberang Utara).
- „ DR AWANG BIN HASSAN, S.M.J. (Muar Selatan).
- „ TUAN AZIZ BIN ISHAK (Muar Dalam).
- „ TUAN JONATHAN BANGAU ANAK RENANG, A.B.S. (Sawarak).
- „ TUAN CHAN CHONG WEN, A.M.N. (Kluang Selatan).
- „ TUAN CHAN SIANG SUN, A.M.N., P.J.K. (Bentong).
- „ TUAN CHEW BIOW CHUON, J.P. (Bruas).
- „ TUAN CHIA CHIN SHIN, A.B.S. (Sarawak).
- „ TUAN FRANCIS CHIA NYUK TONG (Sabah).
- „ TUAN CHIN FOON (Ulu Kinta).
- „ TUAN D. A. DAGO ANAK RANDAN *alias* DAGOK ANAK RANDEN (Sarawak).
- „ TUAN C. V. DEVAN NAIR (Bungsar).
- „ TUAN EDWIN ANAK TANGKUN (Sarawak).
- „ DATIN HAJJAH FATIMAH BINTI HAJI ABDUL MAJID (Johor Bahru Timor).
- „ TAN SRI FATIMAH BINTI HAJI HASHIM, P.M.N. (Jitra-Padang Terap).
- „ TUAN S. FAZUL RAHMAN, A.D.K. (Sabah).
- „ TUAN GANING BIN JANGKAT (Sabah).
- „ TUAN GEH CHONG KEAT, K.M.N. (Penang Utara).

- The Honourable TUAN HAJI HAMZAH BIN ALANG, A.M.N., P.J.K. (Kapar).
- „ TUAN HANAFI BIN MOHD. YUNUS, A.M.N., J.P. (Kulim Utara).
- „ TUAN HANAFIAH BIN HUSSAIN, J.M.N. (Jerai).
- „ TUAN HARUN BIN ABDULLAH, A.M.N., J.P. (Baling).
- „ WAN HASSAN BIN WAN DAUD (Tumpat).
- „ TUAN HUSSEIN BIN TO' MUDA HASSAN, A.M.N. (Raub).
- „ DATO' HAJI HUSSEIN BIN MOHD. NOORDIN, D.P.M.P., A.M.N., P.J.K. (Parit).
- „ TUAN HUSSEIN BIN SULAIMAN (Ulu Kelantan).
- „ TUAN HAJI HUSSAIN RAHIMI BIN HAJI SAMAN, S.M.K. (Kota Bharu Hulu).
- „ TUAN IKHWAN ZAINI (Sarawak).
- „ TUAN ISMAIL BIN IDRIS (Penang Selatan).
- „ TAN SRI SYED JA'AFAR BIN HASAN ALBAR, P.M.N. (Johor Tenggara).
- „ PENGHULU JINGGUT ANAK ATTAN, Q.M.C., A.B.S. (Sarawak).
- „ TUAN KADAM ANAK KIAI (Sarawak).
- „ TUAN THOMAS KANA (Sarawak).
- „ TUAN KHOO PENG LOONG (Sarawak).
- „ TUAN EDMUND LANGGU ANAK SAGA (Sarawak).
- „ TUAN LEE SECK FUN, K.M.N. (Tanjong Malim).
- „ DATO' LING BENG SIEW, P.N.B.S. (Sarawak).
- „ DR LIM CHONG EU (Tanjong).
- „ DR MAHATHIR BIN MOHAMAD (Kota Star Selatan).
- „ TUAN T. MAHIMA SINGH, J.P. (Port Dickson).
- „ TUAN C. JOHN ONDU MAJAKIL (Sabah).
- „ TUAN JOSEPH DAVID MANJAJI (Sabah).
- „ TUAN MOHD. ARIF SALLEH, A.D.K. (Sabah).
- „ TUAN MOHD. DAUD BIN ABDUL SAMAD (Besut).
- „ TUAN MOHAMED IDRIS BIN MATSIL, J.M.N., P.J.K., J.P. (Jelebu-Jempol).
- „ TUAN MOHD. TAHIR BIN ABDUL MAJID, S.M.S., P.J.K. (Kuala Langat).
- „ TUAN MOHAMED YUSOF BIN MAHMUD, A.M.N. (Temerloh).
- „ WAN MOKHTAR BIN AHMAD (Kemaman).
- „ TUAN HAJI MOKHTAR BIN HAJI ISMAIL (Perlis Selatan).
- „ TUAN MUHAMMAD FAKHRUDDIN BIN HAJI ABDULLAH (Pasir Mas Hilir).
- „ TUAN HAJI MUHAMMAD SU'AUT BIN HAJI MUHD. TAHIR, A.B.S. (Sarawak).
- „ DATO' HAJI MUSTAPHA BIN HAJI ABDUL JABAR, D.P.M.S., A.M.N., J.P. (Sabak Bernam).
- „ TUAN MUSTAPHA BIN AHMAD (Tanah Merah).
- „ TAN SRI NIK AHMAD KAMIL, D.K., S.P.M.K., S.J.M.K., P.M.N., P.Y.G.P., Dato' Sri Setia Raja (Kota Bahru Hilir).
- „ TUAN NG FAH YAM (Batu Gajah).
- „ TUAN ONG KEE HUI (Sarawak).

- The Honourable TUAN HAJI OTHMAN BIN ABDULLAH (Hilir Perak).
- „ TUAN OTHMAN BIN ABDULLAH, A.M.N. (Perlis Utara).
- „ TUAN QUEK KAI DONG, J.P. (Seremban Timor).
- „ TUAN HAJI RAHMAT BIN HAJI DAUD, A.M.N. (Johor Bahru Barat).
- „ TUAN RAMLI BIN OMAR (Krian Darat).
- „ TUAN HAJI REDZA BIN HAJI MOHD. SAID, P.J.K., J.P. (Rembau-Tampin).
- „ TUAN SEAH TENG NGIAB, P.I.S. (Muar Pantai).
- „ TUAN SIM BOON LIANG, A.B.S. (Sarawak).
- „ TUAN SNAWI BIN ISMAIL, P.J.K. (Seberang Selatan).
- „ TUAN SNG CHIN JOO (Sarawak).
- „ TUAN SOH AH TECK (Batu Pahat).
- „ TUAN SULEIMAN BIN ALI (Dungun).
- „ TUAN SULEIMAN BIN HAJI TAIB (Krian Laut).
- „ PENGIRAN TAHIR PETRA (Sabah).
- „ TUAN TAJUDDIN BIN ALI, P.J.K. (Larut Utara).
- „ TUAN TAI KUAN YANG (Kulim Bandar Bharu).
- „ TUAN TAMA WENG TINGGANG WAN (Sarawak).
- „ DR TAN CHEE KHOON (Batu).
- „ TUAN TAN CHENG BEE, J.P. (Bagan).
- „ TUAN TAN TOH HONG (Bukit Bintang).
- „ TUAN TAN TSAK YU (Sarawak).
- „ TUAN TIAH ENG BEE (Kluang Utara).
- „ TUAN TOH THEAM HOCK (Kampar).
- „ TUAN STEPHEN YONG KUET TZE (Sarawak).
- „ TUAN HAJI ZAKARIA BIN HAJI MOHD. TAIB, P.J.K. (Langat).

ABSENT :

- The Honourable Mr Speaker, DATO' CHIK MOHAMED YUSUF BIN SHEIKH ABDUL RAHMAN, S.P.M.P., J.P., Dato' Bendahara Perak.
- „ the Minister for Welfare Services, TUAN HAJI ABDUL HAMID KHAN BIN HAJI SAKHAWAT ALI KHAN, J.M.N., J.P. (Batang Padang).
- „ the Minister for Local Government and Housing, TUAN KHAW KAI-BOH, P.J.K. (Ulu Selangor).
- „ the Minister of Labour, TUAN V. MANICKAVASAGAM, J.M.N., P.J.K. (Klang).
- „ the Minister of Information and Broadcasting and Minister of Culture, Youth and Sports, TUAN SENU BIN ABDUL RAHMAN (Kubang Pasu Barat).
- „ the Assistant Minister without Portfolio, TUAN HAJI ABDUL KHALID BIN AWANG OSMAN (Kota Star Utara).
- „ the Assistant Minister of Finance, DR NG KAM POH, J.P. (Telok Anson).
- „ TUAN HAJI ABDUL RASHID BIN HAJI JAIS (Sabah).
- „ TUAN ABDUL RAZAK BIN HAJI HUSSIN (Lipis).
- „ PUAN AJIBAH ABOL (Sarawak).

The Honourable O.K.K. DATU ALIUDDIN BIN DATU HARUN, P.D.K. (Sabah).

- „ PENGARAH BANYANG ANAK JANTING, P.B.S. (Sarawak).
- „ TUAN CHAN SEONG YOON (Setapak).
- „ DATU GANIE GILONG, P.D.K., J.P. (Sabah).
- „ TUAN STANLEY HO NYUN KHIU, A.D.K. (Sabah).
- „ TUAN KAM WOON WAH, J.P. (Sitiawan).
- „ TUAN AMADEUS MATHEW LEONG, A.D.K., J.P. (Sabah).
- „ TUAN LIM KEAN SIEW (Dato Kramat).
- „ TUAN LIM PEE HUNG, P.J.K. (Alor Star).
- „ TUAN PETER LO SU YIN (Sabah).
- „ DATO' DR HAJI MEGAT KHAS, D.P.M.P., J.P., P.J.K. (Kuala Kangsar).
- „ DATO' HAJI MOHAMED ASRI BIN HAJI MUDA, S.P.M.K. (Pasir Puteh).
- „ ORANG TUA MOHAMMAD DARA BIN LANGPAD (Sabah).
- „ TUAN MOHD. ZAHIR BIN HAJI ISMAIL, J.M.N. (Sungai Patani).
- „ RAJA ROME BIN RAJA MA'AMOR, P.J.K., J.P. (Kuala Selangor).
- „ TUAN SANDOM ANAK NYUAK, A.M.N. (Sarawak).
- „ TUAN D. R. SEENIVASAGAM (Ipoh).
- „ DATO' S. P. SEENIVASAGAM, D.P.M.P., P.M.P., J.P. (Menglembu).
- „ TUAN SIOW LOONG HIN, P.J.K. (Seremban Barat).
- „ TUAN TAN KEE GAK (Bandar Melaka).
- „ TUAN YEH PAO TZE, A.M.N. (Sabah).

PRAYERS

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

ORAL ANSWERS TO QUESTIONS

SUPERSCALE AND DIVISION I OFFICERS WHO LEFT THE GOVERNMENT SERVICE DURING 1964-1966

1. Dr Tan Chee Khoon (Batu) asks the Prime Minister the number of superscale and Division One Government officers who have left the service for the private sector for the years 1964, 1965 and 1966 giving the number separately for each year and stating the main reasons for their leaving the service.

The Prime Minister: Mr Speaker, Sir, it is difficult to state how many Division I officers, including those in the superscale grades, left the Service to join the private sector for the years 1964 and 1965 and the reasons for leaving the

service, but most of them left the service to join the private sector. In the year 1966, however, some of them have given reasons for leaving the service.

The number of Division I officers, including those in superscale grades, who have left the service in the years 1964 to 1966 are as follows:

1964—None in superscale;
Timescale: 73

1965—Superscale: 4
Timescale: 87

1966—Superscale: 3
Timescale: 92

and the number who retired on optional retirement are as follows:

1964—Superscale: 3
Timescale: 7

1965—Superscale: 7
Timescale: 5

1966—Superscale: 7
Timescale: 13

The main reasons given by those who left the service in 1966 are as follows:

- (a) 14 left the service to go on further studies.
- (b) 8 left the service to marry. Why they left the service to marry, I do not know—perhaps, they are the ladies in the Government Service.
- (c) 11 left the service for personal reasons. Here, again, I cannot tell what the personal reasons are.
- (d) 33 left the service to join private firms where they get better pay than staying on in Government Service.
- (e) 29 never gave any reason.

Of the officers who opted to retire from service in 1966, the majority of them either did not state any reason at all, or merely stated that they wished to retire owing to failing health.

Dr Tan Chee Khoon: Mr Speaker, Sir, is the Honourable Prime Minister aware that this drain on the Public Service of officers both in the timescale and in the superscale is a very serious matter for Government. It means that those who are best qualified to play their part in—call it what you like—the development of the country are being drained away for one reason or other. According to the figures given here, 33 left for private pay and 29 for no reasons. Is the Honourable Prime Minister aware that the omnimous warning given by the Minister for Finance yesterday, that there will be an agonising reappraisal when the Salaries Commission makes known its report, is likely to increase these people who want to hop off while the going is good. From 1967, possibly, there will be many more leaving for better pay in the private sector; if so, what steps does the Government propose to take to prevent this drain of highly qualified people?

The Prime Minister: Mr Speaker, Sir, what steps can we take to stop, it is not possible to state because after all we have to go by the Service Scheme, and the Service Scheme is not as good as that in the private sector.

We cannot stop those people from leaving the service, so we have got to put up with the situation as it is, bad as it may be.

Dr Tan Chee Khoon: Mr Speaker, Sir, is the Honourable Prime Minister aware that according to his own figure of people, who retired under optional retirement, again an alarming trend is shown: superscale—from 3 in 1964 it has gone to 7 in 1965 and 7 in 1966. Is the Honourable Prime Minister aware that at least 2 officers in the superscale grade last year left to join statutory boards? Is the Honourable Prime Minister aware that one of these chaps was an officer seconded to a statutory board? By retiring under optional retirement, not only does he collect his quarter pension, and his pension, but in addition by remaining in his own job he gets an enhanced pay. If the facts that I have stated are wrong, Mr Speaker, Sir, I shall be grateful for clarification from the Government benches.

The Prime Minister: Mr Speaker, Sir, the word “optional” suggests that we cannot stop them—they can retire when they want to. The two officers mentioned just now, they were seconded to statutory bodies, which are semi-Government Departments in fact, they are helping the Government to carry out some of the works in the particular Departments which their experience helps to administer. There is nothing I can do. I am aware of so many shortcomings in the Government Service, but we have not got the money to offer better incentives to these officers, and there are commercial houses who have got very much more money than we have.

Dr Tan Chee Khoon: Is the Honourable the Prime Minister aware that, in the case of Government officers retiring under optional retirement, the Government can have a say? Is the Honourable Prime Minister aware also that many officers, reaching the age of 50, have in the past tried to retire and have been refused permission? In this instance, why were these two officers allowed to retire and then jump to statutory boards at enhanced pay? As

I see it, the Government can tell the officers concerned, "You are doing a vital job we need your services, and we do not think we can release you and, therefore, you stay in the service." Further, Mr Speaker, Sir, is the Honourable Prime Minister aware that in allowing these officers to retire under optional retirement, it is putting a further load on the poor taxpayers, because you are increasing Government expenditure, presumably, if statutory boards are also paid from public funds? Consequently, it does not tie up with the Minister for Finance's warning that he is going to reduce by hook or by crook Government expenditure.

The Prime Minister: There is nothing I can do, but I am aware of it. As I said, transfers on secondment to statutory bodies have been a help to these statutory bodies, which otherwise will find difficulty in trying to get new persons. While the optional retirement scheme is on, they are given the option to retire. You suggested just now, why should they be given extra pay when they had the option to retire and let them go out. As I said, their services are required in the statutory bodies, and the instances you quoted are only two, the number of people who have resigned are so many. Therefore, we have reason for allowing them to take on the jobs in statutory bodies; it is for the benefit of the taxpayers who depend on the ordered administration of the statutory bodies to enable them to reap the greatest of benefit from the statutory bodies.

OFFICE OF FEDERAL SECRETARY, KUCHING

2. Tuan Edmund Langgu anak Saga asks the Prime Minister to state whether it is the policy of the Federal Government to maintain indefinitely the office of the Federal Secretary in Kuching and that the substantive holder of the office be appointed from the West Malaysia, and if not, when does the Central Government propose to close the office; or is it the intention of the Central Government to appoint a Sarawak Officer to the post, and if so, whether the Central Government

has considered appointing a local man to succeed the present Federal Secretary when he completes his tour of duty.

The Prime Minister: Mr Speaker, Sir, it is not the policy of the Government to maintain the office of Federal Secretary in Kuching indefinitely. The reason for it, as the Honourable Member must be aware, is that the person who holds the office of Federal Secretary is to act as liaison officer between the Federal Officers who are serving in the State and the Federal Government and to help the Federal Government implement many of its plans for development in the State in the quickest possible way, and it is not confined to people who are in the Malayan Civil Service. If there are for instance, State Officers seconded to Malayan Civil Service, they are also eligible to be Federal Officers. The Officer is not intended to act as a representative of this Government, in order to enslave the people of Sarawak. You must understand that when Sarawak joined Malaysia, it did so on its own accord, and also because it wants to enjoy the status and prestige of being independent. I did not realise that in some people's mind as they have expressed it so often they think that they are being slaves to this country. There has never been any evidence that we have been trying to enslave them. The present officer there is to help the State of Sarawak, so that it could come up to the level of the other States in Western Malaysia as soon as it could be done. There is all there is to it.

