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PARLIAMENTARY DEBATES

DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)

OFFICIAL REPORT

FOURTH SESSION OF THE SECOND PARLIAMENT
OF MALAYSIA

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MALAYSIA

DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)

Official Report

Fourth Session of the Second Dewan Ra'ayat

Thursday, 24th August, 1967

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

PRESENT:

- The Honourable Mr Speaker, DATO' CHIK MOHAMED YUSUF BIN SHEIKH ABDUL RAHMAN, S.P.M.P., J.P., Dato' Bendahara, Perak.
- „ the Minister of Finance, TUN TAN SIEW SIN, S.S.M., J.P. (Melaka Tengah).
- „ the Minister of Works, Posts and Telecommunications, TUN V. T. SAMBANTHAN, S.S.M., P.M.N. (Sungai 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 for Local Government and Housing, TUAN KHAW KAI-BOH, P.J.K. (Ulu Selangor).
- „ the Minister for Sarawak Affairs, TAN SRI TEMENGGONG JUGAH ANAK BARIENG, P.M.N., P.D.K. (Sarawak).
- „ the Minister of Labour, TUAN V. MANICKAVASAGAM, J.M.N., P.J.K. (Klang).
- „ the Minister of Lands and Mines, and Minister of Justice, TUAN HAJI ABDUL-RAHMAN BIN YA'KUB (Sarawak).
- „ 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 Assistant Minister of Education, TUAN LEE SIOK YEW, A.M.N., P.J.K. (Sepang).
- „ the Assistant Minister of Finance, DR NG KAM POH, J.P. (Teluk Anson).
- „ the Parliamentary Secretary to the Minister of Health, TUAN IBRAHIM BIN ABDUL RAHMAN, J.M.N. (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).

- The Honourable the Parliamentary Secretary to the Minister of Agriculture and Co-operatives, TUAN THOMAS KANA, K.M.N. (Sarawak).
- „ 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 HAJI ABDUL RASHID BIN HAJI JAIS (Sabah).
- „ TUAN ABDUL RAZAK BIN HAJI HUSSIN (Lipis).
- „ 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 HAJI 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).
- „ PUAN AJIBAH BINTI ABOL (Sarawak).
- „ O.K.K. DATU ALIUDDIN BIN DATU HARUN, P.D.K. (Sabah).
- „ DR AWANG BIN HASSAN, S.M.J. (Muar Selatan).
- „ TUAN AZIZ BIN ISHAK (Muar Dalam).
- „ TUAN JONATHAN BANGAU ANAK RENANG, A.B.S. (Sarawak).
- „ TUAN CHAN CHONG WEN, A.M.N. (Kluang Selatan).
- „ TUAN CHAN SEONG YOON (Setapak).
- „ 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 D. A. DAGO ANAK RANDAN *alias* DAGOK ANAK RANDEN, A.M.N. (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).
- „ TUAN HAMZAH BIN DATO' ABU SAMAH (Raub).
- „ 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, A.M.N. (Jerai).
- „ TUAN HARUN BIN ABDULLAH, A.M.N., J.P. (Baling).
- „ WAN HASSAN BIN WAN DAUD (Tumpat).

- The Honourable TUAN STANLEY HO NGUN KHIU, A.D.K. (Sabah).
- „ 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., J.P. (Kota Bharu Hulu).
- „ TUAN IKHWAN ZAINI, K.M.N. (Sarawak).
- „ TUAN ISMAIL BIN IDRIS (Penang Selatan).
- „ TAN SRI SYED JA'AFAR BIN HASAN ALBAR, P.M.N. (Johor Tenggara).
- „ PENGHULU JINGGUT ANAK ATTAN, K.M.N., Q.M.C., A.B.S. (Sarawak).
- „ TUAN KADAM ANAK KIAI (Sarawak).
- „ TUAN KHOO PENG LOONG (Sarawak).
- „ TUAN EDMUND LANGGU ANAK SAGA (Sarawak).
- „ TUAN LEE SECK FUN, K.M.N. (Tanjong Malim).
- „ 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).
- „ DR MAHATHIR BIN MOHAMAD (Kota Star Selatan).
- „ TUAN T. MAHIMA SINGH, J.M.N., J.P. (Port Dickson).
- „ TUAN C. JOHN ONDU MAJAKIL (Sabah).
- „ DATO' DR HAJI MEGAT KHAS, D.P.M.P., J.P., P.J.K. (Kuala Kangsar).
- „ TUAN MOHD. ARIF SALLEH, A.D.K. (Sabah).
- „ DATO' MOHAMED ASRI BIN HAJI MUDA, S.P.M.K. (Pasir Puteh).
- „ ORANG TUA MOHAMMAD DARA BIN LANGPAD (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 HAJI MOHAMED YUSOF BIN MAHMUD, A.M.N. (Temerloh).
- „ TUAN MOHD. ZAHIR BIN HAJI ISMAIL, J.M.N. (Sungei Patani).
- „ 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 Bharu Hilir).
- „ TUAN NG FAH YAM (Batu Gajah).

- The Honourable TUAN ONG KEE HUI (Sarawak).
- „ TUAN HAJI OTHMAN BIN ABDULLAH (Hilir Perak).
- „ TUAN OTHMAN BIN ABDULLAH, A.M.N. (Perlis Utara).
- „ 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).
- „ RAJA ROME BIN RAJA MA'AMOR, P.J.K., J.P. (Kuala Selangor).
- „ TUAN SANDOM ANAK NYUAK (Sarawak).
- „ TUAN SEAH TENG NGIAB, P.I.S. (Muar Pantai).
- „ TUAN SIM BOON LIANG, A.B.S. (Sarawak).
- „ TUAN SIOW LOONG HIN, P.J.K. (Seremban Barat).
- „ TUAN SENAWI 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 TAJUDIN BIN ALI, P.J.K. (Larut Utara).
- „ TUAN TAI KUAN YANG, A.M.N. (Kulim Bandar Bharu).
- „ DR TAN CHEE KHOON (Batu).
- „ TUAN TAN CHENG BEE, A.M.N., 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 YEH PAO TZE, A.M.N. (Sabah).
- „ TUAN STEPHEN YONG KUET TZE (Sarawak).
- „ TENGKU ZAID BIN TENGKU AHMAD (Pasir Mas Hulu).
- „ TUAN HAJI ZAKARIA BIN HAJI MOHD. TAIB, P.J.K. (Langat).

ABSENT:

- The Honourable 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, Minister of Home Affairs and Minister of National and Rural Development, TUN HAJI ABDUL RAZAK BIN DATO' HUSSAIN, S.M.N. (Pekan).
- „ 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 Welfare Services, TUAN HAJI ABDUL HAMID KHAN BIN HAJI SAKHAWAT ALI KHAN, J.M.N., J.P. (Batang Padang).
- „ the Minister of Information and Broadcasting and Minister of Culture, Youth and Sports, TUAN SENU BIN ABDUL RAHMAN (Kubang Pasu Barat).

- The Honourable the Minister of Agriculture and Co-operatives, **TUAN HAJI MOHAMED GHAZALI BIN HAJI JAWI** (Ulu Perak).
- „ the Assistant Minister without Portfolio, **TUAN HAJI ABDUL KHALID BIN AWANG OSMAN** (Kota Star Utara).
- „ **DATO' ABDULLAH BIN ABDUL RAHMAN, S.M.T.,**
Dato' Bijaya di-Raja (Kuala Trengganu Selatan).
- „ **PENGARAH BANYANG ANAK JANTING, P.B.S.** (Sarawak).
- „ **TUAN CHIN FOON** (Ulu Kinta).
- „ **TUAN SYED ESA BIN ALWEE, J.M.N., S.M.J., P.I.S.**
(Batu Pahat Dalam).
- „ **DATO' GANIE GILONG, P.D.K., J.P.** (Sabah).
- „ **TUN DR ISMAIL BIN DATO' HAJI ABDUL RAHMAN, S.S.M.,**
P.M.N. (Johor Timor).
- „ **TUAN KAM WOON WAH, J.P.** (Sitiawan).
- „ **DATO' LING BENG SIEW, P.N.B.S.** (Sarawak).
- „ **DR LIM CHONG EU** (Tanjong).
- „ **TUAN PETER LO SU YIN** (Sabah).
- „ **TUAN JOSEPH DAVID MANJAJI** (Sabah).
- „ **WAN MOKHTAR BIN AHMAD** (Kemaman).
- „ **TUN MUSTAPHA BIN DATU HARUN, S.M.N., P.D.K.** (Sabah).
- „ **TUAN QUEK KAI DONG, J.P.** (Seremban Timor).
- „ **TUAN D. R. SEENIVASAGAM** (Ipoh).
- „ **DATO' S. P. SEENIVASAGAM, D.P.M.P., P.M.P., J.P.** (Menglembu).
- „ **TUAN TAMA WENG TINGGANG WAN** (Sarawak).
- „ **TUAN TAN KEE GAK** (Bandar Melaka).

PRAYERS

(Mr Speaker *in the Chair*)

ORAL ANSWERS TO QUESTIONS

STAMPING OF IDENTITY CARDS OF VOTERS TO PREVENT DOUBLE REGISTRATION

1. Tuan Chia Chin Shin (Sarawak)
[*under Standing Order 24 (2)*] asks the Prime Minister to state whether Government would stamp the identity cards of voters at the time of registering their names with the object of preventing them from registering their names more than once at the forthcoming general election in Sarawak.

The Minister of Justice (Tuan Haji Abdul-Rahman bin Ya'kub): Mr Speaker, Sir, the electoral law to be applied to Sarawak will make penal provisions against double voting. The

regulations pertaining to registration of electors will make statutory provisions for the Election Commission to display a draft roll containing names of electors, who have applied for registration to the public during the Claims and Objections Period. During such period, objections can be lodged by any elector against the inclusion of the names of any electors, who have been registered more than once. Apart from this the Election Commission employs other detection methods to ensure that the person is not registered in more than one constituency. It is, therefore, not intended to adopt stringent measures such as that suggested by the Honourable Member.

Tuan Mustapha bin Ahmad (Tanah Merah): Tuan Yang di-Pertua, dari jawapan daripada wakil Perdana Menteri mengenai pilihan raya ini, berchakap masa pilihan raya ini, ada-kah pehak Kerajaan sedar akibat daripada tidak ada-nya tanda kapada kad

pengenalan pengundi² ketika mendaftarkan diri untuk mengundi maka achap kali pengalaman kita masa pilihan raya, ada orang yang dapat mengundi dua tiga tempat, sa-hingga tidak dapat pehak Surohanjaya Pilihanraya itu menentukan orang itu sudah daftar, atau tidak di-tempat lain, kerana itu-lah masharakat yang mengundi tidak dapat memberi tahu dalam perkara itu. Jadi, apa-kah pehak Kerajaan sedar atau tidak bahawa sabanyak hal ini berlaku tidak hanya di-Sarawak, di-Malaysia sendiri pun orang yang hendak mengundi dua tiga tempat dalam satu kawasan sahaja, dalam satu kawasan sahaja dia dapat mengundi dua tiga tempat.

Tuan Haji Abdul-Rahman bin Ya'kub: Kerajaan tidak sedar perkara ini ada berlaku, Tuan Yang di-Pertua. Saya harap jikalau Ahli Yang Berhormat itu sendiri tahu orang yang telah mengundi dalam dua atau tiga kawasan, saya jemput Yang Berhormat itu menghantar surat kepada Surohanjaya Pilihanraya atau Election Commission mengenai hal ini.

KEDUDOKAN MENGENAI TUNTUTAN FILIPINA KA-ATAS SABAH

2. Tuan Haji Abu Bakar bin Hamzah (Bachok) bertanya kepada Perdana Menteri:

- (a) ada-kah Malaysia akan menyerahkan negeri Sabah kepada Filipina untuk menjamin keamanan di-Asia Tenggara;
- (b) sa-takat ini apa-kah kedudukan mengenai tuntutan Filipina ka-atas Sabah;
- (c) bila-kah rundingan² mengenai Sabah yang di-chadangkan oleh President Marcos itu akan diadakan dan sama ada pehak pembangkang Malaysia akan dipileh untuk ikut serta dalam meshuarat tersebut walau pun sa-bagai pemerhati.

Tuan Haji Abdul-Rahman bin Ya'kub: Tuan Yang di-Pertua, bagi menjawab soalan 2 (a), soal ini maseh lagi di-dalam rundingan atau pun perbincangan. Bagi Kerajaan Malaysia,

ra'ayat Sabah telah pun menentukan hasrat mereka yang di-uji beberapa kali dan di-saksikan oleh Pertubohan Bangsa² Bersatu dan juga wakil beberapa buah negara untuk tinggal salama²-nya di-dalam Malaysia.

Keamanan di-Asia Tenggara tidak akan terancam kerana tuntutan Filipina terhadap Sabah. Ini di-sebabkan Malaysia dan Filipina telah pun menanda tangani suatu perjanjian yang digelar Manila Accord yang menetapkan bahawa tuntutan Filipina terhadap Sabah akan di-selesaikan dengan sa-chara aman.

Jawapan kepada (b), sa-lain daripada mengemukakan sa-suatu risalah "Philippines' claim to North Borneo" di-Tokyo pada tahun 1964, Kerajaan Filipina belum lagi memberi penerangan yang rasmi atas tuntutan Filipina ka-atas Sabah. Kerajaan Filipina telah menchadangkan supaya diadakan suatu perbincangan di-atas perkara ini. Kerajaan Malaysia telah bersetuju perbincangan permulaan diadakan pada akhir bulan September atau awal bulan October yang akan datang pada tingkat pegawai dahulu.

Jawapan kepada (c), ia-lah Kerajaan Malaysia dan Filipina belum lagi menentukan tarikh yang tetap dan dimana perundingan ini akan di-adakan. Ada-lah di-chadangkan sa-tengah pehak Pembangkang Malaysia terutama sa-kali mereka daripada Sabah akan juga serta di-dalam meshuarat tersebut.

Tuan C. John Ondu Majakil: Mr Speaker, Sir, is the Honourable Prime Minister aware that by starting the talks on whatever level in respect of the Philippines' claim means that there is substance in the claim and will only encourage those few who are interested?

Tuan Haji Abdul-Rahman bin Ya'kub: Mr Speaker, Sir, we do not agree with the view of the Honourable Member that by sitting down, sorting out the problems, necessarily implies that we admit there is any substance in the claim.

Tuan C. John Ondu Majakil: Mr Speaker, Sir, can the Honourable Prime Minister tell this House whether a

representative or representatives from Sabah will be included in the talks?

Tuan Haji Abdul-Rahman bin Ya'kub: I said in my reply just now that we would invite especially members of the opposition from Sabah to join in the talks.

Tuan Mohd. Daud bin Abdul Samad (Besut): Mengikut keterangan yang telah di-beri bahawa pungutan suara di-Sabah telah di-adakan di-bawah pandangan Bangsa² Bersatu, tetapi apakah sebab-nya pehak Filipina, sa-bagai anggota Majlis Bangsa² Bersatu, maseh tidak berpuas hati dengan pungutan suara itu dan maseh menuntut supaya soal Sabah itu di-selesaikan dengan sa-berapa segera yang boleh.

Tuan Haji Abdul-Rahman bin Ya'kub: Saya jemput Ahli Yang Berhormat itu bertanya di-Dewan Ra'ayat atau pun Senate di-Filipina.

DASAR MALAYSIA TERHADAP PERANG VIETNAM

3. Tuan Haji Abu Bakar bin Hamzah bertanya kepada Perdana Menteri:

- (a) apa-kah dasar Malaysia terhadap perang Vietnam;
- (b) ada-kah Malaysia menyokong pendapat Setia-usaha Agong Bangsa² Bersatu bahawa perang Vietnam itu satu perjuangan kebangsaan ka-arrah pembebasan dan penentuan nasib sendiri.

Tuan Haji Abdul-Rahman bin Ya'kub: Tuan Yang di-Pertua, soal yang saperti itu telah pun kerap kali di-jawab oleh pehak Kerajaan, Malaysia memang menyokong pendirian Kerajaan Vietnam Selatan untuk mempertahankan kedaulatan negara mereka dan kemerdekaan mereka daripada dichabul oleh pehak komunis dari Utara.

Jawapan kepada (b) ia-lah peperangan di-Vietnam bukan-lah di-anggapkan sa-bagai peperangan kebangsaan dalam erti kata civil war, atau pun internal war. Peperangan ini ia-lah terbit dari hasrat ra'ayat Vietnam Selatan untuk mempertahankan kebebasan dan kemerdekaan mereka. Sa-kira-nya ini-lah tujuan Setia-usaha Agong Pertubohan Bangsa² Bersatu

bahawa peperangan itu meliputi bangsa Vietnam Selatan untuk menjamin kebebasan dan nasib mereka sendiri masa hadapan, maka Malaysia bersetuju dengan pendapat beliau itu.

STATEMENT BY ENCHE' AHMAD NORDIN OF MINISTRY OF FOREIGN AFFAIRS IN "MALAY MAIL" OF 15th APRIL, 1967

4. Dr Tan Chee Khoon asks the Prime Minister to state if he is aware that one Enche' Ahmad Nordin, spokesman of the Ministry of Foreign Affairs made an incorrect statement which appeared in the *Malay Mail* on 15th April, 1967, that Mr R. K. Vasil had been a member of the Labour Party in Kuala Lumpur, and if so, what action he intends to take to stop Enche' Ahmad Nordin from making such incorrect statements in future.

Tuan Haji Abdul-Rahman bin Ya'kub: Mr Speaker, Sir, the statement referred to was in fact made by the Honourable Prime Minister and after he had received a report from Enche' Ahmad Nordin. However, he was misquoted. What the Honourable Prime Minister said was that Dr Vasil was known to be closely associated with the Labour Party of Malaya.

Dr Tan Chee Khoon: Mr Speaker, Sir, the Press statement was perfectly clear. It stated that Enche' Ahmad Nordin had reported to the Prime Minister that a Dr R. K. Vasil, now resident in Wellington, New Zealand, was a member of the Labour Party, when he was in Kuala Lumpur. If as the Honourable Minister of Lands and Mines now said that the Honourable Prime Minister was misquoted, why did not the Government then issue a denial to rectify that mistake?

Tuan Haji Abdul-Rahman bin Ya'kub: If I have to choose between what the Prime Minister tells me and what is reported in the Press, I would rather believe the Honourable Prime Minister. There are many statements, Mr Speaker, Sir, sometimes wrongly reported in the Press which we do not deny. It has happened to me a few times. If a statement is of a trivial nature we do not have to deny.

Tuan Lim Kean Siew: Mr Speaker, Sir, if the paper misreports the Prime Minister and the impression created to the public is a wrong impression, carrying with it insinuations, surely the Prime Minister, as the Head of the Government, should correct it?

Mr Speaker: Is this a supplementary question, or is it an argument.

Tuan Lim Kean Siew: I am just stating that surely

Mr Speaker: What is the supplementary question? That is what I am concerned about.

Tuan Lim Kean Siew: Mr Speaker, Sir, his statement is that, if he has to choose between the Prime Minister's words and a newspapers misreport, he would accept that of the Prime Minister. The question by my Honourable colleague is, whether or not he considers it important to have it changed; and I am stating that, surely, if this is a misquotation which has given a wrong impression to the public, the Prime Minister should he not consider that serious enough and important enough to issue a correction?

Tuan Haji Abdul-Rahman bin Ya'kub: It depends on the nature of the statement. If it is of a trivial nature, one does not have to waste the time of the Prime Minister to call a press conference, in order to clarify what has been wrongly reported; and in this respect we are now taking the opportunity of clarifying.

Dr Tan Chee Khoon: Mr Speaker, Sir, while it may be charitable to say that, no doubt it is true that the Prime Minister was misquoted, could it not also be symptomatic of these half truths and downright falsehoods that have been uttered by this spokesman of the Ministry of Foreign Affairs? If so, does the Honourable Prime Minister not think that it is a very serious state of affairs for a spokesman of the Ministry of Foreign Affairs to indulge in such half truths and falsehoods?