BOMBING OF CIVILIANS BY AMERICAN PLANES IN HANOI

3. Dr Tan Chee Khoo asks the Minister of Foreign Affairs if he is aware that American planes have bombed civilians in one recent raid in Hanoi, and that such bombing of civilians will further escalate the war in Vietnam; if so, whether the Malaysian Government has voiced concern over such raids to the American Government; if not, why not.

The Prime Minister: Mr Speaker, Sir, I am aware of the American planes going to Vietnam to bomb, as they say,

18. Uganda
19. Aden
20. Morocco
21. Pakistan
22. Filippina
23. Nepal
24. Arab Bersatu
25. Formosa
26. Zambia
27. Russia
28. Korea Selatan
29. Lebanon
30. New Guinea
31. Austria
32. Ceylon
33. Hong Kong
34. Nigeria
35. Norway
36. Laos
37. Cameroon Barat
38. Persekutuan Somalia
39. Malta
40. Sierra Leone
41. Angola
42. Senegal
43. Mauritius
44. Cameroon Timor
45. Iran
46. Burma
47. Gambia
48. Trinidad
49. Sweden
50. German Barat
51. Jordon
52. Kuwait
53. Fiji
54. Samoa
55. Algeria
56. Jamaica
57. Cambodia
58. Turkey
59. Brunei
60. Papua
61. Indonesia
62. Belgium
63. Rhodesia
64. Bolivia
65. Ghana
66. Saudi Arabia

67. Tanzania

68. Lesotho

(b) Pelawat² ini termasuk-lah pelawat² dari Republic Indonesia.

(c) 6 orang daripada pelawat² tersebut ia-lah daripada Ketua² Negara.

Tuan Ahmad bin Arshad: Tuan Yang di-Pertua, soalan tambahan berthabit dengan jawapan yang telah diberi oleh Yang Berhormat Menteri Pembangunan Negara dan Luar Bandar betapa besar penghargaan negara² itu terhadap ranchangan kita itu, benar-kah beberapa buah negara daripada Asia dan Afrika ini yang hendak mencontohi Ranchangan Pembangunan Luar Bandar kita dan pada peringkat permulaan ini apa-kah sumbangan yang telah kita berikan kepada negara² itu sa-kira-nya benar.

Tun Haji Abdul Razak: Tuan Yang di-Pertua, ada beberapa negara yang melawat Bilek Gerakan ini yang menyatakan yang mereka itu suka hendak mengetahui chara² kita melaksanakan Ranchangan Pembangunan, dan bagi diri kita telah memberi buku² dan juga keterangan² berkenaan dengan charanya kita menjalankan Ranchangan Pembangunan.

Tuan Haji Abu Bakar bin Hamzah (Bachok): Soalan tambahan, dapat-kah Yang Amat Berhormat Timbalan Perdana Menteri sa-laku Menteri Kemajuan Luar Bandar mencheritakan nama negeri² yang telah datang hendak meniru contoh kemajuan kita ini?

Tun Haji Abdul Razak: Tuan Yang di-Pertua, boleh di-katakan semua negeri² yang sedang menjalankan Ranchangan Pembangunan telah menyatakan yang mereka itu suka hendak mengetahui chara² kita menjalankan Ranchangan Pembangunan. Jadi, harus-lah sa-tengah² atau pun sa-bahagian besar daripada negeri itu tentu barangkali suka hendak menurut atau meniru chara kita menjalankan Ranchangan Pembangunan ini.

**THE SOCIETIES ACT, 1966.
REGISTRATION OF MUTUAL
BENEFIT SOCIETIES**

6. Dr Tan Chee Khoo [under S.O. 24 (2)] asks the Minister of Home Affairs regarding the new Societies Act, 1966, whether he is aware:

- (a) that the act has caused injustice to Mutual Benefit Societies, who have been asked to register within 90 days, and have been informed that those which gave benefit funds of more than \$600 for any one death would not be registered except when accompanied by actuarial certificates, and
- (b) that there are no practising actuaries in Malaya, and if so, why such hindrances are put in the way of the proper functioning of Mutual Benefit Societies.

The Minister of Home Affairs (Tun Dr Ismail): Mr Speaker, Sir, I am not aware that injustice has been caused as a result of the enforcement of the Societies Act on mutual benefit societies. In introducing the Societies Bill to this House in December, 1965, I had explained at very great length the reasons why existing mutual benefit societies should not be permitted to pay excessive benefits out of all proportion to contributions received. An average person joining one of these societies at the age of 35 years and paying one dollar a month could at the most contribute \$420, even if he lives up to the age of 70 years, and yet a number of societies had been paying the dependants of such a member over \$1,300. If these societies continue the same operations they will, in due course, fail. Since 1961 alone 103 mutual benefit societies had closed down involving over 279,000 members. Every one of these members had been contributing \$1 to \$3 per month regularly for a period of years. They received nothing in return. The purpose of mutual benefit societies should be to provide money sufficient for funeral expenses only. They should not be looked upon as organisations which would pay prizes on death, or from which one could have returns of five to ten times the amount of one's contributions. Any society proposing to

pay more than \$600 in one case is required to furnish a qualified actuary's certificate that the rates of contributions to be paid by the members are sufficient to cover the amount of benefits assured. Mutual benefit societies are in effect carrying on the business of life insurance, in that, in return for monthly or periodical contributions, they assure the payment of monies on death. Rates of premia, that is, contributions to be paid to insurance companies are, however, calculated on actuarial basis in relation to the amounts insured. Mutual benefit societies proposing to operate in a big way and to pay high benefits might consider incorporating themselves as life insurance companies.

With regard to the contention that there are no practising actuaries in Malaya, I consider that mutual benefit societies are merely making this provision relating to qualified actuaries as an excuse for not seeking their expert advice. The truth is that they know well that no qualified actuary would certify that for persons joining mutual benefit societies between the ages of 40 and 55, and paying a contribution of only one dollar per month, the benefits to be paid on death should be more than \$600. For the information of the Honourable Member, no less than six mutual benefit societies did not have any difficulty in securing the services of qualified actuaries.

Dr Lim Chong Eu: Sir, is the Honourable the Minister aware that the Government Pensioners Society of Penang, which in its proper term could be also classified as a mutual benefit society, had between the 4th July and the 30th September 41 of its members deceased and who are liable to be paid assistance up to a total of \$25,418.80? Under the present Societies Act they are entitled to be paid not more than \$600. So the nominees have so far been paid a proportion of that sum and application has been made to the Registrar of Societies for the full sum accrued to these members to be paid. Some of these members had joined the Society from 11 to 241 months and the sum that is still liable to be paid to the nominees amounts to \$18,285. But in

view of the fact the Registrar of Societies has not been able to give approval for the payment of this sum from this particular fund which was established by the pensioners of Penang, will the Honourable Minister try to help this particular society and the members of this particular society in order that they can get the monies that are payable to them at an early date?

Tun Dr Ismail: Sir, I cannot help any society if it chooses not to obey the laws of the country. I will be no party to that. The said society has made representations to my Ministry and we will look into the matter, but if any society thinks that I will be a party to breaking the law, which I am responsible for and which was passed by this Parliament they can go and tell it to the marines. I will abide by the laws that have been passed by this House, and I will treat all societies on the same footing.

Dr Lim Chong Eu: Sir, I believe the Honourable Minister in moving the Bill did say that he would give great sympathy and consideration to those societies which are operating in a *bona fide* manner. In this particular case, in view of the fact that the Honourable Minister has said that representations have been made to his Ministry the matter is not that the Society as such feels inconvenienced, but it is the nominees of the deceased—41 and more of them since September who had paid their regular subscriptions some of them for more than 241 months, which works out to 20 years—who are liable to be paid with sums before the new amendments to the Societies Act were made. So, will the Honourable the Minister for Home Affairs give and carry out the sympathetic consideration which he promised this House when we raised the probability of this problem coming up during our debate on the amendments to the Societies Act.

Tun Dr Ismail: Sir, the Honourable Member was in this House, that is I presume that he was in this House when we debated the Societies (Amendment) Bill, and the intention was not to deprive any contributor of the amount that he has contributed. What we are trying to do is not to make a mutual

benefit society into an insurance company. If a mutual benefit society wants to operate as an insurance company, it should do insurance work. What the Honourable Member is insinuating is that we are going to deprive these people, who have contributed of the amount contributed to this said Society. We are not doing that. What we are trying to do is to safeguard all those who have contributed to the Society. We have got to look after the interest of the public as a whole, not to a section of the members of a Society.

Dr Tan Chee Khoo: Mr Speaker, is the Honourable Minister, in quoting the number of mutual aid Societies, telling this House that the *bona fide* of these mutual aid societies are in question, and that they are all disreputable, or blood suckers and they want to cheat the public. If it is not so, then will he not consider sympathetically those mutual aid societies who *bona fide* in the eyes of his officers are above board and who may have genuine difficulties, in getting practising actuaries to help them, if they want to make payments above \$600 to the dependants of deceased.

Tun Dr Ismail: Sir, the Honourable Member is very fond of trying to put words into my mouth. I never said that all these societies are bogus and trying to cheat the people of the country. All I ask is that the Societies should conform to the Societies (Amendment) Act. Now when he said that all societies wanted to pay their contributors as the insurance companies did, then we say that they have to go to an actuary and prove to the Registrar of Societies, that these societies can pay their members according to what insurance companies pay. Now, if they want to comply with the Act, there is no necessity for them to go to actuaries. It is only when they want to be exempted and they want to prove that they can pay beyond what is stated in the Act that they must go to actuaries. There is no necessity for mutual benefit societies which conform with the law, which is reasonable, to go to actuaries at all. If they do not go to actuaries, they will save the fees that will be paid to the actuaries.

Dr Lim Chong Eu: Sir, in the Honourable Minister's reply to my last question I think he said that I was trying to force him to go against the law. Sir, as a matter of fact, during the debate on Amendment, we explained to the Honourable Minister the reason why we opposed—and the reason was that we felt that certain *bona fide* societies might find it difficult and here is an instance where I am particularly making reference to one society; the Government Pensioners' Society in Penang, and the Honourable Minister is aware of the difficulties of this Society.

Sir, the point is that we would like to try to assist the Honourable Minister in implementing the law, however much we dislike the type of laws that are passed. However, Sir, it is a very difficult matter for the members of the Society, or officers of the Society, to explain to the nominees of the 41 deceased members that, due to a Government amendment to an existing law, their parents or their beloved deceased relatives, who had been paying contributions to this Society for 20 years now, will be left in a position where they cannot receive the benefits that they were supposed to obtain, and the amount, Sir, is only \$18,000. Certainly, Sir, the Honourable Minister of Home Affairs can through his own office, instruct the Registrar of Societies to make a decision whether this sum that is left over should be paid, should not be paid, or what the society is to do with this sum of money which should, technically in the past, have been paid to these people. All that they want is a decision from the Ministry, or from the Registrar of Societies, as to what they are to do. To leave them hanging on fire, hoping that they may be paid, and now we know they may not be paid, puts the position in an invidious manner to the nominees of these people.

Tun Dr Ismail: Honourable Members on the Opposition side are very longwinded, and in the course of asking questions they have brought out several principles which embarrass themselves.

Firstly, the Honourable Member brought to the notice of the House that in the course of the debate on the

Societies (Amendment) Act, he expressed certain views. Now, those views were rejected by the House, and if those views were opposed to what I put to the House, as a good parliamentarian he should abide by the decision of the House and not try to quote what he said in the House in justification of what he is trying to say today. That is the first principle he should learn about democracy or parliamentary practice.

The second point is that the Honourable Member is always in sympathy with the wrong group of people. Now the object of the Societies (Amendment) Act is to protect all members of societies and to prevent the office bearers from making use of the societies as a sort of lottery in order to attract members. I had explained in great detail how some of the societies had been paying, and how many of these societies had gone bankrupt, and that that the chief objective of the Amendment is to save societies from becoming bankrupt and to save the members who have contributed to the said societies.

Now, in regard to this particular Society, I do not think the Honourable Member has got the facts correct. I do not know whether the Society which he quoted has given him the brief. If so, he should check his brief properly because, as far as I know, no application has been made for payment of the alleged \$18,000. So, I hope that when the Honourable Member brings any facts to this House, he should be responsible for them and not try to just quote facts in order to supplement his own imagination.

Now, Sir, there is no question that all these people who have contributed to the said Society, is going to be deprived of their contributions. What they are not going to get is, if I may put this way, the lottery form of benefits—that is gone forever now—but they are going to get the money that they have contributed for 20 years. Nobody is going to deprive them of their contributions, which they have been giving for 20 years. So, let the Honourable Member be quite clear in his mind about the facts. It is not the practice of this Government, as is the

practice of some Members of the Opposition, to try to draw a red herring and trying to deceive, in a political way, the people of the country. We have always been frank to the people and stand by what we promised to the people. So, please get your facts correct and do not try to insinuate that these people, who have been paying for 20 years are going to be deprived of their contributions. That is not true! why do you not say that you want these people to be paid in the form of lotteries? That we are not going to do. We have said in the Act that we are going to protect all members of any society. For example, just for argument's sake, although I know that this \$18,000 has never been applied for by the said society, let us say that the \$18,000 is going to be paid to 10 people, and as a result of that 100 members of the Society are not going to be paid in the future—those who have paid their contributions say, for 10 years—because the society went bankrupt by paying \$18,000; who are going to suffer? The majority of the members of this society—not these 10 people; and these are the people whom the Honourable Members is trying to espouse their cause to this House.

Dr Lim Chong Eu: Mr Speaker, Sir, it is quite clear that the wind, however long it may be, does not exist only in this part of the House. The Honourable Minister is quite capable of length in this particular aspect. However, Sir, in view of the devious ways in which I got my reply, I would also ask a further supplementary question in a devious manner. Sir, we in the Opposition are not embarrassed. It is quite right that at the present moment we do espouse causes, which are supported by the minority, and which are not supported or suppressed by the puppet majority. However, Sir, it is also a principle of democratic practice that the Opposition should go on believing that one day its views will prevail, and in this House views which were opposed at one time may be reversed in precisely the opposite manner.

However, Sir, with regard to this particular Society, since we now have the official reply from the Minister, I

was actually led up the garden path by the Honourable Minister's reply to me, because he did mention that this Society's representation had gone to his Ministry. However, in view of the fact the representation has not gone to the Ministry, and that is so because of the difficulty of getting actuarial accounting for the accounts, will the Honourable Minister assure this House that should these accounts be sent to the Honourable Minister, or to the Registrar of Societies, in view of the difficulty of getting full actuarial accounting, the Honourable Minister, in this particular case, will give special consideration for people who have actually paid up their money? Sir, for the benefit of this House to show that this is no lottery case out of the 41 members who have died and who have contributed a total of 5,995 months of benefits the benefits that are accurable to them come to \$25,418.80; advances paid so far have been \$4,000. Up to now what has been advanced? In view of the present amendment to the law—\$3,223; outstanding \$18,285.56; and transfers from reserve fund—\$89.76. Sir, this is not a society which is bogus, which is bankrupt, or which is likely to go into a lottery kind of benefits. Will the Honourable Minister assure this House, that should representation be made, if actuarial certificates cannot be obtained, he will show some of the sympathy which he promised during the debate?

Tun Dr Ismail: Sir, if the Honourable Member has been led up the garden path, he has been led by the tortuous mind, his tortuous question. I never led him up the garden path. I had given him the facts of the case, and if he chose to be led up the garden path by his twisted mind, that is his own affair. Now, Sir he has asked me for an assurance that, if this Society sends the full account to my Ministry, without the certificate of an actuary, I will give sympathetic consideration. I will not give that assurance, because the Act says that, if you want to go beyond the Act, you have to get a certificate from an actuary. So, how can I give sympathetic consideration to any society, if it does not want to comply with the

Act and wants to go beyond the Act, and the Act says that if you want to do that, you must get a certificate from an actuary? If, for example, this Society presents its account with the certificate of an actuary that proves that it can pay the benefits according to the way it wants to pay, then, naturally I will consider it, but not otherwise.

Tuan Geh Chong Keat (Penang Utara): Mr Speaker, Sir, arising out of the Minister's reply, can it be taken for granted that the beneficiaries, who have been paid \$150 can get a release of the residue up to the maximum of \$600 as provided by the Act?

Tun Dr Ismail: Sir, I would suggest that the Honourable Member study the Amendment Act and my speech, and also study the recording of my answers today, then probably he will understand better the question.

Mr Deputy Speaker: The time for Oral Answers is over now.

BILLS PRESENTED

THE STAMP DUTY (SPECIAL PROVISIONS) (MALAYSIA) BILL

Bill to alter and harmonise the rates of Stamp Duty payable under the legislation relating to Stamp Duty in the different parts of Malaysia; presented by the Minister of Finance; read the first time; to be read a second time at a subsequent sitting of this House.

THE FINANCE BILL

Bill to amend the laws relating to income tax and certain analogous taxes in Malaysia and the law relating to the registration of businesses in the States of Malaya and to repeal the law relating to the turnover tax; presented by the Minister of Finance; read the first time; to be read a second time at a subsequent sitting of this House.

Mr Deputy Speaker: The sitting is suspended for 15 minutes.

Sitting suspended at 10.35 a.m.

Sitting resumed at 11.00 a.m.

(Mr Deputy Speaker in the Chair)

WITHDRAWAL OF BILL—THE HIRE PURCHASE BILL

The Minister of Commerce and Industry (Dr Lim Swee Aun): Mr Speaker, Sir, I beg to move under Standing Order 62 the withdrawal of the Hire Purchase Bill, 1966. The reason is that, after the publication of the Bill, following the First Reading, I had invited views from the general public and I have received several suggestions, and as a result of that I shall be putting in a new Bill at a later part of this session.

The Minister of Education (Tuan Mohd. Khir Johari): Sir, I be to second.

Question put, and agreed to.

Bill accordingly withdrawn.

BILLS

THE MALAY REGIMENT (AMENDMENT) BILL

Second Reading

The Parliamentary Secretary to the Deputy Prime Minister (Tuan Chen Wing Sum): Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to amend the Malay Regiment Enactment (F.M.S. Cap. 43)" be read a second time.

Apart from taking the opportunity in rectifying obsolescent terms and printing errors, it has been found necessary, from the light of experience, to introduce into this Bill certain new provisions. Firstly, due to the rapid expansion of the Armed Forces, particularly during the period of confrontation, it has been proved impracticable and undesirable that the task of attesting recruits be performed by Magistrates alone. It is, therefore, proposed that the necessary personnel selection officers of the Malaysian Army and such other recruiting officers as may be designated by the Armed Forces Council be conferred with the authority to attest recruits. In this connection, the Bill also provides for the procedure to be adopted for attestation of recruits.

Secondly, inter-corps or inter-service transfer, which is presently allowed only in the Air Force Ordinance, 1958, has been found to be a most useful provision to have, as by the consent of the personnel concerned, or in a grave emergency, they may more usefully or effectively be employed in another corps or branch of the Service, or wholly in a different Service. It is the desire of the Armed Forces that this provision be incorporated in this Enactment as well as in all other Armed Forces legislation, so as to provide interchangeability of personnel where it is in the interests of the personnel or of the Service to do so.

Thirdly, and finally, a new Form of Commission is provided in this Bill, which is to become a standard Form of Commission. A similar provision will be found in all the other Bills relating to Armed Forces legislation to adopt this Form of Commission for issue to all officers of the Armed Forces. Due to its general wording it is capable of application to all officers. In this Form the name, rank and unit of the officer will be inserted. It will be issued in the National Language only.

All the provisions in this Bill, as in all the other Bills relating to Armed Forces legislation, are intended solely for the efficient administration of the Armed Forces and are not controversial in character.

Sir, I beg to move.

Tuan Mohamed Khir Johari: Sir, I beg to second the motion.

Dr Tan Chee Khoon (Batu): Mr Speaker, Sir, the Parliamentary Secretary, in his introduction of this Bill has stated that the opportunity is taken to remove or correct certain obsolescent terms and minor grammatical or printing errors. This, of course, the House must wholeheartedly support. If terms are obsolescent, they must be removed in the light of working experience that we have in this the year 1967.

Mr Speaker, Sir, the Malay Regiment, according to this Malay Regiment Enactment (F.M.S. Cap. 42), was, I believe, formed more than 30 years

ago. At that time we were under the British Raj; and in that context perhaps it was certainly relevant that we should have a Malay Regiment to fight, perhaps along side with the forces of the colonial masters. But today, Mr Speaker, Sir, we are no longer under the heel of our colonial masters. Today we are a free and independent nation. Today, we—I hope are going to mould all the citizens of this country into a unified Malaysian nation, so that all of us will be proud of calling ourselves Malaysians. I think one of the most difficult tasks of the Government is to mould the diverse races in this country into a cohesive Malaysian nation; and as such I take it that it is a retrograde step that if we retain the Malay Regiment, because if in the matter of the defence of this country and in the matter of dying in the defence of this country we divide the various people into compartments as to where they should die also, then I take the view that we are taking a retrograde step. I hope the Malay Members in this House will not say that I am being racial, because I am not; or I am trying to stir communal feelings—I am not. I am saying that if the Government wants to blend us, mould us into a cohesive united nation, then it must take active steps to do so. One of the active steps to do is to try and call everyone Malaysian, and consequently I will commend this idea to the Ministry of Defence that they should abolish the Malay Regiment and incorporate it into the Malaysian Armed Forces. That is not too difficult to do, Mr Speaker, Sir, in view of the multifarious Bills that the Government has brought to this House, and I commend this matter for the serious consideration of the Government. If the Government is to live up to what it preaches, then it must practise what it preaches.

Tuan Haji Abu Bakar bin Hamzah (Bachok): Tuan Yang di-Pertua, saya turut berchakap sedikit berkenaan dengan Rang Undang² Pindaan Malay Regiment ini. Tuan Yang di-Pertua, sa-pintas lalu memang-lah baik sangat sa-kira-nya pindaan yang bagini dibuat kepada Pasukan Malay Regiment dengan harapan pada satu masa orang²

yang bukan Melayu ia-itu yang Malaysian dapat juga masuk bersama ka-dalam Regiment ini sa-bagaimana yang di-sebut oleh Yang Berhormat Ahli daripada Batu. Tetapi, Tuan Yang di-Pertua, pada pendapat saya kekuatan satu² Regiment di-da-lam sa-sabua negara yang penduduk-nya berbagai² bangsa dan ugama saperti mana Malay-sia ini maka kekuatan Regiment itu tergantung kepada latehan jiwa dan spirit di-da-lam pasukan itu sendiri dan tiap² pasukan itu akan merupakan satu component part atau pun menjadi bahagian yang tersendiri di-da-lam satu pasukan yang terbesar. Dengan demik-ian tidak-lah bererti bahawa apabila kita mengekalkan satu² Regiment mengikut keturunan-nya akan mem-bawa kepada perpechahan kita di-da-lam sa-sabua negara. Pada pan-dangan zahir apabila kita membahagi-kan pasukan itu mengikut keturunan dan mengikut ugama pada hal mereka itu akan berjuang bermati²an dan akan mati untuk sa-bua negara. Pada zahir-nya kita nampak kita akan membaha-gikan mereka itu kepada medan² mati yang berlainan, tetapi kekuatan Regi-ment mempertahankan negara-nya bu-kan sahaja tergantung kepada chinta-nya kepada negara itu sendiri tetapi kepada i'tikad keperchayaan batin-nya, Regiment tidak akan mahu mati kalau sa-mata² dia hendak memper-tahankan perenggan geography—boar-der tetapi yang mendorong mereka itu bermati²an ia-lah mempertahankan sa-suatu yang ada di-da-lam batin-nya.

Tuan Yang di-Pertua, saya sa-benar-nya tidak begitu tahu sa-jauh mana-kah yang di-kehendaki sa-benar²-nya di-da-lam pindaan ini apabila pindaan ini telah berlaku sebab kata² di-da-lam undang² ini terkadang²-nya terlampau umum dan apabila di-taksirkan maka terjadi-lah perkara itu benda yang lain, tetapi yang saya katakan pindaan ini hendak-lah jangan terbawa² sa-hingga Malay Regiment ini di-untukkan atau di-pindakan. Kita telah lihat dalam masa perlanggaran Jepun ka-negeri ini kita dapati Malay Regiment telah mem-pertahankan negeri ini bersunggo²h dan mereka itu telah mati dengan berani-nya pada hal mereka itu bukan mempertahankan bangsa Melayu dan

Negeri Melayu sahaja tetapi mereka itu mempertahankan sa-suatu yang ada di-Tanah Me'ayu ini termasuk-lah orang² yang bukan Melayu dan mereka telah menunjukkan keberanian mereka itu dan keberanian ini bukan-lah sa-mata² kerana ketenteraan tetapi kerana keperchayaan kebangsaan dan i'tikad batin mereka. Jadi, Tuan Yang di-Pertua, saya dapati di-da-lam kenyataan pindaan ini ia-lah sa-mata² kita hendak mengadakan pegawai² recruiting officer yang boleh menentukan chara² pe-ngambilan rekrut² yang biasa-nya dahulu kebanyakan-nya di-lakukan oleh magistrate dan lain² pegawai yang tertentu.

Ini, Tuan Yang di-Pertua, saya per-chaya bahawa sudah sampai-lah masa-nya bagi negara kita yang merdeka ini mempunyai satu team atau satu pa-sokan tertinggi di-da-lam tentera kita ini sama ada di-da-lam pengambilan rekrut-nya atau pun di-da-lam masaa²lah² pengadilan Mahkamah² Tentera dan sa-bagai-nya. Tetapi, Tuan Yang di-Pertua, kita mesti-lah ingat bahawa kesemua-nya itu mesti-lah di-lakukan mengikut nature atau pun kedudukan pasukan itu sendiri, tidak mengikut Military yang umum, erti-nya tidak-lah mengikut undang² Military yang umum kalau sa-kira-nya kita menyerahkan kepada Undang² Military yang umum maka pasukan Malay Regiment itu ter-paksa-lah kita bubarkan dan kita menjadikan Pasokan Malaysia, angka-tan tentera Malaysia sa-bagaimana yang di-katakan oleh Yang Berhormat dari Batu.

Jadi, Tuan Yang di-Pertua, kita telah mendengar baru² ini bahawa Regiment Melayu akan di-buka kepada anak² bumiputera di-Sabah dan Sarawak yang bukan Melayu. Ini satu kemajuan di-da-lam Military kita atau pun di-da-lam ketenteraan kita ia-itu anak² bumiputera boleh di-katakan sama dengan jiwa Regiment kita ia-itu Malay Regiment. Dan dengan demikian mereka itu akan dapat bekerja lebeh hampir lagi. Ada pun meminda Undang² Malay Regiment sa-hingga terluput-nya Malay Regiment itu sediri maka semangat perjuangan yang mereka telah tunjok pada masa ini dan keberanian yang mereka telah tunjok

pada masa ini akan merusut dan mereka itu berasa perjuangan sa-mata² untok makan gaji dan mereka akan tidak mahu berjuang bersungguh². Tidak ada manusia yang berjuang mahu mati kerana sa-mata² hendak mendapat duit tetapi dia mahu mati kerana hendak mendapatkan sa-suatu yang dia mahu. Jadi, ini-lah yang saya berharap di-dalam pindaan Malay Regiment ini dapat kita mengadakan perkara² yang boleh mengekalkan Malay Regiment itu sa-bagai Malay Regiment.

Ada pun mengadakan pegawai² officer² yang tinggi di-dalam Regiment maka ini sudah sa-patut-nya Rang Undang² yang sa-macam ini sudah sa-patut-nya di-kemukakan sa-baik sahaja kita merdeka pada hari itu sebab itu-lah apabila berlaku-nya konfrantasi di-antara Indonesia dengan Malaysia amat-lah susah kita hendak menghantarkan mission atau pun rombongan Military kerana di-dalam Military, di-dalam ashkar kita itu tidak mempunyai jawatan² yang diakui oleh international, maka terpaksa-lah mithal-nya kalau kita hendak pergi ka-Medan mithal-nya kita kena menghantar Major General Abdul Hamid bin Bidin ia-itu top officer kita, sedang orang lain menghantar ka-mari colonel, Lieutenant-Colonel, dan apabila datang meshuarat di-sini, saya ada pada hari itu, Tuan Yang di-Pertua, oleh kerana di-dalam Pasokan Regiment kita itu tidak mempunyai sekshen² yang tertentu yang terator dari segi Military saya suka memberitahu kapada Tuan Yang di-Pertua, ia-itu saya bukan sa-orang yang di-jemput untok hadir saya pakai baju play boy pada hari itu, saya pergi ka-dalam bilek siapa pun tidak tanya saya, saya masok dalam bilek orang tarek beri kerusi kapada saya, tetapi saya Member of Parliament yang ta'at tentu-lah saya jaga negara saya—kalau-lah orang lain membuat bagitu? dan apabila saya pergi buka dada sadikit sa-orang daripada Lieutenant yang menjaga di-situ dia salute saya. Jadi ini, Tuan Yang di-Pertua, dalam Regiment kita kalau tidak ada susunan² yang samacham ini, negara kita akan susah dan apabila saya masok ka-dalam, saya dapati yang hadir itu Timbalan

Perdana Menteri kita, Brigadier General, orang² besar tidak ada lagi dan kalau mereka itu mati kita menangis; hendak menchari ganti-nya, payah. Apabila orang Indonesia datang saya tengok Colonel, Lieutenant Colonel, orang yang hanya bak saulte tidak present arm kalau hendak salute mereka itu. Jadi ini, Tuan Yang di-Pertua, di-dalam Rang Undang² ini yang kita hendak pinda tidak tersebut langsung perkara² yang sa-patut-nya di-sebutkan mengikut pendapat saya, tetapi yang di-sebutkan-nya ia-lah sa-mata² hendak menchari pegawai Recruiting Officer yang dahulu-nya dipegang oleh Inggeris yang sudah sa-patut-nya di-buat lama dahulu dan yang kedua hendak menukarkan anggota daripada Pasokan ini ka-Pasokan itu.

Jadi, Tuan Yang di-Pertua, kalau kita boleh menukarkan anggota² dari satu Pasokan ka-satu Pasokan yang lain, saya tidak fikir itu chara militer yang sehat kechuali perengkat officer. Kerana satu² Pasokan itu di-lateh mengikut spirit (semangat) perjuangan yang tertentu apabila di-pindahkan ka-Pasokan yang lain maka semangat itu tidak dapat berlaku. Mithal-nya, kita katakan Assault Party di-tukarkan pergi kapada Supply Platoon yang hanya memberi barang² makanan. Jadi semangat perjuangan berjumpa dengan tin² ration yang dia hendak berikan, kalau semangat-nya terlampau, dia tumbok segala ration² itu. Jadi, di-dalam kita men-transfer service di-antara satu Pasokan kapada satu Pasokan kalau kita tidak tentukan rank dan pangkat² penukaran itu maka akan berlaku-lah kelimakabut lagi lebeh banyak daripada apa yang di-sangka-kkan.

Dengan demikian, Tuan Yang di-Pertua, saya kemukakan ia-itu Rang Undang² meminda Malay Regiment, pada dasar-nya saya menyokong, tetapi saya dukachita benda² yang hendak di-pinda itu membawa kita jauh ka-belakang daripada membawa kita pergi ka-hadapan.

Tuan Haji Othman bin Abdullah (Hilir Perak): Tuan Yang di-Pertua, Rang Undang² Pindaan yang di-kemukakan di-dalam Dewan ini terang

menyatakan beberapa fasal bagi kesempurnaan dan menjaga supaya Malay Regiment kita ini lebih merupakan pasukan National kita (Pasukan Kebangsaan) yang benar² ta'at kepada negara ini.

Berbalak kepada apa yang kita telah dengar di-dalam perbahathan berkenaan dengan Pindaan Malay Regiment Enactment ini, kita berterima kasih yang tidak terhingga kepada Pasukan Malay Regiment yang telah memberikan khidmat mereka yang begitu chemerlang bukan di-dalam setahun dua sahaja, bukan di-dalam masa menghadapi konfrantasi dan bukan sahaja menghadapi masa dharurat di-Malaysia ini, tetapi jauh sa-belum berlaku-nya peperangan dunia yang kedua. Khidmat yang mereka berikan kepada negara ini merupakan suatu khidmat yang tidak akan dapat di-lupakan oleh sa-tiap warga negara, baik warga negara itu dari keturunan mana sa-kali pun.