Tuan Haji Abdul-Rahman bin Ya'kub: I do not think that he did indulge in any half truths or falsehoods

whatever the Honourable Member for Batu might like to call it. As I have said just now, the statement was in fact made by the Honourable Prime Minister, and the Honourable Prime Minister said that he had been misquoted.

Tuan C. V. Devan Nair: May I ask, Sir, whether the Government is really satisfied that what Enche' Ahmad Nordin really meant was that he was closely associated with the Labour Party? Is he really satisfied that he was closely associated with the Labour Party? If so, in what way—association through having conversations with Labour Party leaders, in which case he must have been closely associated with the Alliance Party, because he was seen, Sir, with the Alliance Party members, or he could be said to have been closely associated with the D.A.P., because he was seen very often with me?

Tuan Haji Abdul-Rahman bin Ya'kub: It is not whether the Honourable Prime Minister was satisfied with what Enche' Ahmad Nordin said to the Press. The question is that the Honourable Prime Minister said that Dr Vasil had been known to be closely associated with the Labour Party of Malaya. Associations took many forms—perhaps, he had been seen to move about more with members of the Labour Party and so forth.

Dr Tan Chee Khoon: Is the Honourable Minister for Lands and Mines aware, as has been pointed out by the Member for Bungsar, that the said Dr Vasil was at that time writing his Ph.D. thesis in this country, and in the course of his work he was seen not only with members of the Labour Party, but he was also seen with practically every important member in this House, including the Prime Minister himself? If so, what was the need for the Prime Minister to say that he was closely associated with the Labour Party? Like the Member for Bungsar said, it could legitimately be said that he was also closely associated with the Prime Minister, with the Member for Johor Tenggara. For example, as he

was seen very often with the Member for Johor Tenggara, could it not be said that he was closely associated with the UMNO?

Tuan Haji Abdul-Rahman bin Ya'kub: Here, the Honourable Member for Batu, representing the Labour Party, does not like Dr Vasil, therefore, he tries his very best to prove to this House that he had no connection with the Labour Party.

Dr Tan Chee Khoon: Mr Speaker, Sir, on the contrary, if Dr Vasil were allowed under the laws of this country to be a Member of the Labour Party, this Labour Party would be very proud of him.

Tuan Haji Abdul-Rahman bin Ya'kub: But he appears to take objection, when the Honourable Prime Minister said that he had been closely associated with the Labour Party.

Dr Tan Chee Khoon: Mr Speaker, Sir, we do not take objection to that. The point that I would like to point out is that Dr Vasil, in the course of his stay of about two years in this country, did not particularly see me, and I did not particularly go out of my way to see him, but he saw many other people, both in this House and outside this House, and as such it was wrong to say that he was closely associated with the Labour Party.

Tuan Haji Abdul-Rahman bin Ya'kub: It is a matter of opinion, Mr Speaker, Sir.

LAWATAN LAKSAMANA SIR VARYL BEGG DI-MALAYSIA

5. **Tuan Haji Abu Bakar bin Hamzah** bertanya kepada Perdana Menteri apakah maksud lawatan Laksamana Sir Varyl Begg ka-Malaysia baharu² ini dan mengapa-kah dia ingin bertemu dengan tokoh² siasah di-Malaysia dan pemimpin² mana-kah yang telah dia temui.

Tuan Haji Abdul-Rahman bin Ya'kub: Tuan Yang di-Pertua, lawatan Laksamana Begg ka-Kuala Lumpur baharu² ini bukan-lah sa-chara rasmi, tetapi bersendirian, ia-itu dia telah

mengambil kesempatan lawatan-nya ka-Singapura untuk singgah di-Kuala Lumpur.

Tuan Haji Abu Bakar bin Hamzah: Soalan tambahan. Di-dalam potongan di-dalam akhbar menyatakan bahawa Laksamana Begg ini akan bertemu dengan pemimpin² badan politik di-Malaysia. Dalam soalan saya itu telah pun di-sebut mengapa-kah Kerajaan tidak menjawab dengan siapa yang Laksamana itu telah berjumpa.

Tuan Haji Abdul-Rahman bin Ya'kub: Kerana lawatan itu bukan lawatan rasmi tidak-lah perlu Kerajaan mengetahui dengan siapa dia berjumpa. Kita sa-buah negara yang bebas, siapa sahaja datang dalam negara kita boleh berjumpa siapa pun, sama ada dia suka hendak jumpa Ahli Yang Berhormat itu, hendak jumpa yang lain di-Federal Hotel atau pun di-Merlin Hotel, kita tidak ada tegahan.

Tuan Haji Abu Bakar bin Hamzah: Tuan Yang di-Pertua, soalan tambahan. Ada-kah benar, saya tumpang bertanya, ia-itu ada cherita² yang mengatakan Laksamana ini telah berjumpa dengan Ahli Yang Berhormat kita daripada Datok Keramat, Penang. Betul-kah perkara ini?

Tuan Haji Abdul-Rahman bin Ya'kub: Tuan Yang di-Pertua, soalan itu hanya chuma dapat di-jawab oleh Ahli Yang Berhormat daripada Datok Keramat (*Ketawa*).

KENYATAAN PENGHINAAN OLEH ENCHE' MARIANO LOGARTA TERHADAP MALAYSIA

6. **Tuan Ganing bin Jangkat (Sabah)** bertanya kepada Menteri Luar Negeri :

- (a) bahawa memandang kepada kenyataan penghinaan terhadap Malaysia yang telah di-buat baru² ini oleh Enche' Mariano Logarta, sama ada Kerajaan akan melarang Enche' Mariano Logarta masuk ka-Malaysia; dan
- (b) sama ada Kerajaan Malaysia telah mema'alumkan kepada Kerajaan Filipina dengan rasmi-nya

bahawa sa-jumlah 192,448 pengundi di-Sabah dengan sa-bulat suara menolak tuntutan Filipina ka-atas Sabah, dan jika ya, apakah jawapan Kerajaan Filipina terhadap surat ini.

Tuan Haji Abdul-Rahman bin Ya'kub: Tuan Yang di-Pertua, Kerajaan Malaysia menganggap kata² yang di-keluarkan oleh Enche' Logarta sa-bagai kata² daripada sa-orang yang tidak bertanggung-jawab langsung walau pun kepada Kerajaan-nya sendiri. Untok sementara ini Kerajaan Malaysia belum berniat untok melarang Enche' Logarta daripada masuk ka-Malaysia, tetapi akan mengambil tindakan yang tegas kira-nya soal ini berpanjangan.

Tuan Ramos, Menteri Luar Filipina, telah pun mengumumkan bahawa kata² Tuan Logarta itu bukan-lah pendapat Kerajaan Filipina. Dengan ini Kerajaan kita perchaya bahawa Kerajaan Filipina akan mengambil tindakan yang sesuai terhadap tindakan Tuan Logarta itu.

Bagi menjawab soalan (b), Kerajaan Malaysia tidak ada mengumumkan dengan rasmi-nya kepada Kerajaan Filipina tempoh pilehan raya di-Sabah di-mana pengundi² Sabah dengan sa-bulat suara telah menolak tuntutan Filipina ka-atas negeri itu. Perkara ini telah di-ketahui oleh Filipina dan telah di-umumkan ka-seluruh dunia.

PERJANJIAN MENCHEGAH PENYELUDUPAN ANTARA MALAYSIA DENGAN FILIPINA

7. Tuan Pengiran Tahir Petra (Sabah) bertanya kepada Menteri Luar Negeri ada-kah Perjanjian Mencheгах Penyeludupan yang telah di-meterikan antara Malaysia dengan Filipina, akan membenarkan penempatan Kastam Filipina di-Sabah, dan jika ya, ada-kah Kerajaan sedar bahawa ini akan menyentoh kedaulatan Malaysia sa-bagai sa-buah negara yang merdeka.

Tuan Haji Abdul-Rahman bin Ya'kub: Tuan Yang di-Pertua, perjanjian yang di-sebutkan dalam soalan ini belum lagi di-tanda tangani. Soal

membenarkan penempatan Pegawai² Kastam dari Filipina di-Sabah tidak akan menyentoh kedaulatan Malaysia sa-bagai sa-buah negara yang merdeka dan berdaulat, kerana Pegawai² Kastam Filipina ada-lah hanya sa-bagai Pegawai Penghubung atau pun Liaison Officers di-antara Kerajaan Malaysia dan Kerajaan Filipina.

TINDAKAN OLEH MALAYSIA TERHADAP KENYATAAN ENCHE' MARIANO LOGARTA

8. O. K. K. Datu Aliuddin bin Datu Harun (Sabah) bertanya kepada Menteri Luar Negeri:

- (a) apa-kah tindakan yang telah diambil oleh Kementerian beliau berkenaan dengan kenyataan yang telah di-buat oleh Enche' Mariano Logarta yang telah menyalahkan Kerajaan Malaysia mengenai Sabah dan;
- (b) sama ada satu bantahan telah di-buat terhadap Kerajaan Filipina, dan jika ada, nyatakan isi yang besar²-nya dalam bantahan tersebut.

Tuan Haji Abdul-Rahman bin Ya'kub: Tuan Yang di-Pertua, Kementerian Luar Negeri telah meminta Kerajaan Filipina memberi penerangan atas kenyataan yang telah di-buat oleh Enche' Logarta sama ada kenyataan² itu merupakan pendapat Kerajaan Filipina atau pun tidak. Saya baharu menyatakan tadi bahawa Kerajaan Filipina telah pun menerangkan ia-itu apa yang telah di-katakan oleh Tuan Logarta itu bukan-lah merupakan pendapat Kerajaan Filipina.

Bagi menjawab kepada (b) buat sementara ini tidak ada bantahan apa² yang telah di-buat kepada Kerajaan Filipina sa-lain daripada meminta penjelasan saperti yang telah di-terangkan. Peristiwa ini, Tuan Yang di-Pertua, ada-lah sangat ganjil sa-kali, sebab menurut kebiasaan-nya sa-orang wakil di-luar negeri chuma dapat mengeluarkan kepada semua pendirian negaranya, dan bukan pendapat diri-nya sendiri.

COMMUNIST GUERRILLAS ALONG THE INDONESIAN-SARAWAK BORDER

9. Tuan Edmund Langgu anak Saga (Sarawak) asks the Minister of Defence to state whether the Central Government would continue to fight the communist guerillas hiding along the Indonesian-Sarawak border.

Tuan Haji Abdul-Rahman bin Ya'kub: Mr Speaker, Sir, the answer to that is in the affirmative. The Central Government would continue to fight the communist guerillas and communist terrorists hiding along the Indonesian-Sarawak border.

PENUBOHAN PASOKAN SUKARELA DI-MALAYSIA TIMOR

10. O. K. K. Datu Aliuddin bin Datu Harun bertanya kepada Menteri Pertahanan ada-kah beliau berchadag hendak menubuhkan satu Pasokan Sukarela di-Malaysia Timor sa-bagaimana yang telah di-lakukan di-Malaysia Barat, oleh kerana ra'ayat Sabah belum lagi mendapat peluang untuk berkhidmat di-dalam pertahanan negara.

Tuan Haji Abdul-Rahman bin Ya'kub: Tuan Yang di-Pertua, Kementerian Pertahanan sa-memang ada satu rancangan bagi menubuhkan Pasokan Askar Wataniah di-Malaysia Timor, tetapi memandangkan kepada keadaan kewangan negara kita pada masa ini, rancangan ini belum-lah dapat di-laksanakan.

GERAKAN PERUSOH² TERHADAP POLIS

11. Tuan Ramli bin Omar (Krian Darat) bertanya kepada Menteri Hal Ehwal Dalam Negeri ada-kah beliau sedar akan gerakan perusoh² yang sedang merebak, yang mengambil sikap kekerasan terhadap Polis sama seperti dengan Pengawal Merah China, dan jika sedar, apa-kah tindakan yang Kerajaan berchadag hendak ambil terhadap perusoh² itu.

Tuan Haji Abdul-Rahman bin Ya'kub: Tuan Yang di-Pertua, Kerajaan Perikatan yang bertanggung-jawab

atas keselamatan di-dalam negeri memang chukup sedar tentang merebaknya baharu² ini tunjok² perasaan di-Malaysia Barat. Bagi mencheegah dan mengawasi perkara tersebut dengan lebih tegas lagi ada-lah di-chadangkan meminda Jadual Pertama The Criminal Procedure Code supaya orang² yang mengambil bahagian dalam tunjok perasaan itu akan di-kenakan hukuman yang lebih berat lagi.

Dengan pindaan yang tersebut, sa-saorang yang menjadi ahli perhimpunan yang haram yang memiliki senjata, atau bahan² lemparan serta turut mengambil bahagian dalam tunjok perasaan atau dia merusoh sa-telah ia-nya di-perintah bersurai akan melakukan satu kesalahan yang tidak boleh di-jamin dengan serta-merta mengikut Kanun Peratoran Jenayah, atau Criminal Procedure Code. Sa-lain daripada itu ada-lah juga di-chadangkan meminda Penal Code yang berkuat kuasa dalam negeri² Tanah Melayu untuk menambah hukuman kesalahan memiliki senjata dan bahan² lemparan dalam satu² rusohan, kapada tiga atau lima tahun penjara.

Tuan Ramli bin Omar: Soalan tambahan. Dengan ada-nya tunjok² perasaan, Tuan Yang di-Pertua, ia-itu tunjok perasaan ala Red Guard di-Malaysia ini, ada-kah pehak Kerajaan atau pehak yang berkewajipan berjumpa dengan buku² ajaran Mao dan juga sa-kira-nya ada apa-kah tindakan Kerajaan akan ambil atas pemilek² buku² anjoran atau ajaran Mao itu?

Dan satu lagi saya suka kira-nya dapat Kerajaan membuat satu Undang² khas atas sa-siapa yang memiliki buku ajaran Mao ini di-haramkan terus daripada bumi Malaysia ini.

Tuan Haji Abdul-Rahman bin Ya'kub: Undang² memang sudah ada, Tuan Yang di-Pertua, mengenai masalah buku² yang di-benarkan di-bawa masuk ka-dalam negeri ini dan buku² yang tidak di-benarkan. Ada Prohibited Publication dan sa-terus-nya. Jadi, tidak perlu bagi kita mengadakan undang² yang baharu lagi. Undang² yang sekarang ini sudah menchukupi untuk mengawalkan perkara yang sa-perti itu.

Tuan Ramli bin Omar: Tuan Yang di-Pertua, ada-kah Kerajaan Perikatan berchadang menubuhkan pengawal² Perikatan dengan sa-buah buku ajaran Perikatan untuk men-counter balek penunjuk² perasaan ala Red Guard, atau ala PAS Guard. Kira-nya berlaku kita sekarang tidak ada orang men-counter balek.

Tuan Haji Abdul-Rahman bin Ya'kub: Kalau untuk membuatkan buku² Perikatan, Ahli Yang Berhormat itu kena-lah tanya kapada Setia-usaha Agong Perikatan, atau Yang di-Pertua Perikatan, bukan kapada Dewan ini. Bagi Kerajaan kita, Kerajaan berusaha dengan sa-berapa daya upaya-nya untuk memberi penerangan yang jelas mengenai kebaikan pemerintah sekarang, bagaimana baik-nya di-bandingkan dengan pemerintah² yang di-amalkan di-negeri Tanah Besar China itu.

Tuan Haji Abu Bakar bin Hamzah: Tuan Yang di-Pertua, soalan tambahan. Dalam penerangan tadi saya dengar ada buku² ajaran Mao yang di-haramkan di-sini. Saya tidak pernah berjumpa, Tuan Yang di-Pertua, macham mana buku itu. Boleh-kah Kerajaan tolong bagi satu copy (*Ketawa*) dan saya jamin saya bagi balek. Saya tidak bawa.

Tuan Haji Abdul-Rahman bin Ya'kub: Saya tidak tahu Ahli Yang Berhormat ini, saya tahu dia pandai bahasa Arab, pandai bahasa Inggeris, dia pandai bahasa Melayu, bahasa Kelantan, bahasa Perak, harus juga bahasa Iban dan bahasa Kadazan. Saya hari ini terperanjat mendengar dia harus pandai bahasa China pula.

Tuan Mustapha bin Ahmad: Soalan tambahan. Boleh-kah wakil Perdana Menteri, atau pun Menteri Luar Negeri ini membuat satu akuan bahawa simbol Perikatan yang mengatakan keamanan dalam negeri ini sudah tidak berhasil akibat ada-nya tunjok perasaan itu. Arti-nya simbol keamanan sudah pun gagal di-laksanakan oleh Kerajaan Perikatan?

Tuan Haji Abdul-Rahman bin Ya'kub: Tuan Yang di-Pertua, boleh-kah soalan itu di-kemukakan lagi? Saya tidak berapa faham.

Tuan Mustapha bin Ahmad: Soalan-nya bagini: sa-telah ada-nya tunjok² perasaan yang berlaku di-dalam negeri ini lebeh daripada apa yang kita sangka, maka boleh-kah pehak Kerajaan mengakui bahawa simbol yang di-katakan keamanan di-dalam kata² semboyan Perikatan itu di-hapuskan hari ini, kerana sudah gagal pehak Kerajaan Perikatan untuk menjaga keamanan dalam negeri ini dengan ada-nya tunjok² perasaan itu?

Tuan Haji Abdul-Rahman bin Ya'kub: Bagi Kerajaan Perikatan, bagi Parti Perikatan, ada-lah menjadi falsafah kita menjaga keamanan di-dalam negeri ini. Kita berdukachita kerana beberapa buah Parti Pembangkang kita tidak mahu ikut falsafah kita ini. Itu-lah sebab kachau bilau berlaku dalam negeri ini. Tetapi oleh kerana perkara yang tidak baik dilakukan oleh pehak² Pembangkang tidak-lah berarti bahawa Kerajaan Perikatan telah gagal menjaga keamanan di-dalam negeri ini.

Tuan Haji Abu Bakar bin Hamzah: Tuan Yang di-Pertua, dalam kenyataan tadi Yang Berhormat Menteri kita mengatakan ada beberapa buah Parti Pembangkang telah tidak mahu ikut. Apa-kah termasuk Parti PAS sama dan berapa orang ahli Parti PAS yang telah buat tunjok² perasaan itu. Dapat-kah Menteri memberi tahu?

Tuan Haji Abdul-Rahman bin Ya'kub: Garang betul muka-nya pagi ini, Tuan Yang di-Pertua. Pembangkang kita banyak dalam Dewan ini, maksud saya yang sa-benar-nya rakan² yang ada di-depan ini juga. Belum-lah ada kita dengar bahawa pehak Parti PAS buat tunjok perasaan saperti yang di-buat oleh beberapa orang Ahli Parti Buroh.

Dato' Haji Mohamed Asri bin Haji Muda (Pasir Puteh): Tuan Yang di-Pertua, boleh-kah saya mendapat faham daripada kenyataan Menteri yang berkenaan tadi bahawa ada Parti² Pembangkang yang tertentu yang terlibat di-dalam tunjok² perasaan itu dan jika ada apa-kah tindakan yang telah di-ambil?

Tuan Haji Abdul-Rahman bin Ya'kub: Tuan Yang di-Pertua, kalau saya tak salah pagi ini ada berita dalam *Straits Times* yang mengatakan bahawa Ahli Yang Berhormat dari Batu yang menerangkan parti-nya akan mengambil tindakan terhadap ahli-nya yang masuk di-dalam tunjok perasaan yang haram.

EXPENDITURE ON SABAH DEVELOPMENT FOR PERIOD 1964-1966

12. Tuan Stanley Ho Ngun Khiu [*under S.O. 24 (2)*] asks the Minister of Finance to state, of the sum of \$192,000,000 voted for Sabah Development in the 1964-66 period, how much has actually been spent in Sabah.

Tun Tan Siew Sin: Mr Speaker, Sir, the Federal Government voted a total sum of \$166.2 million for development in Sabah for the period 1964-1966. Out of this amount a sum of \$95.3 million was actually spent. If we take into account the amount of \$71.9 million spent by the State Government on development during the same period, the total amount spent in Sabah during that period was \$167.2 million.

ESTABLISHMENT OF BRANCH OF BANK BUMIPUTRA IN SABAH

13. Tuan Stanley Ho Ngun Khiu [*under S.O. 24 (2)*] asks the Minister of Finance to state when a branch of the Bank Bumiputra would be opened in Sabah.

Tun Tan Siew Sin: Mr Speaker, Sir, the Honourable Member will be aware that Bank Bumiputra is a commercial bank which is run like any other ordinary licensed bank. Although the Government has participated in the equity of the Bank, the question as to whether it should establish a branch in Sabah is a matter for the Bank itself to decide. I understand, however, that it is still examining the possibility of establishing a branch in Sabah, but this is not a matter on which I can commit the bank one way or the other.

ABOLITION OF TRADE LICENCE FEES IN SARAWAK—GRANT IN AID BY FEDERAL GOVERNMENT FOR

14. Tuan Stephen Yong Kuet Tze (Sarawak) asks the Minister of Finance to state whether the Sarawak State Government has made representation to the Central Government for a grant to make up for the loss of revenue which Sarawak would incur on the abolishment of the Trades Licence fees in the State.

Tun Tan Siew Sin: The Sarawak State Government, Mr Speaker, Sir, has not actually made representations, but it has indicated that it would be prepared to consider a proposal to reduce trade licencing fees in Sarawak to the West Malaysian level of business registration fees, if the Federal Government is prepared to compensate the State for the loss of revenue resulting therefrom.

Tuan Stephen Yong Kuet Tze: Since there is an indication that representations have been made by the State Government for compensation to be made, will the Government then consider making that compensation for the loss of revenue?

Tun Tan Siew Sin: I am afraid the Federal Government cannot compensate the State Government for the loss of revenue, because the Federal Government is itself in serious financial difficulties.

Tuan Stephen Yong Kuet Tze: In that case, how would then the Unified Income Tax Bill come into the picture? In other words, although the people in Sarawak are paying more income tax on this new Bill, they will also have to pay extra in the form of Trade Licence fees.

Tun Tan Siew Sin: Mr Speaker, Sir, I do not see what this matter has got to do with the unified Income Tax Bill.

SINGAPORE CURRENCY

15. Tuan Ramli bin Omar asks the Minister of Finance whether he is

aware that certain shopkeepers use Singapore currency by way of small change to their customers, and if so, what action Government intends to take in respect of these persons who keep large quantities of Singapore currency in their possession.

Tun Tan Siew Sin: Mr Speaker, Sir, as a result of the free inter-chargeability arrangement agreed to by Malaysia, Singapore and Brunei, there must be at any given time a certain amount of Singapore and Brunei currencies circulating in Malaysia, just as there must be Malaysian currency circulating in Singapore and Brunei. Singapore and Brunei currencies circulating in Malaysia eventually find a way to the banking system. Thereafter, they will be paid to the Bank Negara Malaysia for repatriation to the Singapore and Brunei currency authorities. Similarly, Malaysian currency circulating in Singapore and Brunei will eventually be received by the Singapore and Brunei currency authorities through their respective banking systems for repatriation to Bank Negara Malaysia.

Tuan Ramli bin Omar: Tuan Yang di-Pertua, soalan tambahan. Untuk ma'aluman Yang Berhormat kejadian ini berlaku saya dapat khabar apabila kita sama² mengenalkan mata wang baru dan ada sa-tengah kedai² ditanah ayer kita ini ada mempunyai mata wang Singapura untuk di-tukarkan. Jadi, tidak boleh-kah kita membuat sa-suatu bagi mengharamkan penggunaan mata wang Singapura di-Malaysia supaya kejadian yang berlaku ini tidak akan berlaku dengan sebab² politik di-dalam negara kita.

Tun Tan Siew Sin: Mr Speaker, Sir, as I tried to explain in my original reply, we cannot object to Singapore or Brunei currency circulating in Malaysia just as Singapore for that matter cannot object to Malaysian and Brunei currencies circulating in its territory. Eventually, these currencies find their way back to their respective monetary authorities and, I think, the position is then settled.

AMOUNT OF SABAH REVENUE COLLECTED BY THE FEDERAL GOVERNMENT IN 1966

16. Tuan C. John Ondu Majakil (Sabah) asks the Minister of Finance to state whether it is a fact that the Central Government "raked" \$400,000,000 in revenue from the State of Sabah in 1966.

Tun Tan Siew Sin: Mr Speaker, Sir, I am surprised that the Honourable Member has raised this question. If he had taken the trouble to refer to the annual Budget Estimates of the Federal Government for the current year, he could easily have found out for himself how much revenue the Federal Government expected to raise from Sabah in 1967 and how much it had raised in 1966 on the basis of data then available at the time the budget was presented to this House. The Estimates showed that the estimated actual receipts for 1966 were \$80.8 million, and this included a British Government contribution under the Overseas Service Aid Scheme estimated at \$1.3 million. The total estimated to have been actually collected in Sabah thus amounted to \$79.5 million. In fact the total for 1966 actually came to only \$77.9 million. It is, therefore, difficult to comprehend why the Honourable Member had been led to believe that the State of Sabah is a "gold mine" which could contribute \$400 million in revenue to the Federal Government in 1966.

Tuan C. John Ondu Majakil: Mr Speaker, Sir, on a point of clarification, this figure resulted from a statement by Mr Logarta in Singapore. Can the Honourable Minister of Finance say whether he can lodge a strong protest to the Philippines Government that in future no statement of this sort should be issued and published in Malaysian newspapers?

Tun Tan Siew Sin: Mr Speaker, Sir, I cannot, of course, vouch for the accuracy of the statement made by the gentleman referred to by the Honourable Member, but I think everybody in this country would know that that gentleman is no financial expert.

Tuan C. John Ondu Majakil: Mr Speaker, Sir, if it is not true, can the Minister concerned tell this House how much exactly is the total amount of Sabah revenue collected by the Federal Government last year?

Tun Tan Siew Sin: Mr Speaker, Sir, I have given the figures already in my original reply.

UNIFIED TAXATION IN SABAH

17. Tuan Pengiran Tahir Petra asks the Minister of Finance to state whether he has reconsidered the imposition of Unified Taxation in Sabah; and if so, what is his decision on this matter.

Tun Tan Siew Sin: Mr Speaker, Sir, as I explained in my oral reply to a similar question from another Honourable Member on 21st August last, the Unified Income Tax Bill, which has already been presented to this House for its first reading, has been drafted for application throughout the whole of Malaysia and it is, therefore, not possible to exclude Sabah from the application of the new law if it is finally passed by Parliament.

PENGGANTIAN FERI² DI-KUALA SELANGOR DAN SABAK BERNAM DENGAN JAMBATAN²

18. Dato' Haji Mustapha bin Haji Jabar bertanya kepada Menteri Kerja Raya, Pos dan Talikom:

- (a) ada-kah feri² di-Kuala Selangor dan Sabak Bernam akan diganti dengan membena jambatan² dan jika ya, apa-kah usaha yang telah di-jalankan sa-takat ini;
- (b) berapa belanja yang di-anggar-kan untuk membuat jambatan (i) di-Kuala Selangor dan (ii) di-Sabak Bernam;
- (c) bila-kah rancangan in dapat di-mulakan.

The Minister of Works, Posts and Telecommunications (Tun V. T. Sambanthan): Tuan Speaker, penggan-tian feri di-Kuala Selangor dan Sabak

Bernam ada-lah termasuk di-dalam kajian pengangkutan kebangsaan (national transportation survey) yang di-jangka di-mulakan bulan hadapan.

Anggaran permulaan membena jam-batan di-Kuala Selangor ia-lah \$3½ juta dan yang di-Sabak Bernam ia-lah \$2 juta.

Jawapan kepada soalan (c) ada-lah seperti jawapan saya kepada soalan (a) tadi.

TALIPON AHLI² DEWAN RA'AYAT DAN DEWAN NEGARA—BILANGAN YANG DI-POTONG

19. Tuan Haji Ahmad bin Abdullah (Kelantan Hilir) bertanya kepada Menteri Kerja Raya, Pos dan Talikom semenjak tahun 1964 hingga 1967:

- (a) berapa banyak talipon Ahli² Dewan Ra'ayat dan Dewan Negara yang di-potong kerana lambat menjelaskan bil² talipon mereka;
- (b) sebutkan nama² ahli² itu;
- (c) berapa lama talipon² itu ter-potong.

Tun V. T. Sambanthan: Tuan Yang di-Pertua:

- (a) 11.
- (b) Tidak-lah patut di-sebutkan nama Ahli² Yang Berhormat yang berkaitan (*Ketawa*).
- (c) Talipon itu telah di-potong dan tempoh tiap² satu talipon itu di-potong ada-lah berlain; ada sa-lama 4 bulan, 5 bulan, 6½ bulan, 20 hari, 57 hari, 3 bulan, 2 bulan sa-macham.

Tuan Haji Ahmad bin Abdullah: Boleh-kah saya mendapat penjelasan daripada Menteri yang berkenaan apa-kah sebab-nya maka talipon² itu telah di-potongkan.

Tun V. T. Sambanthan: Because Members have not paid, Sir.

Tuan Haji Ahmad bin Abdullah: Soalan tambahan. Bayaran talipon ini bukan-lah di-bayar oleh Ahli² Yang Berhormat itu, bahkan Kerajaan dari

Pejabat Parlimen sendiri yang membayar-nya. Jadi, kenapa-kah di-potong, kalau lambat?

Tun V. T. Sambanthan: Telephones are given to Honourable Members, but they are permitted free usage for official purposes, and they are expected to give detailed statements as to how much of money is expended and the use for the particular month. If Honourable Members have not cared to send forward these details, and have not bothered to pursue the matter with the Clerk of the Parliament—then I do not think the Telecoms Department is to blame. Where the Telecoms Department is concerned, the money must be there, from whom or how, it does not matter.

Wan Abdul Kadir bin Ismail (Kuala Trengganu Selatan): Boleh-kah Menteri memberi tahu Dewan ini bahawa sebab yang menjadikan Ahli Kelantan Hilir sangat mengambil berat perkara talipon ini bahawa Ahli Yang Berhormat itu sendiri kena potong.

Tuan Mustapha bin Ahmad: Soalan tambahan sadikit

Mr Speaker: Saya hendak selesaikan soalan tambahan yang itu dahulu.

Tun V. T. Sambanthan: Mr Speaker, Sir, I do not wish to give the names of Members whose telephones have been cut.

Tuan Mustapha bin Ahmad: Soalan tambahan—daripada jawapan Menteri Kerja Raya, Pos dan Talikom tadi menyatakan bahawa talipon yang digunakan oleh Wakil² Ra'ayat dalam urusan Wakil² Ra'ayat sahaja. Jadi ada urusan sa-bagai rasmi sahaja. Boleh-kah Menteri Kerja Raya itu menentukan, kalau talipon ada di-rumah mana yang di-katakan hak digunakan waktu Wakil² Ra'ayat dan digunakan di-luar Wakil² Ra'ayat. Jadi dengan sebab itu susah-lah bagi Wakil² Ra'ayat untuk menentukan mana-kah yang di-gunakan untuk rasmi dan tidak rasmi, dan sa-kiranya sudah di-potong bila talipon akan di-pasang balek. Itu sahaja pertanyaannya saya.

Tun V. T. Sambanthan: Sir, the categorisation is left to the Honourable Members themselves. They are Honourable Members and they are expected to know what they can use it for. If they do want further details, they can always look to the Clerk to the Parliament and get the details from him.

Tuan Amadeus Mathew Leong (Sabah): Is the Minister aware that very little has been done yet for the improvement of the poor system of telephone communications in Sabah. If so, will the Minister take immediate steps to meet the demand of the people as early as possible.

Mr Speaker: This is another question—not about telephone in general.

Tuan Amadeus Mathew Leong: It has some connection, Mr Speaker, Sir, because I have a telephone in Papar and I cannot get the trunk call to Jesselton through many times now.

Mr Speaker: Well, that is another question. You read this question, you will find that you are asking another question.

LOSS OF CABLES BY A PENANG FIRM

Tuan Lim Kean Siew: Mr Speaker, Sir, before I ask this question, I would like this House to know that since I thought I was not coming to Parliament, I had written in to the Telecoms Department professionally. I am supposed to disclose this to this House.

20. Tuan Lim Kean Siew then asks the Minister of Works, Posts and Telecommunications to state whether he is aware that recently several cables sent by a Penang firm were lost in transit resulting in the firm incurring financial loss in trade, and if so, to state who is responsible for this negligence.

Tun V. T. Sambanthan: Sir, I do not know what cables the Honourable Member means, and from whom and to what destination. Unless I am furnished further particulars, I regret I cannot make any inquiry.

Tuan Lim Kean Siew: Mr Speaker, Sir, I was not really so much concerned with the names and identities of the senders and the recipients of these cables. What I would like to draw the Honourable Minister's attention to, is the fact that several cables have been lost or delayed in transit. Now, that I have informed the Honourable Minister of Works, Posts and Telecommunications, that there are such instances, would the Honourable Minister inform this House, if there are such instances, what departmental action would be taken against people who have been negligent thus causing loss or delay to these cables.

Tun V. T. Sambanthan: Sir, the Honourable Member who is an old Parliamentarian should have known that his question in this case was specific—and yet too general. He says here, “recently several cables sent by a Penang firm were lost in transit resulting in the firm incurring financial loss in trade, and if so, to state who is responsible for this negligence.” And then he says he wants me to give a general answer; and thirdly he prefaced all these questions by saying that he has a professional interest in this particular case. When I got the question, I did not know what cables he meant, whether he meant co-axial or overhead cables, or cables sent as a message. He was not specific enough. If he had only furnished me the name of the firm, I could easily have looked into it, Sir.

Tuan Lim Kean Siew: Mr Speaker, Sir, by cables I mean cablegrams. I am not telling the Honourable Minister because I do not think it is relevant. The Penang firm is the General Produce Agency and they have had replies from the Telecoms Department, which do not contain any apology, or any statement that departmental action would be taken against those people responsible, if any negligence should be found; but the replies have purely quoted Section 9 of the Telecommunications Ordinance, which says that the Government cannot be sued. And it was the spirit of the answers to queries of the loss of these cablegrams that brought the

General Produce Agency to see me to raise this matter.

Tun V. T. Sambanthan: Mr Speaker, Sir, if the Honourable Member had given these details to me earlier he would have had a more positive answer from me. Knowing me as he does all these years, he knows I try to be helpful.

Tuan Lim Kean Siew: Mr Speaker, Sir, as I said, I am not really interested in the personalities of this case. I am only asking, in general, if the Minister is not aware that cables have been lost in transit or delayed and, if there was negligence in the Department, would he take action?

Tun V. T. Sambanthan: The Honourable Member has just given me the name. I will have to look into the details.

Tuan Lim Kean Siew: Mr Speaker, Sir, I am sorry I have to be so persistent. I am only asking a general question that if there is negligence found in the Department, and since the Government cannot be sued, would departmental action be taken against a person, who is found to be negligent or responsible for the loss?

Tun V. T. Sambanthan: There have been umpteen examples in the Department of action having been taken against negligence. There is no reason why we should not take action in any other case when negligence has been proved. But before anything has been proved, surely, the sender cannot ask me to give an answer. All I can say is that in the past we have taken action against negligence. There is no reason, in the light of these actions in the past, why we should not take action in the future.

Tuan Lim Kean Siew: Mr Speaker, Sir, I am asking this question because, on further enquiries by the sender of the cablegrams as to the circumstances in which the cables were lost, the answer given was that the inquiries were completed in one case and an assurance that there would be a refund for the rates paid to the sender and a refusal to disclose what the conclusion of the inquiry was.

Tun V. T. Sambanthan: Sir, I do not think it requires an answer; he just made a statement.

Tuan Lim Kean Siew: Mr Speaker, Sir, I am saying that I have asked this question because of the statement I have given, and that is why I ask this question. So, will the Honourable Minister then assure this House that, if there is such negligence, action would either be taken or, at least, the sender would be informed about it.

Tun V. T. Sambanthan: There is no reason to assume that action will not be taken. Let me repeat again, if the Honourable Member had given enough information, I would have given him a positive reply. But, today, he is trying to pursue a matter in which he has a professional interest, and having a professional interest, surely, he does not want to go back to his client and say: "Look, you are my client. I have raised this matter as a Member of Parliament and the Minister has assured me that action will be taken." I think it is not quite correct, Mr Speaker, Sir, that he should try to raise a matter in which he has a professional interest. I have said earlier, and I repeat again, there is no reason to assume that we will not take action against a case of negligence. There are cases, umpteen cases, where we have taken action against persons, who have been guilty of negligence in the past. But, before I can say what the results will be in this case, I will have to look into it. The Honourable Member has just given me the name and I will certainly look into it and see what can be done.

Tuan Lim Kean Siew: Mr Speaker, Sir, I again repeat that I am not concerned with the persons—in this instance I only acted professionally in writing in to make inquiries as to the results

Mr Speaker: I would like to know what your supplementary question is. I feel that your last supplementary question has already been answered, but you seem to be not satisfied, because you are so used, perhaps, to an answer of "yes" or "no".

Tuan Lim Kean Siew: Yes, Mr Speaker, Sir, that is right. So, now the Honourable Minister has given us a double negative reply

The Minister of Local Government and Housing (Tuan Khaw Kai-Boh): Mr Speaker, Sir, on a point of order. Perhaps, we can save the House a lot of time, if I read out Standing Order 23 (1) (h)—"a question shall not be asked for the purpose of obtaining an expression of opinion, the solution of an abstract legal case, or the answer to a hypothetical proposition." This is what exactly the Honourable Member for Dato Kramat is trying to get out of the Minister for Works.

Mr Speaker: I have that in mind also. (*Laughter*).

Tuan Lim Kean Siew: Yes, Mr Speaker, Sir, if the Honourable Minister for Local Government had not only studied law but practised it he would know that this is not a hypothetical question. I have merely stated that . . .

Tuan Khaw Kai-Boh: On a point of order, he should not make derogatory remarks on personal character or profession, Sir.

Mr Speaker: I rule that no more supplementary question may be answered.

CRITICISMS OF THE MINISTER OF EDUCATION AGAINST THE TEACHING PROFESSION

21. Dr Tan Chee Khoon asks the Minister of Education to state whether he is aware that the disparaging criticisms and challenges that he constantly makes against the teaching profession recently are affecting the morale of teachers causing them to be despondent and also indirectly after thousand of school children.

The Minister of Education (Tuan Mohamed Khir Johari): Mr Speaker, Sir, I cannot be blamed for stating the truth, even though it may sometimes hurt. It is my intention, like the surgeon's knife, to cure by hurting. If I achieve my purpose, thousands of

parents will be thankful for a halt to the present disturbances, which are undoubtedly doing a lot of harm to children.

Dr Tan Chee Khoon: Mr Speaker, Sir, does the Honourable Minister of Education not remember that in this very House itself, I think it was during the Budget session, he solemnly promised this House that he would smoke "the pipe of peace" with the teachers unions wherever they may be. If so, how does he reconcile that assurance to this House with his subsequent *pergadohan* with the various teachers unions?

Tuan Mohamed Khir Johari: As the Honourable Member can see, there is no more *gadohan*: there is an apparent cease-fire. So, I do not think the Member should (*Laughter*).

Dr Tan Chee Khoon: Mr Speaker, Sir, I must thank the Honourable Minister for telling this House and, I hope, the country as well, that there is an apparent cease-fire to this very unhappy episode in the lives of the teachers in this country. Will the Honourable Minister assure this House that he will convert this cease-fire into a permanent peace between him, his Ministry Officials, and the teachers of this country? I am sure the Honourable Minister agrees that this unseemly *pergadohan* that is carried on in the press—every time the Minister opens a school or a sports meeting there is reference to some teachers unions or other and they hit back—is a very unseemly way to conduct trade union negotiations in public. If so, will he and his officials convert this cease-fire into a permanent peace?