Malay Regiment ini di-chiptakan atau di-lahirkan ia-lah sa-mata² kerana memberi peluang kepada anak² muda kita supaya memberi khidmat mereka itu kepada tanah ayer dan memberikan jiwa dan raga mereka itu kepada negara. Pasukan² Malay Regiment yang bermula dari kechil sa-hingga membesar daripada suatu masa kasuatu masa telah membuktikan ta'at setia yang sungguh kita banggakan dan dapat kita chatetkan di-dalam sejarah negara kita merupakan sejarah mereka dengan meninggalkan atau menghapuskan sama sa-kali nama Malay Regiment ini dapat-lah di-ertikan sa-bagai suatu pengkhianatan terhadap khidmat yang telah mereka berikan kepada negara ini. Kita tahu bahawa Malay Regiment ini ia-lah Askar Melayu tetapi Askar Melayu ini bukan-lah bererti bahawa ini suatu puak daripada orang Melayu atau kaum daripada orang Melayu yang monopoli kepada kedudukan di-dalam Askar ini, tetapi mereka telah lama berkhidmat sa-belum orang² lain masuk berkhidmat mereka telah menunjukkan bukti yang sungguh kita banggakan. Oleh kerana itu apa yang di-sebutkan oleh sahabat saya Yang Berhormat daripada Batu supaya

Malay Regiment itu di-hapuskan dan di-gantikan dengan nama yang sesuai dengan pembangunan negara dengan kesatuan negara. Tetapi bagi saya soal yang di-kemukakan itu pada dzahirnya merupakan suatu pandangan yang baik tetapi pada hakikat-nya usul atau pandangan itu merupakan hendak menghilangkan jasa yang telah di-buat oleh Malay Regiment berpuluh² tahun lama-nya. Kita tahu bahawa Malay Regiment berkhidmat bukan sa-mata² untuk kepentingan orang² Melayu atau pun kepentingan hak² orang Melayu dalam negeri ini sahaja tetapi mereka itu berjuang untuk kepentingan negara dan kepentingan bangsa Malaysia ini dan ini dapat mereka buktikan dan mereka berikan di-dalam masa² yang di-hajat oleh negara.

Saya sa-kali lagi menekankan soal ini ia-itu Rang Undang² Pindaan yang di-kemukakan ini ia-lah merupakan suatu tindakan untuk menyesuaikan kedudukan Malay Regiment ini dengan masa yang kita kehendaki sekarang ini dan saya tidak bersetuju sama sa-kali bahawa Malay Regiment yang telah berkhidmat, yang telah banyak jasanya, itu, yang telah mati, yang telah berkorban, yang telah hilang nyawa mereka itu akan di-ganti dengan nama yang lain dan dengan menggantikan dengan nama yang lain sama-lah erti-nya menghilangkan jasa mereka, maka kita di-dalam Dewan yang bertuah patut memberi penghormatan yang satinggi²-nya kepada mereka yang sedang berkhidmat sekarang dan kepada mereka² yang terkorban untuk kepentingan negara dan bangsa Malaysia ini.

Terima kasih.

Tuan Chen Wing Sum: Mr Speaker, Sir, I think the observation of the Honourable Member for Batu has been answered by the Honourable Member for Hilir Perak and the Honourable Member for Bachok.

Sir, the Malay Regiment is not the only Regiment in this country which has a tradition. My respectful opinion is that so long the Regiment is loyal to this country, it will defend the integrity, sovereignty, property and the life of every citizen in this country, irrespective of racial origin. As the

Honourable Member for Batu has stated, this Regiment has been in existence for the last 30 years and it has done a good job in defending this country during the confrontation, and I am sure that it will do so at present and in the future, whenever and wherever its services are required. Therefore, there is no reason to do away with it. Honourable Members, particularly the Honourable Member for Batu, will realise and understand that this Regiment is very proud of its tradition. Here, I would say that it is not the only this Regiment which has a tradition, but even in other countries their armies have traditions. For example, China used to have the nineteenth Regiment, which consisted of Kwong Sai people, and also some other armies which consisted of people of other Province, tradition too.

Sir, there is no discrimination in this case and there is no reason for that observation to be made.

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 Speaker *in the Chair*).

Clauses 1 to 9 inclusive ordered to stand part of the Bill.

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

THE MILITARY FORCES (AMENDMENT) BILL

Second Reading

Tuan Chen Wing Sum: Mr Speaker, Sir, I beg to move that a Bill intituled, "an Act to amend the Military Forces Ordinance, 1952" be read a second time.

When I last spoke on the Bill to amend the Malay Regiment Enactment, I said that there were some provisions in that Bill which would have common applications throughout the Armed Forces and which would be incorporated in all other Bills dealing with the Armed Forces legislation. Those common provisions are to be found in

this Bill in Clause 3, pertaining to intercourse and interservice transfers, and in Clause 6, pertaining to the adoption of a common form of commission which is the provision allowing intercourse and interservice transfers. Section 6 of the principal Ordinance which provides for interservice transfers is no longer necessary and will be replaced under Clause 4 of this Bill.

As regards the other provisions in this Bill, they are inserted to rectify obsolescent terms and printing errors.

Tuan Ali bin Haji Ahmad: Sir, I beg to second the motion.

Dr Tan Chee Khoon: Mr Speaker, Sir, I notice that what I have stated regarding the Malay Regiment has not found favour with either the two speakers or the Parliamentary Secretary to the Deputy Prime Minister. However Mr Speaker, Sir, the Labour Party is not afraid to espouse causes that are perhaps ahead of their times, and I venture to predict that in the years to come—maybe 15 years, maybe 25 years, maybe a century later—what I have stated today, as recorded in the taperecorder there, will come to pass.

Mr Speaker, Sir, the Parliamentary Secretary, in his remarks, pointed out that the military regiments and the military forces are very proud of their traditions. I entirely agree with him that regiments, particularly the military regiments, are naturally proud of their glorious past. But there is no reason why there should not be any change, and this change is not going to come from the military people. Now, if the Parliamentary Secretary will look at this amendment that he has introduced, he would see down there "Armed Forces Council". If one were to talk to a military man before World War I and talked of an Armed Forces Council, the military chap would say, "You better go to Tanjong Rambutan and have your head examined", because the military people are so divided into tight compartments. Before World War I, there were only two military forces worthy of note—the Army and the Navy; the Air Force did not even exist. And when in Britain they wanted to initiate the Air Force

as a separate force, both the Army and the Navy were dead against such a procedure because they wanted to grab hold of this new-found power and make it an appendage of the Army and the Navy, and this interservice rivalry not only went on in-between war years but went on even during World War II, and it is only after World War II that the civilians brought about this change of integration of the Armed Forces. Even now I dare say that the military people are rather dubious about even the procedure as laid down in this amendment, which I totally agree, that there should be a transfer from one service to another within the Armed Forces, and the very concept of an integrated Armed Forces, ruled by an Armed Forces Council, perhaps even after World War II, would have struck the military people with horror.

Mr Speaker, Sir, I do not see any reason why we should not be receptive to any new ideas, that we should be afraid of change if change is necessary. Was it not Tennyson who said, "The old order changeth, giving way to the new". The old order must change if we are to progress.

Now, the other observation I wish to make is with regard to our Armed Forces, and I shall be as brief as possible. I notice from time to time of announcements in the papers of "General of the Armed Forces", Lieutenant-Generals, "Major-Generals" and "Brigadier-Generals", and the like, and when I read these things I sometimes wonder whether our Armed Forces are not being "top heavy". I do know, for example that in this country there is four-star general of the Armed Forces and then, I believe, there are 2 or 3 lieutenant-generals and there are possibly about 5 or 6 major-generals. Now, take a comparison with India, for example. India is a sub-continent, not a small country with about ten million people. India has one general of the Armed Forces—one general. It has, I believe, about 1 or 2 lieutenant-generals and about 7 or 8 major-generals looking after the various military districts. But we a small country, and our whole Armed Forces do not even amount to more than a division, have the number of generals that I have listed.

The other thing, of course, is that there is a danger of having too big a standing army. Now, this poses two problems; one is that it eats too much into the budget—money that can be well spent on social services are siphoned off to unproductive, uneconomic projects. None other than the Minister of Defence has pointed out that he would rather build schools than barracks.

The other danger of course is that if the military becomes too big they may tend—I do not say that they will—to have strange ideas of their own importance, and we have examples of this not only in Asia but more so in Africa where the young colonels have toppled the major-generals, for examples in Nigeria, and almost every week when one opens the papers one finds that a young colonel has usurped his superior in Africa. In Asia one also can see how the military has taken over. If you have a military force that is too big then it can have very, very strange ideas and that is the thing we must try to prevent.

The other thing of course, Mr Speaker, that has formed the subject of questions for Oral Answers by me, which I shall in passing just touch, is that one sees the picture of our military officers, particularly those in the higher echelons. I have not brought the picture with me, but I can show it to anyone who wishes to see it of an officer who is literally too big to get into a car? That is not the sort of physical condition that one expects of an officer in the Armed Forces; and I commend it to the Parliamentary Secretary that he should, as I stated in the question for oral answer, initiate immediately an "Operation Reduction of Waistline" in our Armed Forces, particularly in the higher echelons.

Tuan Haji Abu Bakar bin Hamzah: Tuan Yang di-Pertua, oleh kerana Bill ini atau Rang Undang² ini ada hubungan-nya dengan Rang Undang² yang baru kita luluskan, maka saya mengambil peluang lagi sekali berchakap sa-berapa ringkas yang boleh. Saya faham ia-itu Rang Undang² No. (5) tahun 1967 ini ia-lah hendak selaraskan dengan Rang Undang² yang terdahulu-nya dalam segi penukaran ia-itu Inter Corps dengan inter Service antara

pasokan² tentera di-dalam Angkatan Tentera Malaysia kita. Saya juga ingin hendak memberi pendapat tentang pangkat² atau rank yang di-beri kepada anggota² dalam Pasokan Keselamatan kita. Pada satu segi saya bersetuju dengan apa yang di-sebut oleh Ahli Yang Berhormat dari Batu bahawa negeri kita ini terlalu kecil tetapi sudah banyak orang² yang berpangkat General, kalau tidak General penoh, Lieutenant General dan Brigadier-General, sedangkan di-India mithal-nya ia-lah General-nya satu sahaja dan pegawai² lain pun tidak begitu banyak padahal India merupakan benua atau sa-kurang²-nya sub-continent. Tuan Yang di-Pertua, ada berlain sedikit pendapat saya dengan pendapat Ahli dari Batu dan juga dengan pendapat Kerajaan sendiri. Kerana saya mempunyai pendapat saya sendiri yang orang lain tidak boleh masuk campur ia-itu Tuan Yang di-Pertua, kita patut memberi lebih banyak lagi pangkat kepada anggota² Pasokan Keselamatan kita kerana beberapa sebab. Yang pertama oleh kerana negeri kita sudah merdeka dan kita berhajatkan kepada barisan pertahanan yang lebih luas. Yang kedua, Regiment² kita sudah lama umur-nya erti-nya masa perkhidmatan mereka itu mengizinkan mereka itu mendapat pangkat² yang tinggi. Yang ketiga; apabila kita hendak memperkokoh dan menyusun tentera² kita maka tiap² satu batalion itu mesti-lah mempunyai pegawai² yang berpangkat yang tertentu, supaya dia tidak meminjam pangkat² dharurat. Mithal-nya dalam satu batalion sa-kurang²-nya dia mesti-lah ada Brigadier-General. Dan di-dalam satu Company mesti-lah sa-kurang²-nya ada Major sa-orang. Jadi kalau ada 10 company, yang hendak menjadi ketua-nya ada 10 Major dan Adjutant-nya mesti Major juga. Jikalau tidak terpaksa-lah kita kena pinjam Regimental Sergeant Major untuk memegang jawatan² yang penting begitu dan di-masa itu amat-lah susah ia-itu sa-orang R.S.M., Regimental Sergeant Major menjadi Acting Adjutant bagi Company itu yang pegawai lain-nya terpaksa salute kepada Adjutant yang dia itu Sergeant Major (R.S.M.) Pegawai yang salute kepada dia itu Leftenan.

Jadi tidak mungkin berlaku di-dalam mana² peratoran regiment. Dan ini-lah perkara-nya yang berlaku di-Congo dan Africa. Oleh kerana pegawai² itu tidak cukup ia-itu pegawai² Commission terpaksa kena salute kepada Non-Commission yang di-takuti oleh Ahli Yang Berhormat dari Batu. Tetapi Ahli Yang Berhormat dari Batu tidak mahu memberi pangkat yang bererti, dia suka negara ini menjadi seperti Congo juga sebab itu-lah saya menhadangkan supaya pegawai² di-dalam Malay Regiment sendiri yang sudah lama berkhidmat dan sudah menunjukkan kebolehan mereka itu di-beri pangkat sa-berapa chepat yang boleh dan mereka itu boleh-lah di-lakukan Transfer Service-nya untuk memimpin pasokan² yang baharu yang akan di-tubuhkan itu. Tidak munasabah-lah pasokan² yang baru ini di-adakan pegawai² baru dan pegawai² itu di-transfer kepada pasokan² yang lama kerana orang yang baru itu tidak menasabah menjadi ketua bagi yang lama—hanya perkara² yang tertentu sahaja.

Tuan Yang di-Pertua, lagi sekali saya suka mengingatkan Kerajaan ia-itu tentang maksud Rang Undang² No. 5 tahun 1967 ini ia-itu Inter Corps dengan Inter-Service Transfer yang patut kita lakukan. Yang saya hendak ketawa, Tuan Yang di-Pertua, ia-lah Form of Commission ia-itu surat hendak bagi tauliah itu, itu di-tulis dalam Bahasa Melayu-nya. Jadi kalau dalam bahasa Inggeris-nya agak-nya tidak sah-lah. Jadi itu-lah satu kemajuan di-dalam tentera kita ia-itu menukarkan Form of Commission itu kepada satu bahasa yang lain—is nothing doing with Military. Dia tidak peduli bahasa. Military language bukan bahasa sa-bagaimana bahasa kita, bahasa national atau bahasa Inggeris. Bahasa dia ia-lah peluru dan kecekapan. Jadi menukarkan bahasa dalam borang itu tidak menaikkan mutu tentera kita, sebab kalau kita menukar dalam bahasa apa sekali pun kalau mutu kemilitarian dia tidak naik tidak-lah dia itu chergas. Kerana menukar kepada bahasa kebangsaan, kalau kita hendak menukar kepada Bahasa Kebangsaan tidak mesti-lah kita tentukan kepada Form of Commission

sa-mata² tetapi sa-barang Form sahingga sumpah hendak masuk pun dibuat dalam bahasa Melayu di-gezetkan di-dalam Act, di-dalam Rang Undang² sendiri. Tetapi mengapa-kah kita sa-mata² menentukan kapada Form of Commission sahaja.

Yang kedua, Tuan Yang di-Pertua, berkenaan dengan menukar anggota dari satu pasukan kapada satu pasukan. Ini Tuan Yang di-Pertua, Yang telah saya sebutkan tadi di-dalam Rang Undang² No. 4 ia-itu Malay Regiment mithal-nya di-Malaysia ini sudah lama terlateh dengan latehan tentera yang tertentu dan semangat-nya yang tertentu. Apabila kita mengizinkan bertukar² pegawai antara satu pasukan maka berlaku-lah di-antara Malay Regiment dengan pasukan yang lain.

Lain-lah, Tuan Yang di-Pertua, kalau di-maksudkan daripada Inter-Service Transfer itu sa-mata² di-antara jenis kekuatan itu ada lain, Tuan Yang di-Pertua. Barangkali Tuan Yang di-Pertua pun tahu berkenaan dengan Military ini kalau kita tukarkan pegawai daripada Navy kapada Air Forces dan kapada Jalan Kaki—itu masaalah lain. Tetapi kalau menukar pegawai daripada pasukan Malay Regiment kapada Federation Malay Regiment mithal-nya dan kapada satu pasukan yang lain, itu membahayakan Military itu sendiri. Itu amat-lah merbahaya kapada Military itu sendiri. Oleh kerana kita dapati, Tuan Yang di-Pertua, oleh kerana kita ini selalu-lah berpandukan kapada negeri Inggeris, Britain, saya suka boleh jadi ada pegawai² tentera di-sini yang boleh iakan apa yang saya kata kalau betul ia-itu di-dalam England sendiri satu pasukan yang di-namakan Yorkshire Light Infantry. Infantry ini tidak boleh di-masoki oleh sa-siapa pun melainkan orang² di-satu tempat yang sudah termaktub di-dalam undang² itu sendiri ia-itu kalau dia dudok di-England dia tidak boleh masuk itu, kalau dia dudok dalam Scotland sakali pun kalau dia daripada daerah lain tidak boleh masuk dalam Yorkshire Light Infantry.

Ini kalau saya ta' salah, sebab saya biasa dengan Yorkshire Light Infantry itu sa-kurang²-nya 8 bulan, Tuan Yang

di-Pertua. Jadi, kalau di-Britain sendiri pun mempunyai regiment yang sa-macam itu mengapa-kah kita di-Tanah Melayu ini yang Malay Regiment itu yang kita nampak dia-lah yang mula² berkhidmat sa-kali dalam Tanah Melayu ini akan di-lakukan transfer of service—inter-service yang sa-macam ini.

Saya fikir, Tuan Yang di-Pertua, ini ia-lah sa-mata² hendak memelaysiaskan askar² sa-belum daripada masa yang sa-patut-nya. Tuan Yang di-Pertua, kalau kita tengok keadaan² yang lain, amat-lah lambat kita hendak Malaysiakan sa-suatu perkara, oleh kerana tradition kita, oleh kerana perbedzaan hidup kita dan bermacam² lagi. Kita hendak menjalankan bahasa kebangsaan pun, mesti lambat², oleh kerana masa-nya belum sampai, tetapi di-dalam military, mengapa-kah tidak timbul perkara berlambat² dan beransor² ini; terus sahaja di-lakukan—inter-service transfer.