Tuan Mohamed Khir Johari: Sir, it takes two to make a quarrel; in the same way it takes two to make peace. (*Laughter*).

Dr Tan Chee Khoon: I agree, Mr Speaker, Sir. But like a good Christian, perhaps, for example, he hits me on one cheek I will probably turn the other cheek for him (*Laughter*). That is a very good philosophy for both the

Minister and the Teachers Unions to adopt in the interest of education of the thousands of children in this country.

Tuan Mustapha bin Ahmad: Tuan Yang di-Pertua, soalan tambahan, boleh-kah pehak Menteri Pelajaran itu memberi akuan bahawa sa-telah hendak di-adakan cease-fire antara guru² itu berarti pehak Menteri ini mengakui dia yang salah dan dia-nya mengakui melakukan-nya.

Tuan Mohamed Khir Johari: Tuan Yang di-Pertua, saya ingat ta' payah jawab soalan ini (*Ketawa*).

PLANS FOR INTEGRATED SCHOOLS

22. Tuan C. V. Devan Nair asks the Minister of Education to give details of his Ministry's plans for integrated schools, and to state where and when the first such school will be implemented.

Tuan Mohamed Khir Johari: Mr Speaker, Sir, the Ministry plans to build one such primary school in Selangor by next year. The aim of this school is to provide the opportunity for the Faculty of Education, University of Malaya, to try out new instructional methods and to make optimum use of building space and teachers, by a modification of the normal classroom organisation. Depending on where exactly the school is finally to be sited, as many as possible of the four primary language streams will be accommodated in the school. The results of such integration of instructional method as applied to different streams will be evaluated over the following years to assess their worth for a wider application in the country.

Tuan C. V. Devan Nair: Sir, it would appear, therefore, that this is a pilot project, and would the Minister care to indicate as to exactly how long, over what period of years or time, he expects this process to take?

Tuan Mohamed Khir Johari: I do not think I can say that at this stage, Sir.

BILANGAN PENUNTUT² DARI MALAYSIA TIMOR YANG MENERIMA BIASISWA

23. Tuan Ganing bin Jangkat bertanya kepada Menteri Pelajaran berapa-kah bilangan penuntut² dari Malaysia Timor yang sedang menerima biasiswa sa-chara langsung atau tidak langsung daripada Kerajaan Pusat dan Kerajaan² Negeri dan nyatakan tempat² mereka belajar.

Tuan Mohamed Khir Johari: Tuan Yang di-Pertua, bilangan-nya ada-lah seperti di-bawah ini, tetapi ini tidak termasuk bilangan mereka² yang menerima biasiswa Ranchangan Colombo dan lain²:

	Malaysia Barat		Singapura		U.K.	
	B.P.	B.N.	B.P.	B.N.	B.P.	B.N.
Sarawak	66	63	8	—	42	23
Sabah...	16	29	1	2	5	6
	Australia		Holland		Jumlah	
	B.P.	B.N.	B.P.	B.N.	B.P.	B.N.
Sarawak	1	—	—	3	117	89
Sabah...	16	1	—	—	38	38

CHATELAN:

B.P. berma'ana Biasiswa Kerajaan Pusat.
B.N. berma'ana Biasiswa Kerajaan Negeri.

PERUNTOKAN WANG YANG DI- BUAT OLEH KERAJAAN PUSAT UNTOK PELAJARAN DI-SABAH

24. Tuan Ganing bin Jangkat bertanya kepada Menteri Pelajaran sejak penubuhan Malaysia, berapa banyak-kah peruntokan wang yang telah di-buat oleh Kerajaan Pusat untok maksud pelajaran di-Sabah keselurohan-nya.

Tuan Mohamed Khir Johari: Tuan Yang di-Pertua, wang sa-banyak \$57,772,170.75 telah di-belanjakan satakak ini untok pelajaran di-Sabah semenjak Malaysia di-tubuhkan. Angka ini tidak termasuk jumlah wang yang di-belanjakan dari bulan Julai 1967.

SPECIALIST ALLOWANCES FOR MEDICAL OFFICERS IN SARAWAK

25. Dr Tan Chee Khoon asks the Minister of Health to state:

- why fixed specialists' allowances are not paid to medical officers in Sarawak;
- whether he is aware that such non-payment has caused a great

deal of dissatisfaction and loss of morale amongst these officers in Sarawak;

- what steps he intends to take to rectify the situation;
- whether the introduction of fixed consultation allowances to medical officers in Sarawak could be made retrospective from the date of their implementation in West Malaysia.

The Parliamentary Secretary to the Minister of Health (Tuan Ibrahim bin Abdul Rahman): Mr Speaker, Sir, the medical officers and specialists in the State of Sarawak are governed by different General Orders and are under different salary scales and terms and conditions of service from those in West Malaysia. The standardisation of the different salary scales and terms and conditions of service in all States in Malaysia including Sarawak is being reviewed by the Salaries Commission. I am not aware of dissatisfaction and loss of morale. Future steps to be taken will depend on the report of the Salaries Commission.

Dr Tan Chee Khoon: Mr Speaker, Sir, I wonder if the Honourable Parliamentary Secretary to the Minister of Health has been to Sarawak. If so, if he has talked only with a few officers there, he would know that the first question they would ask is, "I am a F.R.C.S. (London), why don't I get a fixed specialist allowance up to a maximum of \$1,200 and why does my colleague in West Malaysia get these allowances?" If the Parliamentary Secretary to the Minister of Health is not aware, will he make a trip to Sarawak and make contact with a few members from Sarawak, so that they will put him in touch with the medical officers there? Then he will find that the medical officers are indeed frustrated over these differences of salary scales, particularly in fixed specialist allowances, between West Malaysia and Sarawak, since in Sarawak unlike Sabah health is a Federal subject.

Tuan Ibrahim bin Abdul Rahman: Mr Speaker, Sir,—I have been to Sarawak, and I have met the medical officers there; and I have also met the

Members of the Opposition sitting just behind the Honourable Member. I hope the Honourable Member will read the General Orders of Sarawak.

Dr Tan Chee Khoon: Mr Speaker, Sir, the Honourable Parliamentary Secretary possibly met rather the wrong type of medical officers than those I met (*Laughter*) during my very short stay in Sarawak. Be that as it may, Sir, will the Honourable Parliamentary Secretary assure this House that if and when the Suffian Salaries Commission Report—I believe that is what he is referring to—is published, his Ministry will see to it that as between West Malaysia and Sarawak, there is one salary scale. I do know that there is a different salary scale in Sarawak now, but it should be adjusted to the same salary scale as in West Malaysia and in this adjustment the medical and dental officers in Sarawak should not suffer in the process.

The Minister of Lands and Mines (Tuan Haji Abdul-Rahman bin Ya'kub): Mr Speaker, Sir, this question affects not only the medical officers in Sarawak but also other civil servants in Sarawak. I have received letters from Departments which come under my Ministry. The Honourable Member should appreciate that when Sarawak joined Malaysia, there was such a document which is called today the Inter-Governmental Committee Report, in which it is stated clearly that the officers in Sarawak, those State officers seconded to the Federal Departments in Sarawak are, nevertheless, governed by the Sarawak General Orders and, therefore, the terms and conditions of service including allowances and so on must necessarily be governed according to the Sarawak General Orders. Whether or not this sort of problem could be settled will have to be discussed together with the State Government concerned.

Dr Tan Chee Khoon: Mr Speaker, Sir, I do appreciate that whatever action that can be taken by the Central Government or by the State Government, is governed by the I.G.C. Agreement between the Central Go-

vernment and Sarawak. All that I am asking is that seeing now that health is a Federal subject unlike quite a number of other matters in Sarawak—for example, land is entirely a State subject—if and when the Suffian Salaries Commission Report is published and there is a desire on the part of Federal officers, who are Sarawakians wanting to adjust the salaries to that of those prevailing in West Malaysia . . .

Mr Speaker: Are you asking information or giving information?

Dr Tan Chee Khoon: I am asking a question, Sir.

Mr Speaker: Then, make your supplementary question and be done with it!

Dr Tan Chee Khoon: The question I wish to ask once again, Mr Speaker, Sir, is this: will the Parliamentary Secretary assure this House, or will the Minister of Lands and Mines assure this House, that if and when there is a desire on the part of Federal officers serving in Sarawak, who are Sarawakians, who want their salary scales to be adjusted with those prevailing in West Malaysia, this would be given sympathetic consideration by the Central Government?

Tuan Haji Abdul-Rahman bin Ya'kub: It does not rest with the officers concerned in Sarawak, Mr Speaker, Sir. It rests with the State Government. So, the exercise cannot be related to one particular branch of a Department in Sarawak only. Although health is a Federal matter, nevertheless, the majority, if not all, of the officers in the Medical Department are State officers. They are merely seconded to serve in the Federal Department and because of the terms of the I.G.C., they must necessarily be governed by the Sarawak State General Orders; and, if there is going to be any change, there must be an agreement by the State Government concerned, by the Council Negri possibly—I have got to check on that point of whether it is sufficient for the State Government to agree to a change without reference to the Council Negri, I am not very sure.

Tuan Stephen Yong Kuet Tze (Sarawak): Would the Honourable Minister state, as a matter of Federal Government policy, that it would be desirable for a uniform salary scale for this Branch Service?

Tuan Haji Abdul-Rahman bin Ya'kub: It is desirable, but the trouble lies with some Members of the Opposition. The moment we try to carry out this exercise, they say, "Ah! Don't interfere with State rights" and so forth. From our point of view, it is to the convenience of everybody, the whole country, that we should have a uniform system in Malaysia as far as Federal Departments are concerned, preferably to the various State Departments.

Tuan Khaw Kai-Boh: Mr Speaker, Sir, I may clarify this position. Perhaps, Members of the Opposition do not know that quite apart from certain level of salary not being quite equal, there are also other privileges not quite equal because, for instance, Sarawak officers enjoy a lot of housing loans at subsidised interest, which officers in West Malaysia are not enjoying. If it is the question of bringing up the salary scale, it will also mean the withdrawing of certain subsidies. So, it is not a matter of just bringing up the salary scale, but it is also a matter of bringing the whole issue as a package deal. So, it is not a simple exercise as Honourable Members think.

Dr Tan Chee Khoon: Mr Speaker, Sir, I do appreciate

Mr Speaker: Question Time is up! The sitting is suspended for fifteen minutes.

(Question Time was up, and the answers to Oral Questions Nos. 26 to 36 are given below.)

TAPPING OF RUBBER TREES UNDER THE RUBBER PLANTING SCHEME

26. Tuan Edmund Langgu anak Saga asks the Minister of Commerce and Industry to state what steps have been taken to encourage the tapping of all rubber trees under R.P.S. that can be tapped in Sarawak.

The Minister of Commerce and Industry (Dr Lim Swee Aun): There has been some reluctance on the part of rubber smallholders in Sarawak to tap the rubber which has been planted under the Rubber Planting Scheme. This is a cause for much concern and was the subject of a recent appeal to the farmers in Sarawak by the State Minister of Agriculture. Smallholders cannot be forced to tap their rubber. However, steps are being taken to encourage tapping. These are as follows:

- (1) Regular training courses on tapping and processing are given by the Department of Agriculture in order to encourage the production of a better product which will fetch a higher price.
- (2) Demonstration group processing centres have been set up all over the country in order that a high quality smoked sheet can be produced and sold in quantity to dealers.
- (3) The Co-operative Department has set up numerous multi-purpose societies with one of the aims being to obtain better prices for its members.
- (4) Investigations have been made by the Sarawak Development Finance Corporation to determine the feasibility of Hevea-crumb factories for smallholders and the results are quite favourable. An officer has been sent for training and the best siting for the first factory is under consideration.

ESTABLISHMENT OF A PAPER FACTORY IN SARAWAK— SURVEY

27. Tuan Edmund Langgu anak Saga asks the Minister of Commerce and Industry to state whether a survey has ever been made on the possibility of establishing a paper factory in Sarawak.

Dr Lim Swee Aun: Neither the Central Government nor the State Government has conducted a survey on the possibility of establishing a paper factory in Sarawak. However, a

request has already been made to the United Nations Development Programme for assistance in carrying out a study to determine the forest resources of the whole of Malaysia and the future development of these resources. Whether or not it is feasible to establish a paper industry in the State of Sarawak or any other part of Malaysia will be determined during the study.

Certain private interests had studied the possibility of setting a wood-pulp industry in Sarawak but so far, no firm indications have been received from these sources.

PRICE OF RICE SOLD BY RETAILERS

28. Tuan Ramli bin Omar asks the Minister of Commerce and Industry whether he is aware that no retail shops in the towns is selling rice at 32 cents per kati and, if so, what action he intends to take in this matter.

Dr Lim Swee Aun: It is incorrect to say that no retail shops in the towns are selling rice at 32 cents per kati. Rice released from Government stockpile is retailed at 32 cents per kati throughout West Malaysia. This Ministry has carried out periodical spot checks all over the country to ensure that rice released from Government stockpile is sold by retailers at 32 cents per kati. About 30,000 bags are released monthly throughout West Malaysia. In addition to this the East Coast and Pahang areas Government stockpile rice is released direct to retailers to ensure that consumers get stockpile rice at 32 cents per kati.

TRADE IN SABAH—INCREASE SINCE ESTABLISHMENT OF MALAYSIA

29. Pengiran Tahir Petra asks the Minister of Commerce and Industry to state, the increase in trade in Sabah since Malaysia was established.

Dr Lim Swee Aun: In 1962, Sabah's external trade totalled \$473.6 million while in 1966 it totalled \$705.0 million.

This represents a 48.4% increase in Sabah's external trade over a period of only 4 years. During the same period, imports increased from \$238.9 million to \$346.7 million, an increase of 45.1% and exports increased from \$234.7 million to \$358.3 million, an increase of 52.7%. It will be noted that in 1966 Sabah had a favourable balance of trade, its first since 1962.

ATHI NAHAPPAN COMMISSION'S REPORT ON LOCAL AUTHORITIES

30. Tuan C. V. Devan Nair asks the Minister for Local Government and Housing when the Athi Nahappan Commission of Enquiry into the workings of Local Authorities is expected to complete its findings, and if the Commission is likely to take considerable time before concluding its report, whether the Government would restore Local Council elections which was suspended on the explicit undertaking that such elections would be restored after the end of Indonesian confrontation.

The Minister for Local Government and Housing (Tuan Khaw Kai-Boh): According to advice given to me, the Royal Commission of Enquiry to investigate into the workings of Local Authorities is expected to complete its Report by the end of this year. As regards Local Council elections these were suspended for security reasons. In the meantime this consideration has been overtaken by event. Resumption of such elections will depend on the outcome of the Report.

MANIPULATION OF LAND PRICES—PREVENTIVE LEGISLATION

31. Tuan C. V. Devan Nair asks the Minister for Local Government and Housing whether the government is aware of the need and urgency to prevent speculators from manipulating land prices in towns, which benefits individuals as against social interest, and whether the government would introduce legislation to control prices of land in towns to eliminate speculation.

Tuan Khaw Kai-Boh: Article 13 of our Constitution which comes under Part II entitled "Fundamental Liberties" provides that no person shall be deprived of property save in accordance with law. Sub-section (2) of the same Article further stipulates that no law shall provide for the compulsory acquisition or use of property without adequate compensation. Because of these provisions, before any legislation to control prices of land in towns, (and for that matter, anywhere in Malaysia) can be introduced, the Constitution would first have to be amended. I do not consider that manipulations of land prices in towns are of such serious proportion as to warrant the taking of such a drastic step to alter one of the most important fundamental rights of the people.

As far as acquisition of land by the Government for certain public purposes are concerned there already exists a procedure by which the Government may freeze the price of the land intended to be acquired. This is by recourse to a notice under Section 4 of the Land Acquisition Act, 1960, the effect of which will be that the owner of the property acquired becomes entitled only to compensation at the market value of the land as at the date of that notice and that dealings which might take place after that date would be disregarded for the purpose of determining the compensation to be paid.

CONTROLLER OF RADIO MALAYSIA, SABAH—FILLING OF POST BY A SABAHAN

32. Tuan C. John Ondu Majakil asks the Minister of Information and Broadcasting to state when will a Sabahan fill the post of Controller of Radio Malaysia, Sabah.

The Minister of Information and Broadcasting (Tuan Senu bin Abdul Rahman): It is my intention to fill the post of Controller of Radio Malaysia, Sabah, by a local officer as soon as such an officer, suitable and qualified for the post, is found.

CHADANGAN MEMULAKAN PERKHIDMATAN TALIVISHEN DI-SABAH

33. Datu Aliuddin bin Datu Harun bertanya kepada Menteri Penerangan dan Penyiaran berhubung dengan chadangan beliau hendak memulakan perkhidmatan Talivishen di-Sabah, terangkan bila-kah khidmat Talivishen itu akan di-mulakan di-Sabah.

Tuan Senu bin Abdul Rahman: Satu kajian mengenai kemungkinan mengadakan perkhidmatan talivishen ka-Sabah dan Sarawak telah pun selesai di-usahakan. Sebagai hasil kajian itu, satu Kertas yang lengkap mengandungi anggaran² perbelanjaan untuk melaksanakannya telah dimajukan untuk pertimbangan Kerajaan. Tetapi oleh sebab keadaan kewangan negara pada masa ini, Kerajaan belum-lah lagi dapat mengadakan peruntukan yang di-kehendaki itu. Walau bagaimanapun ada-lah di-harapkan peruntukan itu akan diperolehi juga kelak kerana bukan-lah menjadi dasar kita untuk menapikan perkhidmatan talivishen ini kepada mana² negeri.

MARKETING OF PRODUCE OF THE KUNDASANG/TENOMPOK AREA IN RANAU, SABAH

34. Dato' Ganie Gilong asks the Minister of Agriculture and Co-operatives to state when FAMA (Federal Agricultural Marketing Authority) is going to help the Kudasang/Bundu Tuhan temperate climate vegetable growers in the marketing of their produce.

The Minister of Agriculture and Co-operatives (Tuan Haji Mohd. Ghazali bin Haji Jawi): Being a member of the Federal Agricultural Marketing Authority yourself, you would know that the Authority is aware of the importance of the Kudasang-Tenompok area in Ranau as vegetable producing area which meets the entire supply of temperate vegetables consumed in Sabah, and also the difficulties confronted by farmers there in the marketing of such produce. With a view to raising productivity and improving the marketing system there, the

Authority has carried out detailed investigations in January, 1967. The report on the investigations carried out has been submitted to the Sabah State Government with appropriate recommendations.

The Authority will be in a position to take further action on the matter once the views of the State Government have been obtained.

SWINE FEVER IN SARAWAK

35. Tuan Stephen Yong Kuet Tze asks the Minister of Agriculture and Co-operatives to state:

- (a) the source of swine fever which has killed a large number of pigs in Sarawak and what steps have been taken to prevent a recurrence of this fever;
- (b) whether compensation of relief or other forms of relief would be given to pig breeders in Sarawak who have suffered losses as a result of swine fever.

Tuan Haji Mohd. Ghazali bin Haji Jawi: Sir, (a) Swine Fever was confirmed in Sarawak on July 3rd and preventive inoculation in infected areas commenced on July 6th as soon as vaccine was received from Western Malaysia. Previous to the outbreak the import of pigs was banned as from May 19th when information was received that the disease had been confirmed in Johore. At this time Singapore which is the main source of pigs imported into Sarawak, was reported free of the disease but it was felt advisable to ban pigs from this source as well in view of its proximity to Johore. Subsequently swine fever has been reported from Singapore. It has been impossible to *prove* how the disease was introduced.

The steps taken to prevent the recurrence of swine fever are as follows:

- (i) The import of pigs from outside Sarawak is banned.
- (ii) Prohibition of movement of pigs from infected to uninfected areas.
- (iii) Action to prevent the sale of pigs feed in used gunny sacks—Packing in paper sacks is now recommended.