Ini, Tuan Yang di-Pertua, amat-lah merbahaya bagi semangat military kita. Jadi, Tuan Yang di-Pertua, saya minta Kerajaan mengkaji betul² apa-kah yang di-maksudkan daripada inter-corps dan inter-service transfer yang di-kehendaki oleh Rang Undang² ini.

Saya amat-lah dukachita oleh kerana bukan saya tidak berpuas hati kapada Political Secretary bagi Kementerian Pertahanan dalam memberi jawapan, tetapi saya kasehan kapada beliau itu, oleh kerana Menteri yang sa-penoh-nya membebankan kapada beliau itu menjawab perkara² yang saya fikir tidak sempat dia memikirkan-nya sa-bagai bertanggung jawab di-dalam negara ini, dan saya amat-lah menguchapkan dukachita kapada Menteri yang berkenaan yang sa-patut-nya beliau sendiri hadir mengemukakan Rang Undang² ini, ia-itu Rang Undang² Military Forces yang kita hendak ubah. Jadi, Tuan Yang di-Pertua, saya takut apabila niat kita yang baik daripada Rang Undang² ini di-lakukan dan apabila sudah berlaku, timbul-lah perasaan² yang tidak baik, atau pun tidak senang hati di-kalangan military itu-lah masa-nya yang akan berlaku perkara² yang tidak baik, dan ini, Tuan Yang di-Pertua, di-mana² pun tidak dapat kita

lari—dunia sekarang—dan saya fikir, kalau pindaan ini tidak di-hati²kan, pada satu masa Parlimen ini akan dipanohi oleh orang² yang beruniform dan kita akan mengundorkan diri daripada Parlimen ini. Terima kasih.

Dr Mahathir bin Mohamad (Kota Star Selatan): Mr Speaker, Sir, I rise to support the Bill which has been brought forth by the Government.

This Bill provides for certain changes which quite obviously have become necessary, and it is quite obvious that in bringing forth this Bill, the Government is quite prepared to make changes when changes are necessary. This, of course, is quite different from the policies followed by the Labour Party of Malaya, which always thinks twenty years ahead of time and in so doing it has never been able to get into power because its thinking has never been the same as the thinking of the public. In twenty years' time, I am quite sure that the Labour Party will still be thinking about changes which should take place twenty years after that. So, it will never be able to do anything about its wishes. So, I hope that the Labour Party will come down to earth and think about changes which are necessary at this particular moment, and by doing so, I am quite sure they will win more sympathy from the public and may even become the Government and carry out their policies.

On the question of too much expenditure on the military forces, or the expansion of the military forces, I remember that the Labour Party has always been urging that we should take care of our defence ourselves and that we should not reply upon foreign countries like Britain to help to defend us. It is quite obvious, now that the confrontation has ended and we have asked foreign forces to leave this country, that we should expand our army in order to take over the duties that were formerly carried out by the armies of Britain, Australia and New Zealand. Now that we are doing this, actually in compliance with the wishes of the Labour Party, I cannot understand why its representative here should stand up and say that we should not

expand our military forces. They should, in fact, be grateful that we are doing

Dr Tan Chee Khoon: Mr Speaker, Sir, on a point of clarification, I did not say that we should not expand our military forces. Perhaps, English is not my mother tongue and so I might have expressed myself very hardly that the Member for Kota Star Selatan could not grasp me.

The other thing is that it is a question of how much is enough. Therein lies a difference of opinion, which I think I am entitled to interpret it in our own way.

Dr Mahathir bin Mohamad: The question of how much is enough, of course, varies with different people. The Government thinks that it is not spending too much on the military forces. If you compare it with some other countries, you will find that we are not really spending a lot of money. If you compare it with India, for example—the Member for Batu has mentioned that there are fewer officers in India—I remember that quite recently one of the officers in the Indian Army, who has just retired, criticised the Government for not expanding the army and not keeping up an adequate defence system. If we follow what India has done, then we might not be in a position to defend ourselves against the Communists, which is of course something that the Labour Party would like very much. So, we are not going to follow their advice. I should congratulate the Government for expanding and keeping the forces in an adequate size to defend our country against the subversive activities as well as the wellknown intention of Communists to take over this country if they can.

Beside this, military forces are not merely necessary for fighting or defending this country. During the recent floods in Kelantan, we have seen how the military forces could be used to help the people; and there may be more occasions later on when we can use military forces not merely in times of disaster like the floods we have had recently but also in developing this country as we have done in Sabah and Sarawak, where members of the military

corps of engineers have helped in building roads. So, it does not really mean that the Government is wasting money by having a fairly decent size military force.

We would be utilising these people not merely for defending this country but also to help in the development of this country.

So, I would congratulate the Government, again, for bringing about changes in the military forces when changes are necessary and when it is consistent with the needs of the country. Thank you.

Dr Lim Chong Eu: (*rises*)

Mr (Deputy) Speaker: Time is up! The sitting is suspended until 4.00 p.m. today.

Sitting suspended at 12.00 noon.

Sitting resumed at 4 p.m.

(Mr Deputy Speaker in the Chair)

THE MILITARY FORCES (AMENDMENT) BILL

Second Reading

Debate resumed

Dr Lim Chong Eu (Tanjong): Mr Speaker, Sir, I stand to support the general purpose of this Bill. I think it has been long overdue that some Bill of this nature, which would allow of interchangeability or, to use the words of the Explanatory Statement, "for inter-corps and inter-service transfer" should have been adopted quite some time ago. Sir, we hope, however, that the provision of this inter-corps and inter-service transfer will allow the Government fully to express its measure of the nation's progress towards a multi-racial society. The Government has, on many occasions, stated that its aim towards establishing a Malaysian nation is a two-step one, but however the ultimate objective is to achieve a Malaysian nation, so that this interchangeability of corps and service, if it follows the pattern even at the rate set up by the Alliance Party is to aim eventually at the establishment of the military forces within our country, which are absolutely and completely Malaysian in composition as it is and

has shown itself to be in spirit. Sir, we hope that from the beginnings of this Bill, a day will arrive when, perhaps, the amendments to a previous Bill, which we debated in this House earlier today, would make the very title of the Bill obsolete, that is to say, Sir, in the establishment and creation of a Malaysian military force, the *esprit de corps* and the spirit of service to the nation will be maintained far and above that which stems purely from race and from community, so that eventually, Sir, even all our military forces will be divided into corps, regiments and armies, which are completely Malaysian and the Government will find it no longer necessary for us to retain racial differentials in its components.

There is one other point, Sir, which I would like to raise. Up to now, up to this day, and we hope for as long as the military forces in this country exist, the loyalty of these forces should be absolute to King and to country. It should not be subject to the whims of politicians nor of political partisanship. Sir, it is a proud tradition which the Army and Armed Forces in this nation carry to this day, in that it has served the country and the people well in the full spirit of loyalty to His Majesty as well as loyalty to the nation as a whole. This, Sir, is absolutely important, because in the changing tides of political fortunes that lie ahead of us, should ever the military feel itself, or be forced or compelled or be biased by any way through law, or through its own impetus, be partisan at all in any of the political arguments in this country, then I think, Sir, the beginning of the end of stable, democratic government in this country will occur.

Sir, there is one provision in this Bill, under Clause 3 which reads:

"5 (1) any officer or soldier to whom the provisions of this Ordinance apply may be transferred to any other corps, regiment or arm of the military forces or to the naval or air forces of the Federation—

(c) by an order of the Armed Forces Council, made with the approval of the Yang di-Pertuan Agong."

Sir, in previous debates in this House we, from the Opposition benches, have on one occasion at least elicited from the

Government Bench that very often in law the term "Yang di-Pertuan Agong" means in fact, "Cabinet" approval. Sir, if the forces are to be absolutely loyal only to King and to country and not influenced by politicians, or political partisanship, it is necessary for us to define clearly that the term "Yang di-Pertuan Agong" here is not subject to absolute Cabinet control. Sir, how that is going to be achieved is a matter for the Government to take up. I myself find it difficult to suggest amendments, because these amendments would involve thorough constitutional revision. Sir, it would be, I think, for example, better if it were added "with the approval of the Yang di-Pertuan Agong under exercise of his powers by himself": but certain sections of the country might find it difficult to accept that. It may be that Government might find it useful to have a clause to say "the Yang di-Pertuan Agong also in consultation with the Council of Rulers," or some other body. But whatever it is, Sir, I hope that the Minister would clarify that this clause, which I have referred to, to make it sure that in this particular instance—the Armed Forces Council's order and the approval by the Yang di-Pertuan Agong—will have the minimum interference, or minimum suggestion of bias put forward by the Cabinet.

Sir, this is to some extent trying to place the Armed Forces Council in a position where decisions of this nature, in the transfer of its forces from different corps and different services, should be made completely and absolutely within the purview of military demands, and that the Armed Forces Council under those conditions will be making decisions and submitting decisions for approval on its own strength, and that the Council would then be functioning beyond the possibility of political interference.

Further, Sir, the approval of the Yang di-Pertuan Agong as such will be fully representative of his powers, as the Sovereign of this nation, and fully representative of the nation as represented by the executive power of the Yang di-Pertuan Agong.

Sir, it is because in the past this term "approval of the Yang di-Pertuan Agong" in constitutional definition had been interpreted by a prominent Member from the Front Bench of the Government that I seek this clarification from the Minister moving the Bill, that there will be a minimum, if possible absolutely no political interference with the opinion of the Armed Forces Council and the approval given by the Yang di-Pertuan Agong. It is only in this way, Sir, that whatever improvements this Bill will provide the Armed Forces Council for its moulding of services which will meet the demands of the Malaysian nation will truly progress towards the objective, that we all have in that the Armed Forces of our nation should be fully loyal to King and country and King and country alone.

Tuan Chen Wing Sum: Mr Speaker, Sir, on the question of the number of generals, two different views have been expressed by the Honourable Member for Batu and the Honourable Member for Bachok. The responsible Government has taken the best of the two views. At present we have only one general, one Lieutenant-General and one Major-General. The Lieutenant-General holds the post of the Chief of General Staff in command of the whole Malaysian Army, and the Major-General holds the post of Director of Operations, East Malaysia.

The Honourable Member for Batu has also given the wrong impression that this country has too big an Army. It is absolutely untrue. After the withdrawal of the Commonwealth Armed Forces, we have to fill in the gap. As a peace-loving nation, we do not intend to build up and maintain a big army, but neither can we afford not to have an adequate army to deal with the prevailing subversion by the hostile communists. Any attempt or step to reduce the present strength of the Armed Forces would no doubt jeopardise the security of this country. I hope the Honourable Member for Batu has not made that observation with any calculating motive.

Mr Speaker, Sir, the observation made by the Honourable Member for Batu as to the waistline of some of the officers is also unfair. If it had not been the one hundred percent fighting fitness of these officers, we might not have survived over the confrontation. However, I am thankful to the Honourable Member for Batu for his support of our introduction of the inter-service transfer, although the Honourable Member for Bachok does not share the same view. This provision is useful and practicable not only to the Service but also to the personnel concerned, as supported by the Honourable Member for Tanjong and the Honourable Member for Kota Star Selatan.

As to the observation made by the Honourable Member for Tanjong, Sir, I wish to repeat what I have said before lunch. The Army is always proud of its traditions, in particular the name of the Regiment. As the Honourable Member would appreciate, even in Britain regiments such as the Yorkshire Regiment, the Sussex Regiment, or the Scottish Highlanders, still retain such names pertaining to their country or race. In my respectful opinion, Sir, a regiment, irrespective of whatever name may be adopted, so long as it serves the purpose to defend the sovereignty and integrity of our nation and the life of every citizen in this country irrespective of their racial origin, and is loyal to this country, is what we want—and the Malay Regiment still retains such name merely because of tradition and not because of racial or political sentiment.

Mr Speaker, Sir, as to the observations made by the Honourable Member for Tanjong under Clause 3—Section 5 (1) (c) I think it is quite clear under this Ordinance that the mere fact such transfers should be with the approval of the Yang di-Pertuan Agong is beyond doubt of any allegation or suggestion that there has been partiality on the Army.

Mr Speaker, Sir, I can assure this House that the Army has a very good records, both in defending this country and administration of work, and I am sure that any Honourable Member,

even of any Opposition Party, who would one day have the chance of becoming the Government of this country would get the same service, the same impartiality of the Army, to defend this country.

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 Speaker *in the Chair*).

Clauses 1 to 6 inclusive ordered to stand part of the Bill. Bill reported without amendment; read the third time and passed.

THE NAVY (AMENDMENT) BILL

Second Reading

Tuan Chen Wing Sum: Mr Speaker, Sir, I beg to move that a Bill intitled, “an Act to amend the Navy Ordinance, 1958” be read a second time.

This Bill seeks to change the name of our Navy from the “Royal Malayan Navy” to the Royal Malaysian Navy” and to amend the words “His Majesty’s Malayan Ships” wherever they appear in the Ordinance to “His Majesty’s Malaysian Ships”.

An important amendment introduced in this Bill is to allow for the recruitment of Commonwealth citizens in the Royal Malaysian Navy. A similar amendment will be introduced in the Bill to amend the Air Force Ordinance which I shall deal with in a moment later. Sir, you may have noticed that no such provision was made in the Bills amending the Malay Regiment Enactment and the Military Forces Ordinance. It was unnecessary to introduce such provision for the regular army as citizenship qualification for recruitment into the regular army is written in regulations to which a similar amendment can be obtained by amending the regulations. A commonwealth citizen who is not a citizen of Malaysia will only be recruited if in any particular case it serves the interest of the Armed Forces so to recruit.

The common provisions relating to the inter-crops or inter-service transfer and the adoption of the standard Form of Commission are incorporated in Clauses 5 and 6.

Sir, I beg to move.

Parliamentary Secretary to the Minister of Health (Tuan Ibrahim bin Abdul Rahman): Sir, I beg to second the motion.

Tuan Ahmad bin Arshad (Muar Utara): Tuan Yang di-Pertua, saya bangun menyokong Rang Undang² yang telah di-kemukakan oleh pehak yang berkenaan tadi ia-itu saya chuma hendak menarek perhatian dalam Kementerian Pertahanan ini ia-itu mengadakan satu penyiasatan khabar angin dalam Tentera Laut kita yang telah di-katakan tekanan yang telah di-lakukan ka-atas anak bumiputera yang berkhidmat dalam Angkatan Laut dan udara di-Raja itu.

Menurut puncha itu mengatakan tekanan ini di-lakukan oleh pegawai² kulit puteh dalam berbagai² chara ia-itu di-sekat kenaikan pangkat sa-kali pun anak² bumiputera itu ada mempunyai kelayakan dan pengalaman. Tujuan pegawai kulit puteh ini supaya mereka itu kekal duduk dalam Jabatan ini, akibat-nya anak² kapal daripada bumiputera itu tidak tahan mereka berhenti berkhidmat dalam angkatan ini. Sa-telah di-adakan penyiasatan di-dapati benar supaya tidak berulang lagi. Saya mengharapkan Kementerian ini supaya perkara sa-suatu jawatan penting dan kenaikan pangkat pegawai² yang duduk di-bawah perintah pegawai dagang itu hendak-lah diawasi dan di-lakukan pemereksaan dengan sewajar-nya. Terima kasih.

Tuan Chen Wing Sum: In reply to that observation, Sir, the rumour is not true.

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 Speaker in the Chair).

Clauses 1 to 12 inclusive ordered to stand part of the Bill.

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

THE AIR FORCE (AMENDMENT) BILL

Second Reading

Tuan Chen Wing Sum: Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to amend the Air Force Ordinance, 1958" be read a second time.

This Bill seeks to change the name of our Air Force from the "Royal Malayan Air Force" to the "Royal Malaysian Air Force". Suffice it for me to say that the substance of this Bill is exactly the same as that of the Bill to amend the Navy Ordinance. In identical terms it provides for the recruitment of Commonwealth citizens, inter-corps and inter-service transfers, and the adoption of the standard Form of Commission.

Sir, I beg to move.

Tuan Ali bin Haji Ahmad: Sir, I beg to second the motion.