(iv) Free issue of disinfectant to piggeries in both infected and non-infected areas and advice to disinfect vehicles and pig carrying baskets.

(v) Free inoculation of non-infected animals in infected areas, together with recommendations to slaughter infected animals and follow up inoculations for young animals.

(vi) Inspection of meat at slaughter houses and disposal of infected carcasses.

The infected meat can spread the disease to healthy pigs.

(b) The Pig Breeders Association of Kuching has submitted a petition to the Minister of Agriculture, Sarawak requesting that some form of relief for rehabilitation of the poorer pig breeders might be considered and this is being examined. Until full details are available no decision will be made.

EXPLANATORY NOTES ON BILLS

36. Tuan Ong Kee Hui asks the Minister of Justice to state whether he could direct the Attorney-General to provide full explanatory notes when preparing Bills for consideration of Parliament particularly in respect to consolidating Bills and Amending Bills.

The Minister of Justice (Tuan Haji Abdul-Rahman bin Ya'kub): In my opinion the usual Explanatory Statement at the end of each Bill would suffice. The purpose of the Explanatory Statement is to explain as precisely as possible the object of a Bill to be introduced into Parliament. In respect of a proposed consolidated legislation, the Honourable Member, as a Member of the Legislature, should read the various laws sought to be consolidated and, in respect of an amending legislation the principal law sought to be amended. I should say that the Attorney-General has done more than what is normally required of him in the preparation of the Explanatory Statement which is not the practice in other countries.

Sitting suspended at 11.12 a.m.

Sitting resumed at 11.30 a.m.

(Mr Speaker in the Chair)

BILLS

THE SUPPLEMENTARY SUPPLY (1967) BILL

Second Reading

Order read for resumption of debate on Question, "That the Bill be now read a second time" (23rd August, 1967).

Debate resumed.

Tuan C. V. Devan Nair: Mr Speaker, Sir, the remarks I made yesterday with regard to the shoddy treatment of Parliament by the Government have been justified this morning, for I noticed a note on my desk to the effect that the Honourable Minister of Finance would move, at the end of the debate on the Supplementary Supply Bill, that the Income Tax Bill would be taken immediately thereafter. Sir, this gives added point to the complaint that I made yesterday that Members of Parliament just do not have sufficient time to deal with Bills of such a bulky and of such an important nature as the Income Tax Bill, which proposes to effect far-reaching changes in the tax structure.

As I pointed out yesterday, Sir, I would bet my last dollar that even the experts in the University of Malaya would not have been able to go through the Bill, and go through the equally bulky amendments, to assess the impacts of the various provisions of the Bill, and yet we are going to be asked to be present here, while the Government bulldozes that Bill through this House with Members of Parliament on both sides of the House being unable to make any intelligent contributions to the debate. I would appeal in all earnestness to the Government to do the right thing and to postpone the Bill to some future session. After all, there is no hurry about the Bill, the year of assessment which it effects would be 1968, and why this almost indecent haste?

Sir, I was coming on to the Election Commission for which provision is

made in the Supplementary Supply Bill. The Election Commission had given indications that there might be alterations in the present delineation of the Parliamentary and State Constituencies, but to date there has been no announcement by the Commission as to whether it has completed its study as to whether such delineations will, in fact, be effected. We understand that by September there will be a fresh registration of voters, so I would like to know whether the Election Commission will announce changes in the delineation of constituencies before September, or whether it is proposed to effect any changes at all for that matter.

Next Sir, Head S. 20 makes provisions for the Ministry of Foreign Affairs.

Tuan Edmund Langga anak Saga: Mr Speaker Sir, there is no quorum.

(Division bell rung; House counted; 26 Members present).

Tuan C. V. Devan Nair: Sorry to have disturbed the relaxation in the coffee rooms of so many Members.

Coming to Foreign Affairs, Sir, I would like to make this point, and it is a very vital and pressing point to make and I would like to state that I am not making the point in a purely partisan manner for the D.A.P., or for any other party. Sir, I think that, because of all this talk of the withdrawal of British defence commitments by mid-1970, many people in this part of the world, nations and many forces internally, within Malaysia, who for various reasons are not well disposed to this country, will take it into their heads that there will be a vacuum in defence arrangements in Malaysia—and nature abhors a vacuum—and the enemies, internal as well as external enemies, of Malaysia would dearly love to fill that vacuum. So, Sir, I think one of the chief aims of our foreign policy should be to make it quite clear that there is not going to be any vacuum in defence arrangements for this country, that come mid-1970's, this country will have

developed the capacity, the means and the resolution to fill this vacuum with alternate defence arrangements by the mobilisation of our own internal resources, as well as in conjunction with our friends in the Commonwealth. And it was in this light that I, and I am certain many other Malaysians, must have been disturbed by the Bangkok Declaration. Sir, at Bangkok, the ASEAN was set up, and we were told that this new regional organisation would be primarily concerned with economic co-operation. But nonetheless, this Bangkok Declaration contains references to defence to the effect that bases, and so on, would be temporary. I think that might give an indication of weakness to a number of big brothers in South Asia. I think it should be the cardinal tenet of our foreign policy to make it absolutely certain at all these regional conferences that defence is our business. How we choose to defend the independence and the territorial integrity of Malaysia is entirely the concern of the Malaysian people and the Government, and is of no concern whatsoever to anybody else. Under the United Nations Charter, Sir, there is nothing wrong for any nation to come to bilateral defence arrangements with those who would like to come to such arrangements with us, and I thought that it was a pity that our representatives there allowed this little talk about defence to appear in that Declaration. We do not know who it was who insisted, but whoever it was who insisted—Philippines, Indonesia—I say, Malaysia and Singapore, preferably jointly, had better make it absolutely clear to everyone in Southeast Asia and the world that our defence is our business and no concern of anybody as long as we do not pose a danger to anybody else. I make that, Sir, not to score a party point, not even on behalf of the D.A.P. I make it as a sincere Malaysian, and I hope the Malaysian Government will take this to heart.

Now, I come to Head S. 39, Ministry of Information and Broadcasting, which purports to be a State organisation, but which in actual fact is becoming more and more a branch of information and

broadcasting of the Alliance Party, and not of the Government. I have had occasions in the last few days to look at the T.V. commentaries on what happens in Parliament—"In Parliament Today". I would advise you, Sir, also to watch the T.V. programme, and I think every objective person will be struck by the following two points: (1) There is no actual report of what the Opposition Members say. There is an interpretation from the Alliance point of view of what Opposition Members say. There is, for instance, coming across lines like the following where the commentator says: "The Member for Batu was sore about such and such a thing; the Member for Bungsar complained"; and when the words "sore" and "complained" are uttered there is an undertone of a sneer. What happens in Parliament is not reported; it is interpreted; and the whole report is so carefully selected as to make it benefit the Alliance side of any particular case—and I think this is most unfair. You will remember, Sir, on this padi control business what I had said: T.V. said, "Mr Devan Nair, Member for Bungsar, welcomed the Bill but he had only one complaint". You, Sir, listened to me. I had more than one complaint on the Bill, not just one. I had, in fact, half a dozen complaints, but that report would give the impression that Mr Devan Nair might very soon be joining the Alliance which is not so. (*Laughter*). Let there be an objective selection of the facts and do not let any T.V. writer attempt to interpret the Opposition. Let them just say, "This is what the Opposition said", full stop. Sir, I do not think that it is only T.V. and Radio becoming branches of the Alliance. I would say that the same thing is becoming increasingly true of our mass circulation newspapers.

The Government through its Ministry of Information and Broadcasting has a way of getting at newspapers in the country—what should go in, what should not go in, what should not go in, what should be truncated—with the effect that reading the *Straits Times*, or reading some of the Chinese newspapers, one gets the impression that they are all being run by one Ministry.

Only this morning, Sir, the Honourable Deputy Prime Minister said that the Press is doing a good job of uniting nations. What he really means is that the Press is doing a good job of publishing mainly Alliance propaganda. Every little platitudinous twaddle coming from the Alliance side is given full play, and we break our hearts in trying to come out with our programmes, and so on, which are truncated. All that I say today, Sir, will be replied to, and I will bet my last dollar that in tomorrow's *Straits Times* I will be lucky to get away with two paragraphs (*Laughter*), and the twaddle that comes from there given headlines, including pictures. I would give you an indication, Sir, of a Chinese newspaper, the *Sin Chew Jit Poh*. I make no complaints on personal attacks on anybody in that paper. However I believe, unfortunately, that they just do not have Mokhtar Lubises in their ranks—Mokhtar Lubis does not exist in the editorial offices of any of our newspapers. We have people, newspaper editors, whose paramount concern is survival which means, "Well, please listen to that 'phone, wait for that awful 'phone call from the Ministry of Information and Broadcasting, let us not put too much." To give a glaring instance—the M.C.A. Chief Liaison Officer, and Member of Parliament for Kluang Selatan, Mr. Chan Chong Wen was extensively reported in the local press on August 13, attacking the DAP, which I do not mind; we welcome such attacks because that is the only way we get publicity. (*Laughter*). On Mr Devan Nair, *Sin Chew Jit Poh* published a full report or statement—commas, semicolons, everything included. On the same day, the DAP Central Executive Member, Mr Lim Kit Siang replied to Mr Chan Chong Wen, but the *Sin Chew Jit Poh* did not publish a word of that. On August 16, the *Sin Chew Jit Poh* carried the reply by the Political Secretary to the Finance Minister, Mr Bernard Lu to Mr Lim Kit Siang, whose statement it did not publish in the first place. When Mr Lim Kit Siang replied to Mr Bernard Lu on the same day, the *Sin Chew Jit Poh* again blacked it up—I mean, that is "free press in this country", says our Deputy Prime Minister.

Then on the 18th and 19th August, the *Sin Chew Jit Poh* serialised, serialised like one of the Tarzan things, day by day in verbatim a lengthy article, which appeared in the August issue of the organ of the Alliance Party—they are free to publish anything they like. The Alliance attempted to reply to a speech by Mr Lim Kit Siang on democratic socialism, the meaning and relevance to Malaysia, and so on, in Johore Bahru. The *Sin Chew Jit Poh* had not published a single word of Mr Lim's Johore Bahru speech. His speech is not published, not a word of it, but the attack on it by the Alliance is published, and I am quite certain that if the *Sin Chew Jit Poh* had its way, they would have given us fair play. Now, what has happened? The Ministry of Information and Broadcasting exercises a kind of silent control, intimidation: "You want your licence at the end of this year?"

Sir, we do not think any Minister or backbencher will be brazen enough to stand up—and in fact, they are brazen enough to stand up to say there is a free press in Malaysia. Sir, all that I am saying is that, and this is very important; if you do not tolerate a rational Opposition, which is prepared to play according to the rules of the game, then please be absolutely sure that you are going to supplant it with an irrational Opposition, which does not attempt to meet you in open argument and debate, because open argument and debate is effectively suppressed. Sir, I am not casting any personal aspersions on the *Sin Chew Jit Poh* or on journalists; I know the difficulties that they face—the ominous phone calls from Government Ministries. But, I say that it is very sad that we do not have Mokhtar Lubises in this country, people who are prepared to stand up for journalistic ideals of the free press, of a genuinely free press—that is a sad thought. But please, if you do not allow a rational Opposition free play, you are bound to get an irrational Opposition, and you would deserve it.

Sir, next, I take up the Ministry of Works, Posts and Telecommunications, and there is provision under Head S. 71 for Staff for Toll Collection at Toll

Houses, Muar and Batu Pahat Bridges. Sir, according to available figures, from 15th April, 1967 to 30th May, 1967, the Muar Bridge Toll Gate collected \$155,333.25. The original cost of the Bridge, including approaches, amounted to \$4,176,000. Sir, at this rate, the cost of the Bridge should be recovered in three and a half years' time, or even sooner as the traffic is likely to increase with every passing month; and I might suggest, therefore, that the Government should halve the toll charges, as the entire cost will be recovered in seven years and that the toll collection should cease at the end of seven years. Now, this means, Sir, in effect, that motor cars which now have to pay \$1.50 to cross the Bridge would have the toll charge reduced to 75 cents, and buses and lorries would be reduced to \$1.75 from the current \$3.50.

Sir, Head S. 23 was commented upon by the Honourable Member for Batu yesterday, in this Merdeka anniversary celebrations. Sir, I am one of those, who have always insisted that when it comes to national functions, national occasions, we should participate, that the DAP should participate as a loyal Opposition Party, but it is becoming increasingly difficult for us to keep to this line, when it is becoming more and more abundantly plain that these are, in effect, not national celebrations but Alliance Party celebrations. There is no attempt to secure community participation. You invite all Parties, I say I would never stand in the way, but as it is, Sir, I feel most disinclined to attend any of these National Day shows which will be put up, not because I am disloyal, but because it seems to me, as was pointed out by the Member for Batu, that instead of saluting the national flag, or while saluting the national flag, I might find myself at the same time saluting the Kapal Layar, which is a painful business for me. I will probably attend the State Banquet, if it is given by His Majesty, the Yang di-Pertuan Agong, but attending any of these Alliance shows as such, Sir, it becomes impossible, and I say again it is bad for the country. The more you equate Malaysia with a political party, then the more you are going to exclude

large numbers of Malaysians, who may not feel very enthusiastic about your political party. Whereas, where the State itself is concerned, where His Majesty the Yang di-Pertuan Agong is concerned, he is not the paramount Ruler of the Alliance, he is the paramount Ruler of the Nation and it is in his name that we celebrate National Day, not in the name of the Alliance; I say tear down all this "Kapal Layars", which you put up in the name of celebrating Merdeka Day. You want to put up all the flags of the other Parties, put up the PAS, put up the DAP rocket, put up the Labour Party, whatever their symbol is; otherwise do not make it a political occasion but a national occasion.

Finally, Sir, there is a bit, more than a bit, on Head S. 7 under the Prime Minister, i.e. Provision for a Teachers Salaries Commission. Sir, this Salaries Commission as expected by most people would help to sooth the exacerbated relations between the Education Ministry, and the Minister of Education in particular, and the Teachers' Unions. But, Sir, so many things have happened in the recent past, which make one doubt whether even the Teachers Salaries Commission and its recommendations can bring about good relations between the two parties. I must make it quite clear, Sir, that I am not speaking as an apologist for any of the Teachers' Union, but neither as an apologist, God forbid, for the Ministry of Education. However, I would suggest, Sir, that nothing is more calculated to throw the teaching profession into disruple and to undermine school discipline than for our very very pathetic Minister of Education to make it his hobby to run up and down the country to ridicule the teachers before students, not before parents, mind you, but before students, at speech day functions, school sports meets and school openings. The Minister of Education, Sir, was unrepentant in making general statements and wild charges against teachers, starting more than a year ago with charges that teachers spend most of their time playing mahjong, which probably does affect a small group of teachers but you

bathe the whole profession in that light. Quite a lot of Ministers, I am sure, spend quite a lot of their time playing mahjong. He had also said that teachers had sent threatening letters to the C.E.Os., poured acid into the fuel tanks of Ministry officials, and accused them of being mercenary, disloyal and subservient to political forces. Now for God's sake, Sir, don't make blanket allegations. Any one who pours acid into fuel tanks, well let the law descend upon him, but you make charges against teachers in front of students and all the students are going to look upon their teachers as acid throwers. Sir, this unedifying campaign of charges and counter charges, abuse and counter abuse, culminated in a speech by the Honourable Education Minister in Batu Pahat on July 25th, asking teachers to resign if they could not co-operate with the Education Department and then there was a counter call from Mr John Gurusamy asking him to resign, and this is the unedifying spectacle which we are presenting to our students.

Leaving aside, Sir, the just claims of the teachers for equal pay, D.T.C. parity and so forth, one thing stands out—there is a deplorable breakdown of communications and contact between the teachers and the Ministry of Education, where goodwill has been replaced by bad blood. Sir, in the interest of the educational welfare of our children we sincerely urge the Minister to stop conducting this feud at this level, but to re-establish confidence. The first thing to do would be for the Minister to declare a moratorium—and I am quite certain that the Teachers' Union will co-operate—and to stop abusing teachers in public, the profession in public, and to consult the teachers' organisation in matters affecting teachers.

Recently, Sir, the Education Minister has announced that he proposed to increase the workload of teachers. Now, there may or may not be valid professional reasons for or against such a proposal, but all that I know is that no professional body of educators in this country has come out with any kind

of study or suggestions about the workload of teachers; it is mainly a professional matter. But because of this little dispute which has been going on in the recent past, the impression is given that this is the Minister's way of teaching the teachers' unions a lesson. And, again, if the Minister takes the trouble to say, "Look, all the professional educators of this country, University of Malaya, and so on, are interested in reassessing the permissible workload on a teacher", then there would be public respect, but at the moment there is the uneasy feeling, "Well, the Government is taking it out of the teachers"; and by the time the Teachers Salary Commission comes out with its report, relations would have been exasperated possibly beyond repair.

Sir, relations with teachers leave a lot to be desired. In Penang, Sir, there is an allegation that the Chief Education Officer had taken to intimidating and victimising union officials. Now, the two cases to which I wish to draw the attention of this House are the cases of teachers, Rajaguru and Fan Yew Ting. I have here, Sir, an issue of the N.U.T.'s Newsletter of Pahang, and one of the suggestions is that the Government's explanation has been that Rajaguru was transferred because his promotional prospects would be improved as a result of the transfer; and here they asked, "How could it be to the advantage of brother Rajaguru's promotional prospects when he was transferred as Acting Senior Assistant of a large size primary school with over a thousand pupils in Mentakab to a medium size primary school of about 500 pupils in Jerantut?". Surely their arithmetical error is too glaring to be able to hoodwink anyone. Sir, that kind of thing is dangerous. If large numbers of your teachers are going to believe that Chief Education Officers are going to go about transferring union officials, simply to take it out of them, then I say morale goes down further, trust and confidence is even more shattered and broken. I hope that all this is investigated. Do not take it out of them. If you want to

clobber somebody, say you are clobbering him so that everybody knows you are clobbering him. But here you say, "union official", "promotional prospects better", and then you put him to a place where his promotional prospects are even dimmed further.

Sir, the Government has also resorted lately to an attempt to sabotage the 13th Annual Delegates' Conference of the NUT—the circumstances in which this was done. I am making it quite clear that I am not an apologist for the teachers, I grant that they are capable of mistakes; but, this is an issue of "The Educator", read by many teachers as well as members of the public, where a school hall in Kuantan was obtained by the NUT to hold their Annual Delegates' Conference. I quote—

"... But about a week before the A.D.C., we got the shocking news that permission would be withdrawn. On contacting the Headmistress by phone, I was informed by her that she had to withdraw the permission because the hall was to be repainted by the P.W.D. from 29th July, 1967. From what we have since learnt, we suspect that the change of decision was due to pressure brought upon her by certain officials of the Education Office.

Subsequent to that, we learnt from reliable sources that the Deputy C.E.O. had called a meeting of the Heads of Schools and instructed them that applications for the use of their school premises by any organisation which was of a questionable nature"—

the only organisation of an unquestionable nature, of course, is the Alliance Party, but the NUT now is supposed to be an organisation of a questionable nature—

"should be referred to the Education Officer."

And in the last minute, failing to get the M.G.S. Hall, they ran all round the place and now they pat themselves on the back, deservedly, because they did manage to hold their Annual Delegates' Conference in spite of all this gerry-mandering. And this, again, does damage, because if the masses of teachers believe that one of their own organisations is regarded as an organisation of a questionable nature, that underhand methods are resorted to in order to deprive them of an Annual Delegates' Conference, then, again, how are you going to establish confidence?

I say, by all means, come down with a heavy hand on anti-social tendencies, and so on. It is necessary, but do so in an intelligent way, not by antagonizing people all over the place. Now, Sir, I am afraid that if I say this, tonight's T.V. will say, "Mr Devan Nair said that he agreed that the Government should come down with a heavy hand on teachers" (*Laughter*). Where do I stand, as nothing of all the rest would be reported? All this is really depressing, Sir.

One last example of publicly denigrating teachers, and this is real classical choice piece: the Laxamana Secondary School in Kota Tinggi where a triangular tussle has developed between the Board of Governors, teachers and students (*Laughter*). A senior Science Teacher of the School, Mr Maitran Nettur, was transferred to the Johore Bahru English School on the ground, according to the NUT, that he reprimanded the son of a member of the Board of Governors. The Ministry of Education came out with a different version. It claimed that Mr Nettur was transferred because he ignored the State Education Department's instructions to continue teaching in that class. The Ministry admitted, however, that there was a teacher/pupil dispute—teacher/pupil dispute (*Laughter*). The upshot was that 23 of the 40 teachers had demanded for the suspension of the Board of Governors as school discipline had gone from bad to worse. Now, here is a case, Sir, where apparently a student resisted discipline, because he was the son of a member of the school Board of Governors. As a result of the teacher/student disagreement, which should never have been allowed to develop in the first place, the teacher was transferred. Now, what would appear to be the moral of this episode? Never get into the wrong books of children whose parents are members of Boards of Governors, or children of any of the Alliance bigwigs—the teachers would get into trouble. Now, these are stories which are flying around the place. If the Ministry of Education, Sir, really has the interests of school children in the country, it is no use just accusing

the teachers and behaving in this underground fashion. I would say if a real public argument is conducted and in a proper manner, probably the Ministry may earn some marks, and the teachers would probably realise that in those areas where they have exceeded the limits, well, public opinion is against them. But, the way the Government is behaving, it is helping to organise public opinion against the Government for the teachers.

Sir, I would conclude by making this remark, not on teachers, but on general treatment of the Opposition. Please—and I am not making this on a partisan manner—if you want a rational Opposition, give us the chance to operate; but if you want an irrational Opposition, which does not believe in parliamentary debates, arguments and so on, then carry on as you are doing now. Sir, I have had young men who have come to me in the recent past, coming from decent families, who have told me, members of my party, “What is the use, we listened to your speech yesterday, but not a word in the *Straits Times* not a word anywhere else. What is the point about it all?” There is no point, this country has gone beyond the point of no return, and many people are beginning to think like that. I say that it is disastrous for the Alliance, for the DAP, for Malaysia, and I say “Please do not let this get out of hand, do not be impressed by all these *Straits Times* Special Supplement, Merdeka Supplement and so on, where the leader writer will write a whole lot of platitude in a twaddle and you believe in your own nonsense”, and when you come to believe in your own distortions, then I say we all had it—you and us here—and on that note of appeal, Sir, I would end in the conviction that not one-hundredth of this speech will be reported, in any case, in tomorrow’s papers.

Haji Wan Abdul Kadir bin Ismail (Kuala Trengganu Utara): Tuan Yang di-Pertua, saya suka hendak mengambil bahagian sedikit dalam perbincangan Supply Tambahan, 1967 ini dan terlebih dahulu saya suka hendak menyentoh tentang ucapan Ahli Yang

Berhormat daripada Bungsar yang bukan kali pertama-nya telah menyentoh akan TV Malaysia dan sa-tengah² surat khabar Malaysia yang kata-nya tidak memberi siaran yang adil kepada ucapan²-nya. Tuan Yang di-Pertua, saya merasa ucapan Ahli Yang Berhormat dari Bungsar dalam perkara ini satu ucapan yang sangat tidak adil.

Saya sa-bagai sa-orang ahli Perikatan dan ramai rakan² saya di-sebelah sini mengadu dan mengkompelin berkali² kepada pehak TV Malaysia kerana nampak-nya TV Malaysia lebih banyak menyiarkan muka² yang burok dan yang chantek daripada pehak Pembangkang sedangkan Ahli² Perikatan sendiri tidak mendapat tempat. Tiap² malam sa-siapa juga yang menghadapi TV Malaysia akan tengok muka dan misai Ahli dari Bachok, muka dan chermin mata Ahli dari Bungsar, muka dan chermin mata Ahli dari Batu dan orang² yang lain lagi daripada pehak Pembangkang yang tidak berapa kerat itu. Ahli² lain daripada penyokong Perikatan jarang² mendapat siaran gambar dan kalau pun ada di-ambil sa-tengah para pun tidak sampai. Apakah maksud Ahli dari Bungsar berkehendakkan seluroh TV Malaysia yang menyiarkan hanya 10 minit bagi perkara² yang berlaku dalam Parlimen ini hendak di-untukkan sa-penoh-nya pada ucapan-nya sahaja dan di-tinggalkan ucapan² orang lain. Saya rasa, satu para, atau dua para bagi sa-orang Ahli Dewan Ra’ayat ini sudah lebih daripada cukup jika di-bandingkan dengan masa 10 minit yang hendak meliputi segala perkara yang penting yang berlaku di-dalam Dewan ini sa-lama pagi dan petang Dewan ini bersidang. Kalau Ahli Yang Berhormat dari Bungsar itu berkehendakkan supaya TV Malaysia menyiarkan ucapan-nya sa-penoh-nya, atau berkehendakkan supaya ucapan sa-penoh-nya di-siarkan di-dalam TV atau Talivesin saya rasa lebih baik dia menghantarkan ucapan-nya itu kepada TV Singapura kerana di-sana barangkali ucapan-nya itu akan dapat tempat yang sa-penoh-nya.

Saya, Tuan Yang di-Pertua, suka hendak membuat panduan balas

bahawa saya minta pehak TV Malaysia dan pehak Kementerian Penerangan memberi tempat yang sa-wajar-nya kapada ucapan² daripada pehak kami penyokong² Perikatan yang banyak beruchap pada tiap² masa tetapi mendapat yang sadikit dan gambar yang paling sadikit lagi dalam TV Malaysia. Saya tidak mahu bahawa TV Malaysia memberi gambaran bahawa kekuatan Pembangkang dalam negeri ini merupakan sa-penoh daripada kekuatan ra'ayat negeri ini kerana sa-benar-nya kekuatan Pembangkang negeri ini hanya 25 orang daripada 144 orang Ahli Dewan Ra'ayat ini. Biarkan gambaran ini diberi dan di-ketahui oleh orang yang menuntun TV pada tiap² malam.

Ahli Yang Berhormat dari Bungsar juga menyatakan bahawa oleh kerana sadikit sangat ucapan-nya yang chemerlang itu di-siarkan dalam TV mungkin orang akan merasa bahawa dia hendak berhenti daripada DAP dan masok Perikatan. Tuan Yang di-Pertua, kalau ada orang merasa bahawa idea Ahli Yang Berhormat dari Bungsar itu hendak masok Perikatan dan berhenti daripada DAP saya rasa orang itu ada mempunyai sebab yang ma'kul, kerana Ahli Yang Berhormat dari Bungsar itu telah berhenti atau di-paksa berhenti daripada menjadi Setia-usaha Agong DAP baharu² ini untuk memberi jalan kapada sa-orang keturunan China memegang jawatan sa-bagai Setia-usaha Agong DAP.

Ini ada-lah timbul daripada keadaan perkauman yang tidak ternampak yang ada di-dalam DAP dan mana² parti lain yang saperti DAP yang hendak menarek seruan orang China untuk menyokong parti mereka, maka terpaksa di-korbankan sa-orang pengasas DAP yang besar sa-bagai Ahli dari Bungsar itu sendiri supaya berhenti daripada menjadi Setia-usaha Agong dan memegang puchok pemimpin DAP untuk memberi jalan kapada sa-orang yang berketurunan China bagi memegang tampok pimpinan dalam DAP sendiri.

Tuan Yang di-Pertua, Ahli Yang Berhormat dari Bungsar juga terlalu kuat membela kedudukan NUT dalam

Dewan ini. Daripada pembelaan Ahli dari Bungsar itu, saya rasa tidak salah sa-tengah² orang berpendapat bahawa sa-benar-nya NUT ini mendapat ilham daripada DAP, sa-benar-nya NUT ini menjadi alat yang tidak langsung daripada politik DAP di-dalam negeri ini, kerana sa-benar-nya sa-kali pertelingkahan yang berlaku di-antara NUT dan Kementerian Pelajaran adalah timbul daripada sikap yang tidak ma'kul daripada pemimpin² atau sa-tengah² pemimpin di-dalam NUT itu sendiri. Dan hasil daripada pertelingkahan ini banyak orang ramai sekarang ini bukan memandang bahawa Kementerian Pelajaran itu berlaku tidak adil, tetapi mereka memandang bahawa sa-benar-nya sa-tengah² pemimpin Kesatuan Guru itu ada-lah gulungan opportunist atau pun gulungan yang tidak tahu membalas budi atau satu gulungan yang tidak kritikus.

Tuan Yang di-Pertua, sa-lain daripada itu saya suka juga hendak menyentoh tentang S. 24 peruntukan sa-banyak \$6 million kapada Lembaga Pemasaran Padi. Dan tidak ada sa-orang pun yang tidak akan menyokong peruntukan ini, bagi memberi jalan kapada Lembaga Pemasaran Padi ini menjalankan tugas-nya hingga berjaya dalam menolong pemasaran padi kapada petani² kita. Hanya, Tuan Yang di-Pertua, saya berharap bahawa tugas Lembaga Pemasaran Padi yang di-tubuhkan oleh FAMA ini akan diberi segala kemudahan oleh sa-barang pehak yang berkenaan dan tidak-lah sangat elok dan sangat baik bagi masa depan kita jikalau timbul halangan² daripada pehak² lain yang berkenaan untuk Lembaga Pemasaran Padi ini.

Baru² ini, Tuan Yang di-Pertua, kita mendengar bahawa Lembaga Pemasaran Padi (FAMA) ada membuat sungutan tentang sa-tengah² halangan yang di-jalankan oleh Kementerian Perdagangan yang menetapkan bahawa padi² yang di-beli oleh Lembaga Pemasaran Padi ini tidak boleh di-keluarkan daripada kawasan tempat di-beli itu. Halangan² sa-bagai ini sa-patut-nya dapat di-selesaikan dan tidak-lah sampai di-bentangkan kapada ramai

sa-belum perkara itu selesai, kerana sa-benar-nya sa-bagaimana yang saya katakan tadi segala alat pemerentahan yang bersangkutan dengan perkara ini harus memberi sa-barang dan segala kemudahan dan pertolongan bagi memudahkan Lembaga Pemasaran Padi dan FAMA menjalankan tugas-nya bagi menolong memajukan ekonomi bumiputera. Dan jikalau ini tidak diambil perhatian, maka akan lambat-lah kemajuan ekonomi kita ini dapat hendak di-pupok oleh pehak Kerajaan. Dan saya berharap perkara ini tidak akan berulang lagi di-masa akan datang.

Tuan Yang di-Pertua, dalam S. 28, ada peruntukan yang di-minta bagi belanja service kepada computer didalam Pejabat Hasil Dalam Negeri. Pada masa ini, Tuan Yang di-Pertua, ada suatu perlumbaan baru di-antara Pejabat² Kerajaan dan Lembaga² yang terkanun yang ada dalam negara kita ini untuk mempunyai computer bagi memudahkan pekerjaan mereka membuat kira² dan sa-bagai-nya. Computer ini, Tuan Yang di-Pertua, satu rekaan baru yang sangat baik, tetapi, harga-nya pun sangat baik juga, erti-nya harga-nya pun agak tinggi. Pada masa ini, barangkali Pejabat Hasil Dalam Negeri ada computer dan Lembaga Letrik Negara ada computer, ada lagi beberapa pejabat lain dan badan² terkanun lain yang hendak memakai computer.

Untuk menjalankan dasar menjaga ekonomi perbelanjaan negara, saya suka menhadangkan daripada tiap² pejabat berlumba², masing² membeli computer dengan pegawai²-nya dan service-nya dan spare part dan lain², kalau dapat di-jalankan sa-bagai sa-tengah² negeri lain menjalankan, ia-itu di-tubuhkan satu pusat computer, di-mana tiap² jabatan yang berkenaan dapat menggunakan computer itu satu atau dua dengan di-adakan giliran² yang tertentu, maka dengan demikian tidak-lah banyak tiap² pejabat membeli sa-suatu computer—dua million atau tiga million, tetapi, memada² membeli dua atau tiga computer yang dapat digunakan oleh tiap² pejabat mengikut masa yang berjalan sa-lama 24 jam.

Kerana saya ada ragu², Tuan Yang di-Pertua, kerana ada sa-tengah² ejen dia terlalu merayu kepada segala pehak supaya membeli computer, kerana ejen ini mendapat commission, jikalau 10 computer di-jual, kalau commission-nya 10% sudah dapat satu million commission sahaja, dan kita sa-bagai negara yang pada masa ini sedang menghadapi tugas yang besar untuk pembangunan dan bagi menjimatkan perbelanjaan, maka saya rasa, ada baik di-kaji sa-mula dasar membeli computer ini sa-hingga penggunaan computer itu dapat di-jimatkan dan di-jimatkan juga duit pembelian-nya itu. Dan saya suka menhadangkan seperti tadi menurut contoh New Zealand yang saya dapat faham sekarang ini menubuhkan pusat computer di-mana segala pejabat² dapat bersama² menggunakan computer ini di-tempatkan di-dalam pusat itu. Terima kaseh.

Tuan Haji Abu Bakar bin Hamzah (Bachok): Tuan Yang di-Pertua, dengan izin tuan, saya merengskakan ucapan saya yang akan saya sebutkan berkenaan dengan Supplementary Bill yang ada di-hadapan kita ini.

Tuan Yang di-Pertua, saya perchaya tidak ada satu orang pun yang waras fikiran-nya akan membangkang pada keseluruhan-nya permintaan ini, dan bagitu juga tidak ada satu orang yang waras fikiran-nya yang akan menerima bulat² dengan tidak memberi sa-barang pendapat.

Jadi, Tuan Yang di-Pertua, yang saya hendak berchakap ia-lah berkenaan dengan Kementerian Pertanian, ia-itu di-bawah, saya mithalkan, di-bawah Head S. 12. Tuan Yang di-Pertua, kita minta wang di-sini ia-lah \$19,000. Tetapi, sa-belum daripada kita hendak meluluskan ini, saya suka-lah kalau pehak Kementerian dapat memberi atau pun mengedarkan report berkenaan dengan meshuarat bagi Plant Protection Committee yang di-adakan baru² ini, supaya ahli² dalam Dewan ini dapat menurut sedikit sa-banyak perkembangan-nya Saya sebutkan bagitu. Tuan Yang di-Pertua, oleh kerana plant protection ini amat-lah mustahak bagi negara kita terutama ada penyakit² tanaman yang mengikut

ahli² research kata-nya datang daripada Malaysia kita sendiri. Jadi, ra'ayat atau Ahli² Dewan ini tentu-lah banyak yang suka mendengar-nya.

Tuan Yang di-Pertua, kebetulan saya telah berpeluang atau di-beri peluang menghadiri satu sharahan di-Universiti Philipina bahagian Pertanian di-Las Banos, saya dapati professor itu mengemukakan beberapa penyakit tanaman yang kata-nya kalau mengikut research-nya, datang daripada "your country", daripada Malaysia. Apabila saya balek di-sini saya berhubung dengan satehah² pehak yang kena mengena dengan Kementerian ini dan mereka berkata mereka sendiri tidak tahu. Jadi, yang saya hendak timbulkan di-sini, Tuan Yang di-Pertua, kita bolehlah beri \$19,000 ini, tetapi yang saya hendak timbulkan ia-lah berhubung dengan Plant Protection ini, ia-itu tentu-lah banyak kerja²-nya yang dibuat, di-Sekolah Agriculture atau Sekolah Tanaman di-Serdang atau pun lagi satu kalau tak salah saya di-Bumbong Lima dekat Pulau Pinang. Yang saya hendak timbulkan, dan saya hendak mengadu kepada tuan, boleh jadi kita tidak berjumpa lagi pada tahun 1969 ini, saya mengadu pada masa ini. Orang cherita, kata tuan pun hendak penchen, saya tak tahu sunggoh tak sunggoh.

Tuan Yang di-Pertua, yang saya hendak kemukakan bagini. Di-sekolah itu, Tuan Yang di-Pertua, murid² yang di-terima itu ia-lah L.C.E., kemudian ada pula yang tak lulus L.C.E. arti-nya dia lulus Form II sahaja. Syllabus-nya itu syllabus universiti, bagaimana budak² itu hendak dapat faham ia-itu saya dapati di-sini ada zoology-nya ada begitu bagini. Saya tengok text book itu, saya rasa Menteri sendiri pun kalau masuk pereksa kalau sa-tahun, satu pun dia tak pas. Jadi, saya rasa ini ada-lah satu perkara yang menyusahkan Kementerian kita dalam hendak menchapai apa yang di-maksudkan plant protection ini.

Tuan Yang di-Pertua, sa-lain daripada itu pula bagaimana kita hendak mendapat anak² yang pandai di-dalam masaalah plant protection kalau sa-kira-nya sekolah kita itu level atau

pun qualification, kelayakan pelajar² yang masok itu Form II. Mula²-nya pula tangga gaji-nya kalau lulus 3 tahun tangga gaji-nya \$149.00, kalau macham sekarang \$109.00. Budak itu sudah lulus L.C.E. kemudian tambah lagi 3 tahun dekat² F.M.C., H.S.C., masa-nya, period-nya time factor-nya. Kemudian dapat pula \$149.00, sudah tentu-lah budak² itu tidak akan bekerja dengan Kerajaan, apabila tidak akan bekerja dengan Kerajaan dia mari pehak pembangkang kalah pula pehak Kerajaan, ini menjadi satu masalah pula dalam perkara itu.

Saya meminta, Tuan Yang di-Pertua, mengadu kepada Tuan Yang di-Pertua supaya perkara ini di-timbangan dengan baik dan di-masokkan-lah programme pelajaran plant protection lebeh banyak lagi daripada perkara² yang lain.

Yang kedua, Tuan Yang di-Pertua, di-dalam Jabatan Perdana Menteri ia-itu S. 7—mihal-nya Butiran 19, saya tidak akan berchakap in committee, Tuan Yang di-Pertua, sebab itu saya kemudikan ini. Saya meminta, Tuan Yang di-Pertua, jangan marah, saya hendak berchakap berkenaan dengan berzanji. Berzanji ini tiap² tahun kita berlawan membacha berzanji dan tahun ini kita meminta pula \$14,000. Saya suka ulang-lah kepada Tuan Yang di-Pertua, saya tahu kalau saya berchakap dengan Menteri² pun orang tidak mahu dengar, saya berchakap dengan Tuan Yang di-Pertua ia-itu berzanji itu satu buku novel menceritakan Nabi Muhammad di-peranakan sampai dia wafat, di-karang dengan sa-chara poisi tidak dengan sa-chara prosa erti-nya dengan sa-chara shair. Maka bertanding-lah kita ini membacha novel itu, membacha novel yang kawan membacha pun tidak tahu, kawan yang melawan pun tidak tahu, promoter itu pun tidak tahu ma'ana-nya, orang yang pergi mendengar itu pun tidak tahu ma'ana, yang pelek-nya kesemua, yang tidak tahu itu pula boleh memberi prize pula dia itu menang (*Ketawa*). Itu satu perkara yang hairan bin ajaib di-lakukan oleh Kerajaan Perikatan, Tuan Yang di-Pertua.

Yang ketiga, dalam perkara itu kita meminta \$22,200 for translating of commentaries of the Al-Quran into the national language, ia-itu menterjemahkan tafsiran² Al-Quran dalam bahasa kebangsaan.

Tuan Yang di-Pertua, dahulu-nya saya menyokong, saya ingat Kerajaan kita ini melantek satu Jawatan-kuasa hendak membuat tafsiran, hendak membuat commentaries, bukan saja \$22,000, \$50,000 pun tidak apa. Ini menterjemahkan commentaries ia-itu tafsiran² yang orang sudah buat sampai \$22,000, Tuan Yang di-Pertua. Kalau dalam Dewan ini saya dengan Tuan Yang di-Pertua sahaja, orang lain tidak ada, saya minta \$10,000 sahaja saya boleh buat dalam masa 6 bulan, sebab bukan hendak membuat tafsiran, hendak menterjemahkan benda yang orang sudah buat. Kemudian

Mr Speaker: Saya dapat berapa ribu pula itu? (*Ketawa*).