Tuan Hussein bin To' Muda Hassan (Raub): Tuan Yang di-Pertua, saya menyokong Rang Undang² berkenaan dengan Tentera Udara di-Raja ini, terutama sa-kali berkenaan dengan boleh penukaran pegawai² dan juga orang² yang berpangkat bawah bertukar ka-dalam pasokan² yang lain. Sebab, sa-bagaimana saya dapat ketahu² ahli² Pasokan Tentera Udara di-Raja yang tidak ada ke'ayakan yang penoh sangat susah hendak mendapat pangkat sa-bagai pegawai di-dalam pasokan ini oleh sebab kelayakan yang di-kehendaki untuk menyandang pangkat pegawai di-dalam itu di-kehendaki kelulusan tinggi dan kelulusan yang mendalam. Mendalam kata saya itu hendak-lah mereka itu berkelulusan sa-kurang²nya kelulusan School Certificate Seberang Laut dengan mendapat Credit di-dalam sains dan juga dalam ilmu kira². Maka banyak-lah anak² kita yang telah masuk ka-dalam pasokan ini yang boleh menjalankan kerja itu dan dapat mempelajari segala hal-ehwal dalam pasokan Tentera Udara di-Raja kita sa-bagai

practical, maka tidak dapat peluang meningkat kepada pangkat pegawai. Maka di-sini saya suka menarek perhatian Kementerian ini jikalau sa-kira-nya boleh di-longgarkan sedikit kepada orang² yang berkhidmat sa-bagai Tentera Udara biasa sahaja jikalau mereka itu ada kecekapan dengan melalui pekerjaan practical mereka itu di-naikkan ka-pangkat pegawai. Jikalau melihatkan kepada keadaan² sekarang nampak-nya susah-lah sedikit kerana anak² bumiputera yang tinggal saperti ini di-dalam Tentera Udara di-Raja itu.

Lagi satu dalam Clause 3 (Sekshen 6(1))—

“Any officer or airman may be transferred to the military or naval forces of the Federation—”

Saya suka hendak menarek perhatian Kementerian ini, kalau ahli² Tentera Udara di-Raja ini tidak layak atau tidak berkebolehan atau tidak ada pengetahuan untuk menyandang pangkat Pegawai di-dalam Tentera Udara di-Raja kita itu, kita beri mereka itu peluang memegang jawatan pegawai di-dalam Pasokan Tentera Berjalan Kaki kita. Sebab bagaimana yang saya mengikuti perkembangan Ashkar Melayu di-Raja kita, kebanyakan orang² yang berpangkat tinggi pada masa sekarang tidak berkelulusan tinggi sekolah-nya tetapi oleh sebab mereka itu chekap menjalankan pekerjaan practical-nya maka mereka itu di-kurniakan pangkat yang tinggi pada masa sekarang. Maka sa-kali lagi saya memberi perhatian kepada Kementerian ini di-dalam menaikkan kepada pangkat² Pegawai di-dalam Tentera Udara di-Raja ini, patut kelulusan atau pun kebolehan itu di-longgarkan sedikit dan di-beri peluang kepada ahli² Tentera Udara di-Raja menjadi Pegawai di-dalam Pasokan Tentera Udara di-Raja kita.

Sekian-lah.

Tuan Chen Wing Sum: Sir, I appreciate the point raised by the Honourable Member for Raub, but I also hope that the Honourable Member will appreciate that we do not merely want an air force in this country, and that if we should have one, we should have the best that we can. There is no

use to have an air force which can neither defend the country, nor do anything for the nation. Moreover, taking into consideration of all the prevailing conditions, this Ministry has tried its best to get the best people under the circumstances to serve the Air Force.

Tuan Hussein bin Toh Muda Hassan: What I am trying to impress upon the Ministry for Defence is to value on practical work rather than theory.

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 Speaker *in the Chair*)

Clauses 1 to 6 inclusive ordered to stand part of the Bill.

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

THE TERRITORIAL ARMY (AMENDMENT) BILL

Second Reading

Tuan Chen Wing Sum: Mr Speaker, Sir, I beg to move a Bill intituled “an Act to amend the Territorial Army Ordinance, 1958” be read a second time.

This Bill seeks to change the name of the Territorial Army in the national language from that of “Tentera Tempatan Persekutuan” to “Askar Wataniah Malaysia”. With the raising of the Local Defence Corps in recent years the name, “Tentera Tempatan Persekutuan”, has quite fittingly been applied to designate the Local Defence Corps and not the Territorial Army as a whole, of which the Local Defence Corps forms part. A new name of a more generic wording has, therefore, to be devised for the Territorial Army which, for the purpose of differentiation, has since popularly been known as “Askar Wataniah Malaysia”.

In line with the changes made in other Bills which are of common application throughout the Armed Forces this Bill, likewise, incorporates the

provisions which relate to inter-corps and inter-service transfers, adoption of a standard Form of Commission, and the recruitment of Commonwealth citizens.

There are, however, three other amendments introduced in this Bill which are of peculiar interest to the Territorial Army. They are:

- (1) The subjection of Territorial Army personnel to military law during the period of continuous or annual training in a military establishment. When on continuous or annual training, Territorial Army personnel do full-time duty with the Force and are treated as regular army personnel of corresponding rank for which they are paid regular army pay. It is essential for the proper maintenance of discipline that they be subject to military discipline whilst they undergo such training.
- (2) A member of the Territorial Army may be dealt with summarily by his Commanding Officer for any minor offence he commits under section 14 of the Ordinance. Whilst that section provides for his summary trial before his Commanding Officer, there is, however, no specific provision made therein to authorise his arrest so as to have him brought before his Commanding Officer for trial. Clause 8 of this Bill is intended, therefore, expressly to confer that power which at present is implied from the wording of the section.
- (3) When the pre-war Volunteer Force was officially disbanded in 1959, its personnel were by virtue of section 20 of the Territorial Army Ordinance transferred to the Territorial Army. There were at that time deposited with the Treasury in some of the States in West Malaysia certain sums of money which represented the unit funds of the disbanded

Volunteer Force. Clause 10 of this Bill is therefore designed to provide authority for the disposal of these funds by the Armed Forces Council for the benefit of members of the Territorial Army.

Sir, I beg to move.

Tuan Ali bin Haji Ahmad: Sir, I beg to second the motion.

Tuan Abdul Karim bin Abu (Melaka Selatan): Tuan Yang di-Pertua, saya suka mengambil bahagian menyokong dalam Rang Undang² ini, tetapi hanya saya suka berchakap sedikit pada Menteri yang berkenaan berhubungan dengan kedudukan Askar Wataniah ini. Saya di-beri tahu beratus² orang Askar Wataniah telah di-berhentikan daripada kerja-nya sa-lepas daripada konfrantasi. Apa yang dimushkilkan oleh Askar Wataniah yang telah di-berhentikan, tidak sedikit pun di-beri sagu hati oleh Kerajaan sa-lepas di-gunakan tenaga-nya oleh Kerajaan, maka dalam keberhentian-nya itu pulang-lah dia dengan tidak mendapat apa² sagu hati daripada Kerajaan. Jadi sa-kira-nya perkara ini benar, saya berharap-lah sangat² pada Menteri yang berkenaan kerana Undang² ini telah di-pinda dan jangan-lah Askar Wataniah ini hanya menjadi alat Kerajaan masa susah sahaja, tetapi bila masa kesenangan orang² ini di-berhentikan dengan tidak di bela. Inilah tujuan saya supaya dapat Askar² Wataniah yang berkhidmat sa-rupa dengan askar² lain dapat pandangan daripada pihak Kerajaan.

Tuan Stephen Yong Kuet Tze (Sarawak): Mr Speaker, Sir, we have considered several Bills, which are designed to put the Armed Forces into the right line. Now, this present Bill, in some way, also follows the lines of other Bills which have been considered.

The points I would like to make here are these. What is the standing of the Territorial Army in relation to, say, the Home Guards, or that body in Eastern Malaysia known as the Border Scouts, and units of that sort? If this is a body which is slightly different from the regular Army, then I think advantage should be taken to include all the other units of military nature

which do not come within the three Armed Forces. We do not know what exactly are the functions of the Territorial Army. If it serves somewhat like the Home Guards or Border Scouts type of units, then I think this Territorial Army should take under its wings all the other units.

I have heard also that Commonwealth citizens may be commissioned too. I think in cases of the Navy, in the Air Force, or in the Army itself, where we may not have the personnel who are citizens qualified enough to take on the commission, we have to open the door to Commonwealth citizens for commission. But in the case of the Territorial Army, which is of course not really the proper fighting force—it is more of an auxiliary type of force—I do not think it is necessary to open the door for Commonwealth citizens to be commissioned in this body. One would imagine that those people who have the interest to join the Territorial Army and think that an army career is good, they might probably apply to become regular officers or men in the Armed Forces.

Tuan Chen Wing Sum: Mr Speaker, Sir, as to the observation made by the Honourable Member for Melaka Selatan, I can assure him that the Government is considering whatever ways it can to help the Territorial Army personnel who may be dismissed to start a new life.

As to the observation made by the Honourable Member from Sarawak concerning Commonwealth citizens, the Honourable Member would appreciate that when Singapore was part of Malaysia there were many Singaporeans in the Army, in the Navy and the Air Force. After separation they are not considered as Malaysian citizens and, therefore, we have classified them as Commonwealth citizens. Many of them willingly and voluntarily came to serve in our Navy, Air Force and Army and, therefore, we have made this provision for those previously living in Singapore and who would now like to serve under Armed Forces. But certainly there is no intention, nor is it Government's policy, to encourage citizens from other countries to serve

in our Armed Forces unnecessarily.

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 Speaker *in the Chair*)

Clauses 1 to 11 inclusive ordered to stand part of the Bill.

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

THE NAVAL VOLUNTEER RESERVE (AMENDMENT) BILL

Second Reading

Tuan Chen Wing Sum: Mr Speaker, Sir, I beg to move that a Bill intituled, "an Act to amend the Naval Volunteer Reserve Ordinance, 1958" be read a second time.

In line with the proposals to change the name of the Royal Malayan Navy to Royal Malaysian Navy, this Bill seeks to change the name of the Royal Malayan Naval Volunteer Reserve to the Royal Malaysian Naval Volunteer Reserve.

The other provisions in this Bill are matters of common application, on which I have spoken previously; they relate to the adoption of a standard form of commission and specific bestowal of authority to produce an offender before his commanding officer for summary trial. There is no provision made in this Bill to recruit Commonwealth citizens, as such provision already exists in Section 6 of the principal Ordinance to authorise such recruitment, if it were in the interest of the Service to do so.

Sir, I beg to move.

Tuan Ali bin Haji Ahmad: Sir, I beg to second the motion.

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 Speaker *in the Chair*)

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

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

THE AIR FORCE VOLUNTEER RESERVE (AMENDMENT) BILL

Second Reading

Tuan Chen Wing Sum: Mr Speaker, Sir, I beg to move that a Bill intituled, an Act to amend the Air Force Volunteer Reserve Ordinance, 1958" be read a second time. All matters that are brought in this Bill are matters of common application to the Armed Forces which I have already dealt with in the previous Bills. The only new provision peculiar to the Air Force Volunteer Reserve is the proposed change of name from the "Royal Malayan Air Force Volunteer Reserve" to the "Royal Malaysian Air Force Volunteer Reserve".

Sir, I beg to move.

Tuan Ali bin Haji Ahmad: Sir, I beg to second the motion.

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 Speaker *in the Chair*)

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

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

THE INTERPRETATION BILL

Second Reading

The Minister of Home Affairs and Minister of Justice (Tun Dr Ismail):

Mr Speaker, Sir, I beg to move that a Bill intituled, "an Act to make provision for the interpretation of certain written laws, for shortening the language used therein, for matters relating to written laws generally and for other like purposes" be read a second time.

The purpose of this Bill, Sir, is to replace the Interpretation and General Clauses Ordinance, 1948. The Bill does not seek to change the law in principle, but a great many changes of detail have been made necessary by constitutional development since 1948.

The primary purpose of interpretation laws is to shorten the language used in statutes by providing definitions of commonly used expressions. In addition, there is need to specify various matters relating to written laws, statutory powers and duties and similar matters. If this were not done, these matters would have to be provided for specifically in every separate Act of Parliament, which would lead to a great increase in unnecessary verbiage.

Turning now to the Bill itself, Honourable members will see that it is divided into five Parts. Part I is preliminary. Part II contains the definitions to which I have already referred and which are probably the most important part of the Bill. Part III provides for matters relating to Acts of Parliament and subsidiary legislation, such as the method of publication and the effect of repeal. Part IV deals with statutory powers and appointments and Part V deals with a number of matters which could not conveniently be fitted into another Part.

In Part II, clause 3 is the most important clause. As can be seen, it contains substantial number of definitions, including definitions of East Malaysia and West Malaysia. Clauses 4 to 12, although they do not for the most part contain direct definitions, are in a sense definition clauses because they ascribe meaning to various expressions when they occur in an Act of Parliament. As an example, I might mention clauses 10 and 11 which explain what is meant when a reference is made to time or distance.

Part III, as I have said, deals with various matters affecting Acts of Parliament and subsidiary legislations. It is necessary to specify the effect of schedules, the method of citation and publication, and similar matters. These are, of course, already provided for

in the existing Ordinance. This Part merely adapts the existing provision to existing conditions.

Part IV is an important Part because Acts of Parliament frequently confer executive powers on Ministers and officials, and it is essential that the extent of any such powers should be exactly known. This part, like Part III, substantially reproduces the corresponding provisions of the existing Ordinance, although a good deal of change of detail has been necessary.

Part V also does no more than adapt and bring up-to-date the existing law. It contains a number of important provisions, such as clause 62 which permits minor deviations from forms and clause 63 which protects the rights of His Majesty the Yang di-Pertuan Agong and His Majesty's Government.

If the Bill becomes a law, the present intention is to bring it into force after the end of the present session. It will therefore not affect any Acts passed during the present session, but only those passed when it is in force. I should like to make clear to Honourable members that the Bill is not intended to affect the interpretation of the Constitution. The Constitution itself provides for its own interpretation. Nor will the Bill affect State laws. The existing Ordinance does apply to State laws as well as to Federal Laws. That was a suitable arrangement in 1948 but it is scarcely practicable now. As is pointed out in the Explanatory Memorandum the present Bill seeks to repeal the existing Ordinance only in so far as it is a Federal law. The existing Ordinance will remain in force in so far as it is a State law. It is hoped that with the agreement of the State Governments it will be possible to apply the Bill to States with modifications. As mentioned in the Explanatory Memorandum, this could be done by using the machinery provided by Article 76 (1) (b) of the Federal Constitution.

I am afraid, Sir, that this is rather a technical lawyer's Bill. Nevertheless, it is an essential part of our machinery of Government and I think I can recommend it to the House as both important and non-controversial.

Sir, I beg to move.

Tan Sri Haji Sardon bin Haji Jubir: Sir, I beg to second the motion.

Tuan Stephen Yong Kuet Tze (Sarawak): Mr Speaker, Sir, I just want to point out one small matter. I notice that the interpretation for the word "infant" has the same meaning as "minor", and when you look at the definition of "minor", it says:

" 'minor' means a person who has not attained the age of majority prescribed by the law applicable to him."

So, it takes us nowhere, that is to say what a "minor" is, because we still have to look up the law as what "prescribed by the law applicable to him" means. As far as the State law in Sarawak is concerned, I think, in the case of persons of an Asian race, a person below 18 is a minor and anybody above that age ceases to be a minor. I want to point out this, because by reading this Bill itself, it is not so clear as to what the age would be for a person in Malaysia who can be called a minor or who ceases to be a minor.

Tun Dr Ismail: Sir, when I introduced the Bill, I said that this Interpretation Bill only applies to Federal laws and that it is, of course, the intention later on, after consultation with the States, to apply it to the States. However, at present it is only applicable to Federal laws. It says here that "infant" has the same meaning as "minor", and "minor" is described as a person who has not attained the age of majority prescribed by the law applicable to him. So, it must be that the Federal laws are applicable to this interpretation.

Tuan Stephen Yong Kuet Tze: Sir, on a point of clarification—what will be the age of a person who ceases to be a minor under Federal law?

Tun Dr Ismail: Sir, there are different majority laws in East and West Malaysia. So, there is no such thing as a standard one—it depends on which law you are referring to.

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 Speaker *in the Chair*).

Clauses 1 to 12 inclusive ordered to stand part of the Bill.

Clauses 13 to 26—

Dr Lim Chong Eu: Mr Speaker, Sir, I would like to refer to Clause 20 of the Bill, which says:

"Subsidiary legislation may be made to operate retrospectively to any date which is not earlier than the commencement of the Act or other written law under which it is made or, where different provisions of that law come into operation on different dates, the commencement of the provision of that law under which it is made;"

This is a matter which has struck the public imagination, because of a recent act in Parliament, where a law was made retrospective, and the objection put forward by the Opposition in that particular instance was misinterpreted, I think, deliberately by the Minister handling that particular case at that time. It would be, I feel, Sir, advisable if Government would consider adding a sub-clause to Clause 20 to make that no retrospective Act, or legislation, should be passed or should be deliberated in Parliament if at that time legal action was taken in any of the Courts of law which the retrospective law may affect a decision. Sir, I do not quite know how to phrase this, but I hope that the Honourable Minister in Committee stage could work out some provision, whereby subsidiary legislation which operates retrospectively cannot be made in Parliament, if legal action in a court of law was going on at that time.