Tuan Haji Abu Bakar bin Hamzah: Jadi ini, Tuan Yang di-Pertua, erti-nya tidak berjaya juga Kerajaan kita hendak membuat tafsiran Al-Quran itu. Saya tidak tahu tafsiran daripada mana yang mereka bawa kemudian diterjemahkan, jadi tidak ada kerja erti-nya, membawa satu Jawatan-kuasa untuk menterjemahkan tafsiran yang sudah ada. Kalau menterjemahkan benda yang sudah ada lebeh baik kita bagi kepada Dewan Bahasa dan Pustaka yang di-dalam-nya ada orang yang pandai dalam bahasa Inggeris, yang pandai dalam bahasa Arab, orang yang mempunyai ijazah dan itu-lah orang yang layak menterjemahkan-nya, bukan orang yang daripada badan² yang belum di-akui kelayakan dengan rasmi, lain-lah kalau hendak membuat tafsiran itu sendiri—ini menterjemahkan! Saya rasa ini pun satu perkara main ada apa² di-belakang, saya pun tidak tahu.

Yang keempat, Tuan Yang di-Pertua, di-bawah Head S. 16 ia-itu kita meminta Token \$10.00, sa-sudah kita belanja banyak juga \$109,489,670 ia-itu kita mengadakan 755 new posts oleh kerana berikutan dengan penarekan, atau pun pengundoran tentera² British

kita mengadakan jawatan² itu. Jawatan yang terlibat banyak ia-lah berkenaan dengan R.M.A.F.—Royal Malaysian Air Force. Ada satu perkara yang saya hendak mengadakan kepada Tuan Yang di-Pertua, ia-itu berkenaan dengan pilot atau pun juruterbang². Saya dapat tahu ada yang mendapat ijazah daripada Republik Arab Bersatu dan baharu² ini ada balek pula 10 orang-kah atau 12 orang-kah. Saya berharap orang² ini dapat memenohi jawatan² baharu atau pun new posts ini. Yang saya hendak mengadu kepada tuan ia-lah satu cerita yang saya pun tidak tahu betul tidak betul-nya, tetapi kalau tidak betul tentu-lah orang itu tidak mari bercherita pada saya, betulkan kalau saya tidak betul, ia-itu di-dalam menchuba juruterbang yang baharu dapat ijazah daripada Mesir itu, tester atau pun guru yang hendak menchubanya itu, sa-orang pegawai kita, dia membawa kapal terbang, kemudian daripada itu dia pusing sa-ligat²-nya, hendak test tengok ada-kah pilot yang akan di-terima ini dapat menahan atau pun tidak muntah. Apabila dia sudah baharu-lah dia suroh budak ini membawa. Apabila budak ini membawa memusing, dia tunjukkan style Arab, sebab Arab ini pusing chukup pandai (*Ketawa*), dia pusing bagitu, maka, Tuan Yang di-Pertua, yang menjadi satu masalah-nya tester itu sudah pening kepala dan dia tunjok bagini, erti-nya dia sudah pening kepala. Yang budak itu faham suroh proceed lagi pusing. Apabila dia tambah pusing lagi guru itu sendiri muntah dan masok hospital (*Ketawa*). Ini saya harap-lah Kementerian kita siasat betul-kah, atau tidak betul.

Dan yang kedua satu perkara yang tidak patut di-sebutkan di-sini boleh jadi menjadi Top Secret, tetapi ma'afkan saya, saya hendak sebutkan juga bagi faedah Dewan ini, ia-itu pegawai R.M.A.F. atau pun pegawai lain tetapi di-bawah Ministry of Defence berpangkat kopral di-Sarawak yang sudah hilang, Tuan Yang di-Pertua. Kata-nya sudah sampai dekat² dua bulan tidak dapat balek. Jadi Kerajaan hendak mengatakan dia sudah mati pun tidak boleh, takut warith²-nya tuntutan mayat, dan hendak kata ada lagi pun tidak

boleh. Ini rumours. Tetapi kalau jadi betul amat-lah mendukachitakan. Jadi ini-lah perkara yang saya hendak berchakap dalam masalah defence.

Masaalah Kementerian Pelajaran, Tuan Yang di-Pertua, sadikit sangat. Saya pun tidak hendak masok cham-por siapa betul tidak betul. Tetapi saya dukachita, ada potongan akhbar di-sini, ia-itu sungguh tidak sungguh, Tuan Yang di-Pertua, ada statement daripada pehak Kementerian Pelajaran ini—statement yang mengatakan budak yang belajar darjah IV tidak tahu menulis nama-nya sendiri. Jadi kalau-lah benar yang sa-macham ini maka bererti-lah Kementerian kita ini tidak dapat menjalankan tugas-nya dengan baik. Siapa-kah salah siapa-kah benar dalam perkara ini saya tidak-lah hendak menjadi hakim. Yang saya susah hati ia-lah kalau-lah betul perkara yang sa-macham itu terkorban-lah anak² kita.

“*Utusan Melayu* 26 Julai—ada murid ka-sekolah menengah tidak tahu menulis nama-nya sendiri—Shariff Ahmad.”

Jadi saya rasa sekolah² yang sa-macham itu patut-lah di-ambil tindakan dan di-adakan satu penyiasatan, apakah sebab²-nya membawa kepada keadaan yang bagitu merosot atau pun Tuan Yang di-Pertua, boleh jadi, oleh kerana sistem kita naik darjah sa-chara otomatik itu menyebabkan budak² ini tidak dapat menulis nama sa-hingga standard VI. Pada hal sa-belum kita merdeka terutama di-masa penjajah dahulu, kalau standard V pun sudah boleh menjadi guru, mutu-nya boleh tahan juga dan banyak, Tuan Yang di-Pertua, orang yang belajar pre-war yang pass standard IV, Standard V Sekolah Melayu yang boleh menjadi Member of Parliament sekarang ini. Jadi itu menunjokkan bedza-nya di-antara dahulu dan sekarang.

Jadi, saya berharap-lah kepada Tuan Yang di-Pertua, supaya tolong membe-ri nasehat kepada Kementerian Pelajaran kita.

Ada pun yang terakhir sa-kali Tuan Yang di-Pertua, saya telah siap ucha-pan yang panjang lebar tetapi tidak

chukup, saya rasa barangkali meshu-arat kita bulan November ini saya akan sambongkan.

Tuan Ahmad bin Arshad (Muar Utara): Yang Berhormat Dato' Yang di-Pertua, saya bangun berchakap menyokong Rang Undang² yang dikemukakan oleh Kementerian yang berkenaan. Chuma saya hendak menyentoh dalam tiga perkara sahaja, Dato' Yang di-Pertua.

Pertama dalam S. 12 Kementerian Pertanian dan Sharikat Kerjasama, yang mana Kementerian ini telah minta wang tambahan khas-nya kerana meshuarat jawatan-kuasa yang keenam, perlindungan tanaman² bagi Tenggara Asia dan kawasan Pacific. Menurut pandangan saya bahawa laporan dalam meshuarat ini saya pun tidak dapat mengikuti tetapi kesan-nya bagi petani² atau tanam²an kita di-tanah ayer ini bertambah gemilang, bertambah baik ia-itu hasil tanaman dalam tanah ayer kita ini dapat di-pasarkan kepada negara² yang tersebut. Dengan dapat buat pasaran-nya itu, harga hasil tanaman dalam negeri ini bertambah chemerlang, bertambah baik. Disamping itu, Dato' Yang di-Pertua, timbul pula satu gulongan yang memegang tampok perniagaan berhubung dengan hasil tanaman ra'ayat di-Malaysia ini dengan memeras hasil mahsul daripada petani² kita kepada peladang² kita, ia-itu saya sebutkan satu daripada perkara yang berkembang, mereka ini menjalankan pajak musim pada dusun² di-tanah ayer kita ini.

Pajak musim yang saya katakan ini benar² memeras hasil mahsul petani² kita, atau peladang² kita lemas dengan keadaan yang macham ini walau pun mereka telah ada persetujuan di-antara dua pehak tetapi chara hendak melepaskan daripada chengkaman orang tengah ini mereka tidak dapat mengikhtiarkan. Jadi, dengan ini, saya mengharapkan kepada Kementerian Pertanian dan Sharikat Kerjasama dengan wujud-nya sharikat serba guna kelak akan dapat menebus pajak² musim yang di-buat oleh orang² tengah

ini supaya dapat hasil tanaman daripada peladang² kita itu benar² memberi taraf hidup-nya yang baik tidak seperti sa-lama ini kemewahan itu didapati oleh orang tengah ini.

Yang kedua, Dato' Yang di-Pertua, saya hendak membangkitkan dalam S. 13—Kementerian Perdagangan dan Perusahaan, ia-itu dua perkara yang saya minta Kementerian ini mengambil perhatian berhubung dengan barang² yang di-bawa masuk ka-dalam negara kita ini. Barang² ini saya di-fahamkan di-datangi oleh pedagang² yang membawa masuk itu daripada Hong Kong.

Perkara ini, sebab saya bangkitkan, Dato' Yang di-Pertua, nombor satu sekali boleh merosakkan iktisad warganegara kita Malaysia yang tulin. Yang kedua boleh merosakkan akhlak anak² kita.

Perkara yang pertama yang saya hendak katakan merosakkan iktisad warganegara kita yang tulin, ia-itu telah di-bawa masuk ka-dalam negara kita ini buku² sejarah rebolusi Pengawal² China Merah Kominis ala Mao Tze Tong dan juga tape recorder pengajaran Mao Tze Tong. Buku² ini diseludupkan sama ada sa-chara haram atau sa-chara halal, sedang dapat diterima oleh parti² pembangkang khas-nya daripada Parti Buroh dan buku² ini dapat di-terima yang lebeh banyak-nya dalam negara Malaysia Timor khas-nya di-Sarawak.

Kira-nya Kerajaan kurang mengawasi buku² ini, maka warganegara Malaysia yang keturunan China itu akan mengubah kiblat-nya, kesetiaan-nya itu akan berubah kepada negeri asal dan mereka akan membuat bagaimana tarian yang di-buat oleh Pengawal² Merah di-negeri China dan juga di-Hong Kong. Ini saya harap Kementerian Perdagangan mengawasi dan bekerjasama dengan Kementerian Keselamatan Dalam Negeri supaya merampas dan menangkap mereka yang menyimpan tape recorder buku² itu.

Yang kedua, Dato' Yang di-Pertua, satu perkara mainan yang di-buat oleh badan yang tidak bertanggung-jawab daripada luar negeri ini, ia-itu memperdagangkan wang kertas tiruan

Malaysia atau olok²—menjadi permainan kanak² yang mana chorak wang tiruan itu mengikut rupa wang baharu Malaysia. Kalau dengan izin Dato' Yang di-Pertua, saya gemar mengemukakan rupa wang tiruan. Wang tiruan ini ada di-petakan gambar Seri Paduka Yang di-Pertuan Agong dengan siap nombor-nya, berharga \$10 tetapi dalam wang asal kita menyebutkan Bank Negara, tetapi dalam wang ini menyebutkan Bank Kanak². Jadi, dengan sebab anasir daripada luar negeri ini mengatakan bahawa Bank Negara kita ini Bank Kanak² dan wang ini, Dato' Yang di-Pertua, di-pergunakan oleh anak² sekolah kita, mereka bermain judi dengan pertarohan wang ini. Ini menjadikan satu galakan kepada anak² kita hingga anak² kita meninggalkan pelajaran dengan bermain judi bertarohan wang yang di-datangkan daripada luar negeri. Kira-nya pehak akhbar hendakkan wang ini, saya sentiasa memberi. Wang ini bukan sahaja \$10; \$5; \$1 dan \$100. Yang saya dukacita, Dato' Yang di-Pertua, gulongan ini memperlikan wang kita yang ada di-paparkan-nya ka-merata² tempat dan bila wang ini telah banyak maka gambar bekas Seri Paduka Yang di-Pertuan Agong kita ini di-chemarkan oleh manusia yang tidak suka itu, Dato' Yang di-Pertua, wang baharu kita di-Malaysia ini di-peta gambar Yang di-Pertuan Agong. Mereka kata lebeh suka kalau boleh di-bagi gambar simbol Malaysia bagaimana wang yang di-Singapura. Mereka bersunggho² menyokong wang yang di-buat di-Singapura itu dengan tidak menggambar ketua negara dalam negeri. Jadi, hal ini saya berharap, Dato' Yang di-Pertua, kira-nya boleh dapat dijadikan satu ingatan dan di-awasi wang² yang merosakkan akhlak anak² kita bagaimana yang saya katakan tadi.

Akhir-nya, Dato' Yang di-Pertua, saya berchakap dalam Kementerian Pertahanan S. 16 ada meminta wang peruntukan sa-banyak \$10. Kita sangat gembira dengan kenyataan yang di-buat oleh Yang Teramat Mulia Tunku Perdana Menteri kepada Dewan ini dalam beberapa hari yang lalu menge-nai rundingan² di-London, ia-itu

British akan menarek keluar tenteranya dengan tiga perengkat.

Sa-belum daripada di-laksanakan hal ini, gemar saya mendatangkan satu pendapat bahawa pehak Kementerian Pertahanan sa-wajar-nya memberi peluang kepada ra'ayat negeri ini supaya memberikan satu laporan, satu aduan kerosakan² oleh askar² British yang berkhidmat dalam tanah ayer kita ini. Perkara yang sa-macham ini, Dato' Yang di-Pertua, mungkin ada perkara yang tidak nyata kepada Kementerian Pertahanan, mungkin juga ra'ayat jelata khuatir hendak mengadukan maka dengan sebab itu, saya mengharapkan Kementerian ini memberikan peluang atas chadangan saya. Di-antara-nya, Dato' Yang di-Pertua, saya berikan satu chontoh kerosakan yang di-lakukan oleh askar British yang berkhidmat dalam tanah ayer kita ini. Yang saya hendak chontohkan, ia-itu askar British Bahagian Signal yang menjalangkan tugas-nya di-merchu Gunong Ledang dalam negeri Johor. Askar² ini, Dato' Yang di-Pertua, telah merosakkan dan memusnahkan keaslian dan keistimewaan Gunong Ledang yang termashhor itu. Saya tidak tahu sama ada dapat kebenaran daripada Kementerian Pertahanan atau telah ada dalam pengetahuan Kerajaan Negeri Johor, saya tidak tahu. Tetapi atas apa perbuatan ini ada-lah mendukachitakan saya sa-bagai wakil ra'ayat dalam kawasan Muar Utara dan penduduk² di-sana. Askar² ini telah meratakan merchu Gunong Ledang itu dengan membawa jentera-nya ka-situ dan melanda satu keistimewaan yang ada pada Gunong Ledang itu yang di-sebut oleh ahli sejarah, ia-itu batu seludong. Batu seludong ini, Dato' Yang di-Pertua, gemar saya gambarkan di-Dewan ini, ia-itu ada mengeluarkan ayer menitis walau musim kemarau, walau pun bila² masa. Dia ini memberikan satu kemudahan kepada sa-siapa juga pendaki Gunong Ledang. Tetapi dengan perbuatan askar melanda dengan tentera-nya dan batu ini ayer-nya sudah kering, sudah runtoh, sa-patutnya kalau pehak Kerajaan British yang menghormati perjanjian mereka waktu hendak memusnahkan ini bertanya pada pehak yang berkenaan supaya

keaslian dan keistimewaan negeri ini tidak di-musnahkan. Jadi ini-lah, Tuan Yang di-Pertua, satu perkara yang saya sesali atas perbuatan-nya.

Akhir-nya, Dato' Yang di-Pertua, berhubung dengan S. 32—Perayaan Kemerdekaan yang meminta peruntokan wang sa-banyak \$300,000. Saya sokong dan juga chadangan Yang Teramat Mulia Tunku supaya peruntokan kerana Perayaan ini berjumlah satu million ringgit. Tetapi yang saya harapkan supaya dapat Kementerian yang berkenaan ini memikirkan satu pandangan saya sa-lain daripada kita membuat perayaan yang sa-meriah ini, satu peristiwa yang sangat chemerlang ini, ia-itu satu perkara yang patut kita beri perhatian dan pandangan, ia-itu berikan jamuan makanan kepada fakir miskin atau orang² tua—tak usah-lah di-seluroh Malaysia ini—dalam kawasan bandar Kuala Lumpur ini memadai-lah, sebab daripada jamuan yang kita berikan kepada fakir miskin dan orang² tua² di-rumah orang tua² yang ada dalam Kuala Lumpur ini akan berkesan-lah di-hati mereka maka ini ada-lah salah satu daripada nikmat kemerdekaan yang telah mereka chapai sa-lama 10 tahun ini. Dan tidak rugilah, tidak kurang-lah peruntokan yang satu million ringgit ini dengan kita memberikan jamuan kepada mereka itu. Itu sahaja, Tuan Yang di-Pertua, terima kaseh.

Tuan Ramli bin Omar: Tuan Yang di-Pertua, saya menguchapkan terima kaseh di-atas keizinan Tuan Yang di-Pertua. Saya menyokong Rang Undang² Perbekalan Tambahan yang di-bentangkan kepada kita sa-malam oleh Menteri Muda Kewangan.

Tuan Yang di-Pertua, saya suka berchakap terlebih dahulu dalam S. 42 berkenaan dengan information atau penerangan. Dalam perbahathan Rang Perbekalan ini, saya nampak bagi pehak Pembangkang, khas-nya Parti DAP ia-itu Parti Yang Berhormat Wakil kawasan Bungsar, telah menuntut dalam masaalah ini yang mana beliau sendiri tidak faham kedudukan laporan Parlimen mengenai perbahathan dalam Dewan Ra'ayat. Sa-panjang

pengetahuan saya, Tuan Yang di-Pertua, masa untuk laporan bagi Ahli Dewan Ra'ayat itu ada-lah 10 minit. Jadi, dalam TV maka ucapan-nya bagaimana-kah hendak di-siarkan semua ucapan Ahli Yang Berhormat itu. Kemudian saya telah tengok tiap² malam di-talivishen boleh di-katakan patut Ahli Yang Berhormat itu meng-ucapkan terima kaseh kepada talivishen; pehak penyokong Perikatan yang beruchap di-dalam Dewan ini, ada sa-tengah-nya yang saya dapat tahu tidak di-masokkan dan tidak ada di-hebahkan, atau di-siarkan di-dalam talivishen tetapi Ahli Yang Berhormat dari Bungsar itu tiap² malam muka-nya di-tunjokkan di-sana. Patut Ahli Yang Berhormat itu menguchapkan terima kaseh dan ada-kah Ahli Yang Berhormat itu berfikir ucapan-nya hendak di-siarkan keseluruh ucapan-nya itu.

Sekarang, Tuan Yang di-Pertua, yang menarek saya dalam perbahathan ini, kita ra'ayat Malaysia yang telah dapat hidup dengan aman dan ma'amor di-bawah panji² Kapal Layar dan sa-patut-nya semua ra'ayat yang memijak dan menikmati kema'amoran pukulan angin Kapal Layar—terima kaseh. Kebanyakan orang² yang menikmati kesuboran demokrasi Kapal Layar ia-lah orang² professional, kerana Kerajaan Kapal Layar sentiasa dan bila² masa sahaja menghormati profession sa-saorang itu—itu ada-lah demokrasi Kapal Layar. Kita tahu kalau di-negara tempat lain yang menjalankan teraju Kerajaan-nya yang mengatakan demokrasi, orang² saperti lawyer professional daripada Ipoh dan doktor saperti daripada Batu, sudah tentu dia akan merengkok di-dalam rumah satu tingkap, tetapi sa-balek-nya bagi Kerajaan Kapal Layar untuk hendak menangkap ikan besar yang boleh mematikan ikan² kecil ini dengan tali panching yang panjang sangat.