Tun Dr Ismail: Mr Speaker, Sir, I would like to inform the Honourable Member, first and foremost, since he suggested that I should make an amendment when the Committee stage comes, that we are in the Committee stage now.

The second thing is this: I do not know whether he referred to me as the Minister responsible then for his observations being misinterpreted. So, I cannot answer him unless he makes that statement more specific as to under what particular circumstances he made those observations about this retrospective law. As far as this Clause is

concerned, I would like to inform the Honourable Member that Clause 20 is the same as the existing sections 22 to 27 of the existing Ordinance. This is nothing new at all. We are just lifting it and putting it here.

Dr Lim Chong Eu: Mr Speaker, Sir, I appreciate that. I am sure that the Honourable Minister will remember that, when the Government passed an amendment to the Local Authorities Ordinance, it passed it retrospectively, and the Opposition protested very strongly on that occasion because the amendment at that time could possibly affect a legal action which had been taken by the City Council of George Town against the Chief Minister of Penang. It is because of the particular instance, on this occasion at the Committee stage, I would like to suggest to the Honourable Minister that provision should be made to make this retrospective legislation inoperable during a time when legal action is being taken in a court of law.

Tun Dr Ismail: Mr Speaker, Sir, who is going to draft that kind of exception? As the Honourable Member has brought it to the attention of this House and if, as he has mentioned, the provision relating to making the law retrospective affects action taken in court, I am sure the Court should make representation that such a thing should not be done. Of course, it is admitted, for example, that we should not make any legislation retrospective that may affect an action being taken at the moment, but with regard to having laws being made retrospective, this is quite common in any legislation. Whether it is being abused or not, it is for this Parliament to see that it is not being abused, but we cannot do as the Honourable Member suggested and spell out which legislation should be made retrospective and which should not. I think, every Bill should be debated on its own merits.

Dr Lim Chong Eu: Mr Speaker, Sir, it is precisely because Parliament should take this action that I have suggested that this subsidiary law, should not operate in any particular instance where legal action is being taken in the courts at the time.

Tun Dr Ismail: Sir, the Honourable Member should know that this is only permissible. It says here that subsidiary legislation may be made to operate retrospectively. That is what I said. If you are making any law and if you want to make it retrospective, and the Bill is being debated in this House, it is open to the Honourable Member to question whether that law should be made retrospective or not. But here it is only permissible. It is stated here that "subsidiary legislation *may be made* to operate retrospectively"—it does not say that it *shall be made*. In other words, if every Bill that comes to this House is going to be made retrospective, the Honourable Member should scrutinise the Bill, and if it is repugnant to public opinion, it is for the Honourable Member to voice it in this House. But to say that we should not put in Clause 20 here or modify it according to what the Honourable Member wants, I think, is contrary to what is being practised in this country and, as I said, this Clause is only being lifted and put in here from sections 20 to 27 of the existing Ordinance.

Tan Sri Haji Sardon: Mr Speaker, Sir, I would like to draw the Honourable Member's attention to the proviso under Clause 20 at the bottom, which says:

"Provided that no person shall be made or shall become liable to any penalty in respect of any act done before the date on which the subsidiary legislation was published."

Actually there is a proviso there. I mean a law can be passed when a case is pending and no man can be convicted when it does not become law.

Question put, and agreed to.

Clauses 13 to 26 inclusive ordered to stand part of the Bill.

Clauses 27 to 65 inclusive ordered to stand part of the Bill.

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

THE CONTRACTS (MALAY STATES) (AMENDMENT) BILL

Second Reading

Tun Dr Ismail: Mr Speaker, Sir, I beg to move that a Bill intituled, "an

Act to amend the Contracts (Malay States) Ordinance, 1950" be now read a second time.

This Bill seeks to amend Section 29 of the Contracts (Malay States) Ordinance, 1950, which provides (except with respect to the two exceptions contained therein) that every agreement, by which any party thereto is restricted absolutely from enforcing his rights under or in respect of any contract, by the usual legal proceedings in the ordinary tribunals or which limits the time within which he may thus enforce his rights, is void to the extent.

It is proposed, Sir, to include a new Clause in future agreements entered into between the Government and scholars receiving Government scholarships, bursaries or other awards prohibiting scholars from taking part in politics. Consequently, a clause in any such agreement will be necessary, so that the discretion exercised by the Government in such matters shall be final and conclusive and shall not be questioned by any court. Such a provision will conflict with the express conditions of Section 29 of the Contracts (Malay States) Ordinance, 1950, as it now stands. It is therefore, necessary to make a third exception to that Section, which is the subject matter of this amendment Bill.

Sir, I beg to move.

Tan Sri Haji Sardon: Sir, I beg to second the motion.

Question put, and agreed to.

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

Bill considered in Committee.

(Mr Deputy Speaker *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 RACING CLUB (PUBLIC SWEEPSTAKES) (AMENDMENT) BILL

Second Reading

The Parliamentary Secretary to the Minister of Finance (Tuan Ali bin Haji Ahmad): Mr Speaker, Sir, I beg to

move that a Bill intituled, "an Act to amend the Racing Club (Public Sweepstakes) Act, 1965 and to provide for matters consequential thereupon" be now read a second time.

As Hon'ble Members are no doubt aware, the Racing Club (Public Sweepstakes) Act, 1965, allows the selling of sweepstake tickets promoted by a racing club to persons who may not be members of the club. Though the Act applies only to West Malaysia, there is some doubt as to whether the provisions of the Act apply only to racing clubs in West Malaysia. As a result of this uncertainty, sweepstake tickets from outside Malaysia are being sold here, thus affecting the sale of tickets of racing clubs in this part of the country as well as the Social and Welfare Services Rottery tickets.

It is, therefore, necessary to move this amending Bill in order to provide that only tickets of sweepstakes promoted by racing clubs in West Malaysia can be sold to our public.

The Bill also provides for consequential amendments to be made to the Betting and Sweepstakes Duties Ordinance 1948 and the Common Gaming Houses Ordinance, 1953.

Sir, I beg to move.

Tuan Abdul Rahman bin Ya'kub: Sir, I beg to second the motion.

Tuan Stephen Yong Kuet-Tze (Sarawak): Mr Speaker, Sir, I would like to raise one point for the Minister concerned to consider, and that is in connection with the Turf Club in Sarawak. At the moment that Club, being also a racing club, is operating and selling its tickets to the public under an arrangement with the State Government before Malaysia, and also under the Lotteries Ordinance of that State. Now, that Ordinance empowers the Government to give licences to racing clubs, boat clubs, to sell tickets to the public. In this particular case, before Malaysia, the Social Welfare Council was given after taxation had been paid to the State Government, a share of the profits of that Club. That was the standing arrangement and, as a result, the Club was allowed to sell tickets to the public. Now, of course, the Social

Welfare tickets are being sold in that State and, as we know, as is the practice in Western Malaysia, from the profits of these Social Welfare lottery tickets, the Lotteries Board would then take care of the funds for social welfare. I do not know what arrangement has been made so far as Sarawak is concerned as regards the allocation of funds to the Social Welfare Council there, but apparently under the old arrangement, the payment from the profits of the Sarawak Turf Club has still to be paid to the Social Welfare Council of Sarawak. As I understand that the Club is not in a very strong financial position, and particularly if the racing clubs in Western Malaysia are allowed to sell the tickets to the public, apart from the taxation they have to pay, without having to share its profits with the welfare bodies as the Sarawak Turf Club has to do, I think the Minister concerned ought to look into this, perhaps, in order to release the Sarawak Turf Club of having to pay a share to the Sarawak Social Welfare Council and let the Social Welfare Lotteries Board to take over that Burden. I think it is only fair that all the racing clubs should be treated on equal footing.

Tuan Ali bin Haji Ahmad: Mr Speaker, Sir, this Bill concerns West Malaysia only and it does not affect Sarawak. However, the Honourable Member's views will be looked into by the Government.

Question put, and agreed to.

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

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Deputy Speaker *in the Chair*)

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

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

Sitting suspended at 5.25 p.m.

Sitting resumed at 5.50 p.m.

(Mr Deputy Speaker *in the Chair*)

THE ROAD TRAFFIC (AMENDMENT) BILL

Second Reading

The Minister of Transport (Tan Sri Haji Sardon bin Haji Jubir): Mr Speaker, Sir, I beg to move that a Bill intituled, "an Act to amend the Road Traffic Ordinance, 1958" be now read a second time.

The purpose of the amendment to the above Ordinance is to improve the working of the Ordinance generally and also to regularise certain existing provisions. The main features of the Bill are as follows:

Clause 2 deals with the amendments of Section 14, 16 and 21 of the Ordinance. In view of the fact that Singapore is now a foreign country, it is considered that certain provisions of the Ordinance relating to the recognition of Singapore motor vehicle licences and trade licences and enforcement actions on licences of Singapore registered vehicles used for unlawful purposes in the States of Malaysia should be repealed. Therefore, amendment to section 14, 16 and 21 of the Ordinance is necessary. It is to be noted that, with effect from 1st February, 1967, Singapore registered vehicles on temporary visits to any part of West Malaysia will be required to apply for passes to be issued under the provisions of the Motor Vehicles' International Circulation Rules, 1967.

Clause 3 of the Bill is to remove an anomaly, which has arisen following the decision to raise licence fees on private passenger diesel-propelled vehicles above those payable on taxi cabs or hired cars, by the deletion, from Section 22 (2) of the Ordinance, of the words "if the fee chargeable in respect of a licence for a motor vehicle used for such other purposes is higher than the fee chargeable in respect of the licence held by such person" appearing therein. Unless this anomaly is removed, no enforcement action can be taken against high-powered private diesel or passenger vehicles used illegally as taxi cabs or hired cars.

Clause 4 of the Bill concerns an amendment relating to Section 70 of the Ordinance. It is felt that this Section, as it now stands is inadequate for the purpose of recovering expenses incurred on removal and detention of unauthorised structures from roads. The Bill makes additional provision whereby the Minister of Works, Posts and Telecommunications, or the appropriate authority as the case may be, may recover such expenses by the disposal of such structures removed and detained under Section 70. The power of disposal also extends to the disposal of any perishable goods removed with such structures.

Clause 5 of the above Bill deals with the amendment to section 76 (1), that is, redefining the expression "authorised insurers". As a result of an inquiry by a Committee chaired by the Insurance Commissioner for Malaysia into certain aspects of third party personal injury insurance, a Motor Insurance Bureau has been formed by agreement between the Insurance Association and the Minister of Transport. This will remove a long standing grievance since third party motor insurance was made compulsory as few judgments in favour of the injured persons were unsatisfied, because of the absence of or ineffective insurance. The agreement will give effect to the principle for securing compensation to third party victims of road accidents where otherwise, the victims would be deprived of compensation by the absence of insurance or ineffective insurance. The agreement provides that if damages are awarded for death, for bodily injury, arising from the use of motor vehicles in circumstances, where the liability is required to be covered by insurance under the Road Traffic Ordinance, and such damages or any part of this remained unpaid twenty-eight days after the judgment becomes enforceable, the Bureau will pay the uncovered amount to the person in whose favour the judgment has been given. Although the liability of the Bureau will not extend to compensation of any injured on the road by a vehicle, where the owner or the driver

cannot be traced, it will however, consider such cases in certain circumstances to make *ex-gratia* payments. The entire cost of the administration of the Bureau will be borne by authorised insurers from the premium collected for motor insurance—in other words, the Government is not spending any money for this set-up. Therefore, an amendment to Section 76 (1) of the Road Traffic Ordinance is necessary for the purpose of redefining the expression “authorised insurers” which means a person lawfully carrying on motor vehicle insurance business in the States of Malaya who is a member of the Motor Insurers’ Bureau.” This is to ensure that all companies underwriting motor vehicle insurance business contribute to the Bureau.

Sir, this amendment is long awaited, which many of my learned friends in this House have been questioning me about every now and then during the Budget meeting. Unfortunately, many of those legal friends of mine, who have been questioning this, are not present in this House, but I am sure they will be happy to hear of this once it is reported or announced.

This is the opportune time, Sir, for me to express my appreciation to the Insurance Commissioners—in fact I think there have been two or three, they keep on changing—who have been chairing this Committee since it was formed in 1963, and the work was completed towards the end of 1966. Today, I would like to say that we are very grateful to the two or three of the Insurance Commissioners, who have been dealing with this as Chairmen, and to the Committee members, who have been continuously discussing this problem with the representatives of the Insurance Association; and I also take the opportunity here to thank very much the Insurance Association representatives sitting in the Committee, who ultimately have agreed to decide on this particular agreement, which would be signed between the Association and myself, on behalf of the Government, so that we can soon set up this body, or Bureau, and be able to implement it, as everybody has been looking forward to it for a long,

long time. This is really a great step forward for the Alliance Government to take great interest to protect the poor victims of road accidents, who have had for so many years, because of legal technicalities, or certain legal defects, not only no legal right to claim damages but even for mere compensation or *ex-gratia* payments. I believe this scheme is the first of its kind in South-East Asia, and I think Honourable Members will be proud that we in this Parliament have been able, despite this long delay, to produce something that will protect the interest of the poor victims and the next of kins to get whatever compensation that this Bureau will consider reasonable and try to help the next-of-kins of the victims in road accidents.

Now, coming to Clause 6 of the Bill, this deals with amendments to section 79 of the Ordinance to widen the scope of the avoidance of restrictions in a motor third party risk policy. The number of restricted conditions contained in section 79 of the Ordinance has also been extended, so that the insurers will be required to pay claims in those circumstances to third Party victims but will have the right to recover them from the owner or the driver of the vehicles.

Clause 7 of the Bill makes certain consequential amendments to sections 21, 45, 48 and 57 of the Ordinance as a result of the repeal of provisions mentioned in paragraph 2 above. They are to repeal provisions relating to the following matters: enforcement action on Singapore trade licences, facilities for motor vehicles, drivers, due certificate of insurance in Singapore and facilities for the licensing of motor vehicles brought from Singapore.

The term “the Colony” has also been substituted by the term “Republic of Singapore” since Singapore is now independent and a foreign country.

The existing defects in the provisions of the Road Traffic Ordinance, 1958 will be remedied by the provisions made in the Bill.

Sir, I beg to move.

Tuan Abdul Rahman Ya'kub: Sir, I beg to second the motion.

Tuan Tajudin bin Ali (Larut Utara):

Tuan Yang di-Pertua, saya mohon kebenaran berchakap di-atas Bill ini. Tuan Yang di-Pertua, saya menyokong Rang Undang² yang telah di-kemukakan oleh Yang Berhormat Menteri Pengangkutan dan dengan peruntokannya, saya meminta kepada Yang Berhormat Menteri membuat beberapa penjelasan di-atas Rang Undang² ini.

Terutama²-nya, Tuan Yang di-Pertua, Bill ini, saya rasa, sangat-lah baik dan menasabah, kerana kita dapati banyak kemalangan di-jalan raya kita, oleh sebab motokar² lama di-simpan, barang² ta' tentu letak di-jalan raya dan menjadi bahaya kepada lalu-lintas dan ada kala-nya melanggar dan mendedahkan maut.

Tuan Yang di-Pertua, Yang Berhormat Menteri tadi telah menyatakan ada-lah motokar² daripada Singapura hendak masuk ka-Malaysia kita, Malaysia Barat, berkehendakkan satu lesen. Saya minta penjelasan daripada Yang Berhormat Menteri—lebeh sedikit, lesen itu berapa lama boleh didapati oleh sa-saorang peminta; berapa bayaran kepada satu motokar²—satu teksi, satu bas dan satu lori.

Tuan Yang di-Pertua, berkenaan dengan Section 4, pechahan 4, saya minta kebenaran, Tuan Yang di-Pertua, membacha-nya:

(4) Nothing in sub-section (3) shall prohibit—

(a) the disposals as the Minister or the appropriate authority may think fit of any fish, meat, fruit, vegetable or other perishable goods, if any, removed together with the structure.....

Tuan Yang di-Pertua, barangkali kita kalau menjelajah ka-seluruh tanah ayer, kita dapati motokar² lama di-simpan di-atas jalan raya dan kadang² bas yang ta' pakai dudok terlantar di-atas jalan raya, mendatangkan bahaya kepada lalu lintas. Dalam motokar, atau bas² yang lama itu, bukan-nya kosong, bahkan di-diamkan oleh orang, dudok kadang² sampai katanah pun. Jadi, ada-kah ini membolehkan Yang Berhormat Menteri menarek has lama ini di-jual barang², termasuk

orang—kalau sampai macham ini termasuk-lah orang, bukan-nya hendak jual motokar lama sahaja, orang pun barangkali kena jual.

Jadi, di-sini periok belanga dia kena jual, kena lelong. Itu saya minta penjelasan. Jadi, pada saya kurang penjelasan, Tuan Yang di-Pertua.

Muka dua sub-section (6), minta saya kebenaran membacha-nya:

In this section the expression "structure" includes any machines, pumps, posts, and such other objects as are capable of causing obstruction or of endangering traffic.

Tuan Yang di-Pertua, baharu² ini di-Perak kita ada banjir, banjir besar. Jadi, macham ayer banjir itu, Menteri itu hendak bawa lalu bersama-kah kayu² balak, ada-kah Menteri hendak bawa bersama², batu², besi dan sebagainya-nya. Ini object. Jadi, di-sini kurang jelas, Tuan Yang di-Pertua.

Di-Ibu Kota ini, kalau kita tengok, Tuan Yang di-Pertua, kalau kita lalu di-Jalan Tuanku Abdul Rahman, kita tengok lembu tidor di-situ. Dia suka tidor di-jalan raya, kerana pada petang hari jalan raya itu panas agak-nya, dia suka dudok di-situ. Ini Menteri hendak bawa lari juga. Jadi saya minta penjelasan.

Di-kampong², kita tengok menimbun² buah durian di-jalan raya, kayu api, terutama sa-kali di-Pulau Pinang sana, kita tengok kayu api menimbun², ini ada-kah menjadi kewajipan Yang Berhormat Menteri menarek perkara ini dan di-lelong.

Di-bandar Ipoh, teringat saya, Tuan Yang di-Pertua, road divider dan ini menjadi obstruction kepada terafik lalu lintas. Saya faham dan nyata apabila hendak di-bawa road divider ini macham di-Ipoh itu ia-lah kewajipan Town Council, dia ta' akan bertanya Menteri, ada-kah Menteri berhak, atau pun di-beri kuasa, kata potong road divider ini. Saya takut lama² esok kita bertumbok dengan Seenivasagam, dengan ta' fasal² pula.

Tuan Yang di-Pertua, akhir-nya sa-kali, muka 2, Fasal 5. Kata Yang Berhormat Menteri tadi, ini ada-lah satu step ahead dalam urusan Kerajaan

Perikatan, kerana mengadakan Insurance Bureau. Saya sambut baik, tetapi saya maseh ingat lagi, ia-itu barangkali rakan sa-jawat saya bersetuju dengan saya berkenaan dengan insurance ini, terutama sa-kali kita dalam negeri ini bukan insurance satu fasal sahaja, bahkan banyak insurance nyawa, insurance harta-benda dan sa-bagai-nya, insurance bagi kereta, atau pun motor vehicles sangat² penting dan perlu, kerana kenderaan² sa-bagai ini sudah pun menjadi satu perkara yang bukan lagi perkara luar biasa, tetapi kegunaan kita semua hari². Apabila kemalangan timbul, Tuan Yang di-Pertua, datanglah perbalahan, selalu-nya company² insurance jual murah kepada orang ramai. Kita yang mempunyai harta-benda sudah menjadi mangsa kepada insurance, apa kata pehak insurance, mesti di-terima bulat² atau 100%.

Jadi, saya harap Yang Berhormat Menteri memandang berat atas perkara ini. Ya, barangkali Yang Berhormat Menteri kata, kalau ta' puas hati pergi court; ini semua kita tahu. Kok kita hendak selesaikan satu case, dua tahun, tiga tahun. Saya berharap Yang Berhormat Menteri yang selalu bersimpati dengan ra'ayat, chari satu jalan yang singkat dan pendek sa-kali untuk menyelesaikan masalah yang di-hadapi oleh ra'ayat jelata yang boleh di-katakan tiap² masa, tiap² jam, atau pun boleh di-katakan tiap² minit sekarang, oleh sebab orang mewah sekarang boleh di-katakan tiap² rumah sekarang mempunyai sa-kurang²-nya satu scooter, satu Honda cub dan di-Kuala Lumpur ini orang² yang berada sadikit sampai dua tiga buah motokar tiap² rumah: satu ka-market, satu ka-office, dan satu makan angin.

Perkara ini, saya harap-lah Menteri Pengangkutan mengambil berat sadikit fasal kerap kali kita dengar desus-desas orang ramai berkenaan dengan insurance ini. Saya kata insurance ini ia-lah satu perjalanan sa-belah pehak sahaja yang sangat baik memuaskan hati orang ramai, Tuan Yang di-Pertua, Sekian, terima kaseh.

Tuan Haji Ahmad bin Abdullah: Tuan Yang di-Pertua, saya mengambil bahagian sadikit berkenaan dengan

Bill yang ada di-hadapan kita ini terutama sa-kali di-dalam fasal kelima di-muka dua. Dengan ada-nya Bill ini dan di-sahkan oleh Majlis yang mulia ini, maka dapat-lah third party yang selalu-nya menjadi mangsa di-dalam kemalangan jalan raya yang kian hari kian bertambah, dapat-lah mereka itu satu peluang untuk mendapatkan ganti rugi dan sagu hati melalui Perbadanan yang di-namakan Motor Insurer's Bureau ini. Kerana kita tahu sa-hingga sampai pada masa ini banyak-lah kemalangan² yang telah berlaku di-jalan raya yang bertambah² tiap² tahun, tetapi orang yang telah di-timpa oleh kemalangan itu yang tidak mempunyai insurance atau pun insurance-nya itu tidak betul, maka mereka itu menjadi mangsa sahaja dengan tidak mendapat apa² ganti rugi sama sakali, dan mereka itu pula miskin tidak dapat dan tidak ada daya upaya bagi mereka itu untuk hendak menyalankan kes atau pun mengemukakan kes² ini ka-Mahkamah² kerana kemiskinan mereka.

Lagi pula dalam Bill ini ada tersebut tentang perkara untuk bayaran lesen yang tidak mempunyai persamaan itu. Ada sa-tengah bayaran itu, sa-tengah-nya saperti Private Passenger kena bayar lesen fees-nya lebih tinggi daripada bayaran lesen bagi motor teksi. Maka dengan Bill ini maka perkara ini dapat-lah di-hapuskan.

Tuan Tan Cheng Bee (Bagan): Mr Speaker, Sir, I rise to support this Bill, especially Clause 5, which provides for the formation of a "Motor Insurers' Bureau" which has executed an Agreement with the Minister of Transport, so that victims of road accidents involving third party insurance could be assured payment of a just compensation in spite of the presence of any faults of the insured or of his employer.

Sir, with the amended Ordinance, I am sure that the dependants, especially the poor dependants, of victims of road accidents need not now fear that the compensation that is justly due to them would not be paid.

Sir, road accidents are on the increase these days because of, I think, the large increase of motor vehicles on

the road, and the provision of this Clause shows how thoughtful our Minister and the Commissioner of Insurance are, especially of the poor dependants of these victims. Thank you.

Tuan Hussein bin To' Muda Hassan (Raub): Tuan Yang di-Pertua, saya chuba hendak membuat chadangan supaya kalau dapat dengan jasa baik Yang Berhormat Menteri itu menambah satu paragraph lepas (k) dalam Fasal 6.

Di-dalam negeri kita ini lori² balak nampak-nya sangat bermaharajalela membawa kereta dengan laju dengan tidak menghiraukan kereta kechil², dia tidak peduli, kalau langgar pun yang kechil juga yang rosak. Jikalau dia langgar orang, mati pun, kadang² dibawa sampai ka-mahkamah dia juga menang, orang itu kalau mati, buat kata chakap kasar, mati haram sahaja. Jadi anak isteri mereka itu tinggal atau warith²-nya tidak dapat apa² sagu hati. Jadi saya suka mengshorkan kepada Yang Berhormat Menteri di-bawah Fasal 6 (b) (i) (j) (k) di-masokkan tiap² buah lori baik daripada lesen C hingga sampai A melanggar sa-saorang dan mati orang itu waima sa-kali pun orang mati itu bersalah, apa-tah lagi jikalau pembawa lori itu bersalah, terpaksa bayar sedikit sagu hati kepada saudara mara-nya yang tinggal.

Kerana telah terjadi di-tempat saya dua kejadian, sa-orang pegawai Kerajaan dalam menjalankan tugas di-dalam Pejabat Kerja Raya, pembacha meter ayer, telah di-langgar oleh sa-buah lori bermuatan dengan kayu. Apabila di-bawa ka-mahkamah mati begitu sahaja. Kasehan menengok-nya si-malang itu meninggalkan anak 12 orang dan sa-orang isteri. Begitu juga sa-orang pekerja P.W.D. di-Kuantan sa-masa menjalankan tugas di-langgar oleh lori, mati begitu sahaja dengan tidak dapat apa² bantuan atau pun sagu hati.

Maka apa yang saya harapkan di-sini, saya harap Kementerian Pengangkutan buat satu undang² terhadap lori² ini. Oleh sebab dalam mahkamah saya tahu jikalau dalam perbicharaan, jikalau tiada sa-siapa yang datang kamuka untuk menerangkan hal kejadian

itu terpaksa di-bagi pendapatan mahkamah itu kepada orang yang melanggar. Jadi saya harap tolong tambah satu lagi Clause itu, jikalau tiap² lori daripada lesen C hingga A melanggar orang, dan mati orang itu, dengan berdasarkan pada Motor Insurer's Bureau ini, mesti di-berikan sagu hati kepada warith-nya yang tinggal.

Tan Sri Haji Sardon bin Haji Jubir:

Tuan Yang di-Pertua, saya ucapkan berbanyak terima kaseh kepada Yang Berhormat termasuk juga wakil dari Kelantan Hilir dan lain² lagi. Pada menjelaskan lebeh kurang sedikit, Yang Berhormat wakil daripada Larut Utara tadi ada bertanya kepada saya tentang hendak masok permit, minta pass ini memang-lah tidak ada di-kenakan bayaran, tetapi di-tetapkan waktu-nya tidak lebeh daripada tiga bulan kalau ikut kelaziman international. Tetapi kalau-lah kita dapat tahu yang sa-sabuah kereta kenderaan masok kerana hendak melawat, dia membuat kereta sapu begitu, bagini, dia punya alasan, kita boleh tarek balek permit itu. Dan pehak pegawai² yang mengeluarkan permit itu kalau dia tahu lebeh dahulu dia ada hak tidak mahu beri pass kerana hendak masok ka-Tanah Melayu ini.

Berkenaan lori dan bas ada yang macham di-Singapura dia masok di-Johor kerana ada taukeh-nya berniaga, dia begitu bagini, itu ada di-kenakan bayaran, Lori: \$140, Bas: \$60. Ini menyambongkan daripada Johore Baharu pergi Singapura macham Express² itu. Jadi itu kita ada tetapkan bayaran² kerana menggunakan jalan yang sedikit masok Causeway yang sampai Johore Baharu di-Station Stand. Begitu juga berkenaan barangkali, teks² yang di-benarkan itu, tetapi baru ini kita mulakan, kita akan lihat-lah macham mana keadaan-nya. Jadi kita kena mengikut peratoran² international.

Berkenaan dengan bas burok, kayu burok apa bedebah dan kayu balak itu, yang sa-benar-nya ini bukan kuasa saya tetapi di-masokkan di-dalam Undang² Lalu Lintas ini, tetapi kuasa kepada Menteri Kerja Raya atau pun sa-siapa, atau pun Municipality atau siapa, dia boleh mengangkut kadang² dia tidak boleh menjual benda² itu.

Jadi, rugi handar sahaja, berapa banyak duit sudah belanja itu ta' boleh na' jual. Jadi, sebab itu di-tambah, dia boleh mengalehkan, membaiki jalan dan barang itu apabila di-notiskan satu bulan di-tempohkan ta' ada datang, di-jual. Barang yang busok selalu, itu jam dia jual. Pendapatan duit itu boleh tolak daripada ongkos² itu—itu-lah tujuan-nya—membersehan jalan supaya orang yang membayar chukai jalan ini dapat lalu-lintas dengan baik.

Berkenaan dengan claim² yang lambat dua tiga tahun, ini soal *civil suit*. Tetapi kalau sudah ada lembaga ini—sudah ada ini, kalau semua setuju *arbitration* dengan persetujuan ramai dia sudah setuju—setuju baik bayar, boleh. Tetapi kalau tidak boleh melanggar undang² yang telah di-bawa mahkamah kerana ini *civil suit*. Saya nasehatkan-lah, dengan ada-nya badan ini boleh-lah kira-nya orang yang hendak menuntut insurance company yang membayar ini, kalau bersetuju hendak lekas, itu boleh-lah dengan persetujuan ta' tuntutan lagi dalam mahkamah.

Saya ucapkan terima kaseh-lah kapada wakil Yang Berhormat dari Kelantan Hilir, bagitu juga daripada Bagan dan juga wakil dari Raub, ta' payah-lah tambah—ma'ana perkataan *vehicles* itu, lori, bas, motosikal apa² pun kalau dia insurance, dia langgar, walau pun orang yang di-langgar itu salah, katakan-lah ia, di-rujo' kapada ini kita pertimbangkan-lah. Itu-lah tujuan ini. Jadi, banyak terima kaseh-lah atas chadangan itu.

Tuan Hussein bin To' Muda Hassan:

Apabila sudah berjalan kuat kuasa ini, yang sudah lepas ta' dapat-lah apa².

Tan Sri Haji Sardon bin Haji Jubir:

Saya belum pun sain *agreement* ini—saya selidiki. Tetapi bagaimana pun tujuan *bureau* ini ia-lah menimbangkan sagu²-hati sa-macham itu-lah. Jadi, sa-bagaimana saya katakan tadi *perkataan bukan* lori, motokar atau motosikal, terutama sekali lori² yang besar² ini ada-lah masuk semua sekali. Jadi, saya ucapkan terima kaseh-lah, insha Allah kita akan tubuhkan badan ini dan kita akan siasat dan jalankan baik².

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) Speaker in the Chair)

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

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

THE FISHERIES (AMENDMENT) BILL

Second Reading

The Minister of Lands and Mines (Tuan Abdul Rahman bin Ya'kub):

Tuan Yang di-Pertua, saya pohon mengemukakan Rang Undang² yang bergelar Undang² Perikanan Pindaan bagi tahun 1967 di-bacha kali yang kedua.

Di-masa ini tidak ada syarat² dalam Undang² Perikanan yang mengatakan ada-lah menjadi satu kesalahan kapada sa-siapa jua pun yang memileki alat² penangkapan ikan seperti pukat atau pun perangkap ikan. Dalam satu rayuan bichara mahkamah atau pun *appeal case*, sa-orang yang telah tudoh yang telah di-jatuhkan hukuman salah oleh mahkamah rendah kerana mempunyai atau pun memileki pukat tunda dengan tidak mempunyai lesen telah dapat di-ketepikan hukuman-nya oleh mahkamah rayuan atau pun *appeal court* di-atas alasan ia-itu dalam Undang² Perikanan yang ada sekarang ini tidak ada syarat mengatakan pemilekan pukat atau perangkap ikan ada-lah salah.

Di-bawah Fasal (2) (b) Undang² Perikanan tahun 1963, Yang di-Pertuan Agong boleh membuat peratoran mengenai perikanan laut dan kuala sungai bagi mengawal dan menegah apa chara menangkap ikan atau pun penggunaan perangkap ikan atau pukat. Maka di-chadangkan supaya menambah lagi satu kuasa kapada *Section* atau pun *Fasal* ini, supaya membolehkan Yang di-Pertuan Agong juga membuat peratoran bagi mengawal dan menegah pemilekan perangkap ikan atau pukat dalam kawasan perayeran laut dan kuala sungai. Oleh sebab kuasa sa-umpama itu belum juga ada lagi me-

ngenai perikanan di-perayeran sungai, maka di-chadangkan juga supaya diberi kuasa kepada pihak berkuasa negeri atau pun *state authority* bagi-nya membuat peratoran yang sama mengenai perayeran sungai.

Tuan Yang di-Pertua, Rang Undang² ini bertujuan meminda Fasal (2) (b) dan juga Fasal (3) cераian (2) dan cераian (f) dalam Undang² Perikanan, dengan menambah satu kuasa kepada tiap² fasal tersebut bagi membolehkan pihak berkuasa membuat peratoran bagi mengawal dan menegah pemilikan perangkap ikan dan pukat. Jadi, bermana ia-itu pindaan ini akan membolehkan Yang di-Pertuan Agong, mengenai perayeran laut dan kuala sungai, dan pihak berkuasa dalam negeri, mengenai perayeran sungai,

membuat peratoran² masing² untuk menegah pemilikan perangkap ikan atau pun pukat.

Jika Rang Undang² ini di-luluskan, tindakan sa-lanjut-nya dan yang sawajar akan di-ambil bagi menyemak sa-mula peratoran² perikanan atau pun *Fisheries Regulations* dan mengadakan satu peratoran yang sesuai yang menjadi satu kesalahan bagi sa-siapa jua pun memiliki alat² tersebut, melainkan dengan kebenaran. Tuan Yang di-Pertua, saya mohon menchadangkan.

Tan Sri Temenggong Jugah: Tuan Yang di-Pertua, saya menyokong.

Mr (Deputy) Speaker: Meshuarat ini di-tempohkan hingga pukul 10.00 pagi besok.

Adjourned at 6.30 p.m.