Tuan Yang di-Pertua, untuk wakil² yang berdua ini, kalau dia bacha cherita sa-orang yang terkenal di-negara China ia-itu sa-orang professional tentang kerja²-nya dan jasa-nya kepada negara itu bernama Mah Tze Sun maka dia akan insaf. Kalau mereka berdua ini berkehendakkan

macham itu, kita menjalankan teraju Kerajaan kita, kita boleh, tak payah siapa ajar lagi, kita boleh buat. Kalau ada orang² di-Malaysia ini yang anti-Kerajaan sa-patut-nya di-heret di-sepanjang jalan di-Malaysia ini, di-arak dan di-sula sa-hingga mati. Kita tidak tahu mengapa pengikut² kepala batu semua-nya tidak sukakan Pasokan Polis yang menjaga keamanan di-negara kita, agak-nya besok kalau Parti Buroh memerintah negeri kita habis semua polis ini di-buang kerja atau di-tangkap-nya.

Tuan Yang di-Pertua, saya ada dengar wakil daripada Batu memek²-kan tentang belanjawan perayaan 10 tahun merdeka. Macham mana Kerajaan tak minta tambahan lagi, Tuan Yang di-Pertua, baru di-naikkan pintu gerbang, sudah ada orang membakarnya. Pintu gerbang yang di-maksudkan oleh saya ini, Tuan Yang di-Pertua, ia-lah di-Bulatan Dewan Bahasa dan Pustaka di-bakar. Jadi ini juga boleh menambahkan lagi permintaan wang daripada Parlimen ini.

Kalau mengamok sahaja, habis pondok² talipon, lampu² terapik dan harta² Kerajaan di-pechah²kan atau di-jahanamkan, jadi saya fikir ini juga boleh menambahkan perbelanjaan Kerajaan dan kalau hendak mengurangkan perbelanjaan, saya berharap wakil daripada Batu ini menasihatkan pengikut²-nya untuk menunjak perasaan sa-chara aman. Chuba kalau kita adakan Perikatan Guard, di-jahanamkan dispensary Ahli Yang Berhormat itu, apa akan terjadi? Siapa-kah yang rugi? Jadi kalau bagini-lah chara-nya, ada orang² yang suka menjahanamkan harta² Kerajaan, maka lagi banyak lagi permintaan tambahan dan saya sabagai sa-orang Ahli dalam Dewan ini akan menyokong permintaan itu.

Tuan Yang di-Pertua, berchakap saya dalam S. 22 supplementary ini, saya suka mengingatkan kepada Kerajaan tentang penchuri ia-itu kepala-kecil perkakas dan kelengkapan pejabat. Penchuri yang berani di-pejabat² Kerajaan saperti menchuri meshin taipwriter, meshin pengira dan

lain² lagi. Jadi bagi menjaga harta² Kerajaan ini, saya harap di-tiap² pejabat Kerajaan hendak-lah di-adakan satu isharat kira-nya berlaku kechurian seperti semboyan, atau lain² isharat. Bagi meshin taip yang hilang dari sa-siapa juga, hendak-lah merepotkan nombor serial-nya kepada pehak Kerajaan dan menghebahkan di-serata² Balai Polis tentang nombor² taipwriter yang hilang itu. Jadi ini boleh mengurangkan sedikit tentang kechurian meshin taip ini dan lain² juga.

Tuan Yang di-Pertua, berchakap saya tentang S. 33 dalam Imigresen. Dengan ada-nya Immigration Control di-Johor Bahru itu saya berharap dapat pehak Kerajaan mesti screenkan dahulu orang² dari sa-belah sana yang hendak masuk ka-Malaysia, kerana orang² yang hendak masuk

Mr Speaker: Baik sambungkan pada pukul empat petang ini. Persidangan ini di-tempohkan hingga pukul 4.00 petang.

Sitting suspended at 1.00 p.m.

Sitting resumed at 4.00 p.m.

(Mr Speaker in the Chair)

EXEMPTED BUSINESS

(Motion)

Dr Ng Kam Poh: Tuan Yang di-Pertua, saya menchadangkan.

“Bahawa sunggoh pun telah ada sharat² Peratoran Meshuarat 12 Majlis Meshuarat hari ini tidak akan di-tanggohkan sa-hingga pukul 7.30 malam atau lebeh awal daripada itu sa-telah selesai pertimbangan atas segala urusan Kerajaan yang di-bentangkan dalam Atoran Urusan Meshuarat ini.”

Engku Muhsein bin Abdul Kadir: Tuan Yang di-Pertua, saya mohon menyokong.

Question put, and agreed to.

Resolved,

“Bahawa sunggoh pun telah ada sharat² Peratoran Meshuarat 12 Majlis Meshuarat hari ini tidak akan di-tanggohkan sa-hingga pukul 7.30 malam atau lebeh awal daripada itu sa-telah selesai pertimbangan atas segala urusan Kerajaan yang di-bentangkan dalam Atoran Urusan Meshuarat hari ini.”

Mr Speaker: Saya hendak menerangkan dalam perkara yang kita hadap hari ini saya hendak beri chuma hingga pukul 5.00 sahaja perbahathan di-atas perkara ini lepas itu kita pergi dalam jawatan-kuasa. Jadi, hingga pukul 5.00 dapat-lah Ahli² yang hendak mengeluarkan apa² perbahathan. Chakap-lah pendek² sedikit.

Tuan Ramli bin Omar: Tuan Yang di-Pertua, saya mengambil masa dalam 5 minit sahaja lagi. Menyambong perbahathan saya pada pagi ini tentang imigreshen yang mana dengan ada-nya immigration control di-Johor Bahru, saya berharap dapat pehak Kerajaan memereksa benar², menscreenkan dahulu orang² sa-belah sana yang hendak masuk ka-Malaysia supaya orang² yang hendak masuk itu benar² tidak akan membuat kachau dan juga orang² yang tidak mahu lagi negeri itu; orang² ini terkadang² ada yang jahat dan sa-bagai-nya boleh membangkitkan kachau-bilau dalam negara kita. Oleh itu pehak Kerajaan hendak-lah menyekat orang² ini daripada masuk ka-tanah ayer kita.

Satu lagi control ini kita hendak menyekatkan juga berkenaan dengan kenderaan kereta, bas yang masuk di-sini ia-itu melanchong di-dalam tanah ayer kita biar-lah pelanchong² dan penompang² bas itu menaiki kereta Malaysia supaya boleh ra'ayat kita meluaskan mata pencharian-nya dan juga menunjukkan ra'ayat kita ada kebolehan.

Bagi mengakhiri ucapan saya, Tuan Yang di-Pertua, ia-itu tentang S. 42 ia-lah tentang Kementerian Penerangan. Di-sini saya suka menyento² pehak radio dan talivishen. Berkenaan dengan ranchangan kita, dalam 7 hari lagi kita akan merayakan Hari Kebangsaan Genap 10 tahun yang mana di-minat oleh seluroh ra'ayat dalam negara kita. Satu ranchangan pementasan pancharagam *pop* yang akan di-hidang ia-lah di-ambil dari luar. Jadi, saya rasa kita ada mempunyai Kementerian Belia yang ada banyak bakat² seni pemuda² kita boleh kita menggalakkan bagi

menunjukkan pertunjukan *pop* dan pertunjukan kesenian yang mana saya minta pehak Kementerian jangan-lah menggalakkan supaya mengambil ia-itu pemuda pemudi yang mana pancharagam *pop* itu daripada luar bagi merayakan Hari Kebangsaan kita. Boleh jadi banyak pemuda² kita yang ada bakat besok ini akan putus asa tidak hendak mengadakan permainan yang sa-umpama itu. Jadi, dalam masa perayaan 10 tahun ini saya harap dengan sa-tinggi² harapan Yang Berhormat Menteri dapat menggalakkan permainan anak² muda kita, yang mana kalau pancharagam luar itu bermain sa-kali sa-kala boleh-lah di-dalam negeri kita ini, tetapi pada sa'at dan pada hari yang bersejarah ini patut-lah kita menggunakan-nya.

Di-dalam talivishen dan radio juga saya hendak menyampaikan ucapan tahniah kepada pembacha² warta berita radio yang mana sa-takat ini sa-lepas 10 tahun kita mencapai kemerdekaan, bahasa kebangsaan ia-lah bahasa rasmi. Di-dalam perkataan² yang di-sebutkan di-dalam warta berita itu ada-lah baik, tetapi ada juga pada hari ini kita dapati, ini ada mengenai ra'ayat ramai supaya tidak terkeliru di-dalam ucapan atau dalam bachean² warta berita.

Mithal-nya saya boleh chontohkan di-sini, apa-kah sa-benar-nya di-sebut: "Ini-lah Redio Malaysia", atau "Ini-lah Radio Malaysia", atau "Ini-lah Television Malaysia" atau "Ini-lah Talivision Malaysia". Saya harap dapat perkara ini sa-bagaimana yang saya dapat tahu pehak yang membacha warta berita Radio Malaya akan mendapat kursus yang kedengaran bagi tiap² ra'ayat yang menjadi alat pemerentahan kita supaya tiap² ra'ayat memaham istilah² atau bachean² itu dapat di-bachakan kepada ra'ayat dengan terang dan jelas. Jadi, walau macham mana pun, Tuan Yang di-Pertua, ini-lah pendapat saya dan saya menyokong Rang Perbekalan yang diminta itu. Terima kaseh.

Tuan Haji Rahmat bin Haji Daud (Johor Bahru Barat): Tuan Yang di-Pertua, saya sokong Rang Undang²

ini ia-itu peruntokan tambahan bagi 1967. Pagi tadi, berkenaan soalan talipon yang di-gunakan oleh Ahli² Parlimen, maka saya suka berchakap sedikit-lah dalam perkara itu dan saya suka mengshorkan supaya pembayaran talipon itu di-tetapkan pembayarannya kepada Ahli² Dewan Ra'ayat, bagaimana Ahli² Dewan Negeri Johor pada masa ini, mereka itu dapat bayaran elaun Talipon sa-banyak \$80 sa-bulan. Jadi sa-kira-nya hendak melichinkan pekerjaan Kerajaan dalam Parlimen yang banyak ini, saya shorkan supaya Wakil² Ra'ayat itu di-bayar kepada masing², di-tetapkan bayarannya yang sa-patut-nya di-bayar kepada mereka itu. Saya shorkan supaya mendapat \$100 sa-bulan, atau pun \$80 sa-bulan pada tiap² Wakil² Ra'ayat yang dudok di-dalam Dewan Ra'ayat ini untuk pekerjaan talipon yang di-gunakan oleh Ahli Parlimen.

Yang Berhormat Tuan Yang di-Pertua, kalau saya tak lupa dalam sabulan dua ini Yang Teramat Mulia Perdana Menteri kita ada berchakap meminta kepada ra'ayat jelata di-Malaysia ini, kurangkan-lah makan nasi kata dia, kurang menggunakan beras, sebab pada masa ini dunia sangat kurang mengeluarkan beras terutama sa-kali di-sebabkan perang di-Vietnam, dan banyak menggunakan beras, jadi harga beras pun naik dan di-suroh-nya kita semua makan makanan yang lain, saya perchaya-lah yang di-maksudkan-nya itu ia-lah makan tepong.

Di-sini saya suka hendak berchakap sedikit berkenaan barang² makanan yang di-buat daripada tepong. Biasanya di-rumah saya sendiri dalam 5—6 dahulu sa-belum harga tepong naik, saya hanya gunakan 2 buku roti tiap² hari untuk makanan pagi, dengan tidak sa-chara langsung maka bil roti telah naik umpama-nya saya gunakan 10 sa-bulan, tetapi telah naik sampai \$13 sa-bulan. Dan baru sa-bulan dua ini saya sedar dalam perkara itu dan saya siasat, saya dapati ia-itu buku² roti yang di-jual biasa-nya sa-buku sa-paun itu 25 sen untuk roti² biasa dan roti² yang di-buat oleh pembuat roti khas yang ternama saperti Singapore

Cold Storage (SCS) dan juga di-Kuala Lumpur ini ada juga kedai² roti yang terkemuka menjual lebeh daripada harga 28 sen. Apabila saya pegang roti itu saya dapati roti² itu melampong sahaja rengan-nya dan bila saya timbang berat-nya tidak sampai tiga suku paun. Maka ini saya dapati sangat-lah merugikan.

Dengan izin Tuan Yang di-Pertua, saya ada bawa dua buku roti di-sini dan saya tak mahu berchakap siapa pembuat-nya dan saya suka-lah serahkan kepada pehak yang berkenaan dan saya sudah timbang roti ini berat-nya tidak sampai tiga suku paun, maka harga-nya 28 sen juga. Dan di-Johor Bahru pula roti² yang di-bawa masuk dari Singapura ka-Johor Bahru terpaksa di-beli dengan harga 40 sen kerana chukai-nya 10 sen, tak mengapalah kalau berat-nya seperti dulu juga dan ada juga pembakar² roti menjual dengan harga 30 sen, tetapi kalau kita tengok roti ini kalau kita pegang bagini, dia kosong sahaja. Itu-lah sebab-nya saya biasa makan dua buku roti, sekarang sudah jadi tiga buku.

Jadi ini—makanan ini—di-gunakan oleh ra'ayat jelata seluruh Malaysia. Saya perchaya satu hari sa-kurang²-nya satu million roti di-buat untuk penduduk² dalam Malaysia, berma'analah 250,000 buku roti ra'ayat telah rugi, kalau di-bahagikan dengan harga-nya katakan 20 sen sahaja satu hari \$5,000 ra'ayat telah rugi dengan tidak tentu fasal. Satu bulan lebeh kurang \$50,000 saya sudah kira dalam 24 million ringgit, ra'ayat telah rugi dengan sa-chara timbangan kurang. Saya harap Kementerian yang berkenaan dapat menyiasat supaya roti² ini di-buat betul² sa-paun dan jikalau sa-kira-nya tepong naik harga pun biasanya sudah naik 3 sen, naikkan-lah harga roti itu, tetapi jangan-lah dikurangkan berat roti itu. Ini makanan ra'ayat jelata, baik kaya dan miskin, Tuan Yang di-Pertua.

Pada pagi tadi saya ada terbacha dalam surat khabar ia-itu gadis Melayu bermuni skirt pulang dengan Diploma Jururawat. Saya berharap-lah kepada Kerajaan yang mengeluarkan biasiswa, sebab perkara ini saya telah

dengar bukan-nya sa-bulan dua bakan ada anak² buah kita daripada Johor Bahru balek daripada England belajar di-sana dengan biasiswa Kerajaan telah mencheritakan berkenaan anak² gadis kita yang belajar di-sana tentang pakaian-nya sangat-lah memalukan negara kita yang merdeka ini, sebab boleh di-katakan kebanyakan bukan semua, kebanyakan meninggalkan pakaian kebangsaan-nya, mereka itu suka menggunakan pakaian barat. Tuan Yang di-Pertua, saya suka hendak menunjokkan di-sini, dengan izin Tuan, ini-lah gadis yang baru balek daripada England telah belajar 3 tahun menggunakan mini skirt sa-hingga orang².

Mr Speaker: Saya kalau pakai cherman yang kuat sa-kali pun tak nampak dari sini, sebab jauh. Tak payah di-tunjokkan (*Ketawa*).

Tuan Haji Rahmat bin Haji Daud: Ma'af, Tuan Yang di-Pertua, jadi saya suka-lah mengeshorkan di-sini supaya anak² kita yang belajar di-luar negeri, yang dapat biasiswa daripada Kerajaan, hendak-lah dengan bersyarat ia-itu mereka hendak-lah menggunakan pakaian kebangsaan sa-kurang-nya dapat-lah kita bezakan antara anak² negara kita dengan anak² negara yang lain, umpama-nya pelajar Indonesia menggunakan baju kebaya-nya dengan kain batek-nya, dengan selendang-nya—itu tidak menjadi salah pula atau tidak menjadi rendah kalau kita gunakan kebaya kurong kita dengan kain songket, atau kain batek kita sendiri yang kita buat di-Tanah Melayu dengan selendang kita sendiri alangkah molek-nya kalau di-pandang dari segi kebangsaan sa-kurang²-nya dapat kita mempamerkan pakaian anak bangsa kita sendiri.

Dari itu saya minta-lah supaya Kementerian berkenaan yang mengeluarkan biasiswa itu, lain-lah orang yang belajar dengan belanja sendiri, kalau Kerajaan yang memberi biasiswa patut-lah Kerajaan meletakkan syarat supaya anak² kita terutama sa-kali anak² kita yang beragama Islam menggunakan pakaian yang terhormat dan dapat di-pandang dalam segi ugama,

sebab Islam ugama rasmi negara kita. Kalau pakaian macham ini, ini sangat memalukan, Tuan Yang di-Pertua,—mini skirt, Tuan Yang di-Pertua, lebeh ma'alum-lah mini skirt, macham mana-kah keadaan-nya.

Tuan Yang di-Pertua, saya sokong rakan saya sa-berang sana yang telah berchakap berkenaan imigresen tadi ia-itu patut-lah di-screen, atau di-siasat orang² yang tidak di-ingini dari Singapura masok ka-Johor Bahru, sebab saya sudah tahu berapa banyak penjahat² masok di-kawasan saya, Tampoi, tetapi dengan kebijakan polis disana dapat menangkap ketua² penjahat yang datang menghasut anak² muda kita di-kawasan Tampoi dan mereka itu sudah di-berkas dan di-masokkan di-dalam lokap. Ya, bila perjalanan paspot di-jalankan, saya harap Imigresen mesti mengambil tindakan yang ketat supaya tidak masok anasir jahat, terutama sa-kali penchuri² motokar dan penghasut² penjahat minta wang sana sini, mengadakan kumpulan jahat dirumah² urut dan tempat Night² Club. Dengan ini kalau sa-kira-nya dapat di-adakan sekatan yang ketat saya perchaya penjahat² atau perbuatan jenayah di-dalam Malaysia akan kurang. Saya sokong ucapan dari rakan saya tadi.

Sekarang saya berubah kapada buroh, Tuan Yang di-Pertua. Kalau mengikutkan sa-bagaimana ucapan Tunku ia-itu Commonwealth Military akan berundur peringkat ka-peringkat daripada Malaysia sampai tahun 1970 dan mereka itu banyak menggunakan buroh² kita dan juga buroh² yang bukan warganegara. Dan malang-nya, di-Singapura sana ada juga orang² Malaysia yang bekerja dengan pehak tentera British lebeh kurang dekat 700 orang yang bekerja daripada Johor Bahru yang di-angkut tiap² pagi ka-Singapura. Maka orang² itu apabila tentera British telah berundur, sa-bagaimana yang telah di-terangkan oleh Kerajaan Singapura terutama sa-kali tindakan yang di-ambil kapada orang² yang bukan warganegara Republik Singapura, ini menjadi satu bebanan terutama sa-kali kapada Wakil² Ra'ayat yang dudok di-Johor Bahru, dari itu kita hendak-lah ber-

sedia untuk menerima orang² itu apabila mereka itu di-berhentikan daripada Singapura. Dan mereka itu bekerja di-Singapura menggunakan work permit menunjukkan bahawa kalau sa-kira-nya mereka itu bukan warganegara, mereka itu akan terlibat dengan serta merta apabila tentera British meninggalkan Singapura, atau pun sa-umpama-nya sama juga-lah di-Malaysia, tetapi di-Malaysia ini tidak ada bersyarat—tidak menentukan warganegara bagi dahulu-kah, tetapi Singapura telah mengeluarkan syarat-nya. Jadi menggunakan work permit ini sangat sukar bagi orang² Malaysia yang dudok di-Singapura, jika di-masokkan orang yang bukan dari Johor tidak kurang tiga atau empat ribu warganegara Malaysia yang bekerja di-Singapura. Kalau mereka itu bekerja tidak ada work permit pula kalau, Tuan Yang di-Pertua tengok, saya ada satu potongan akhbar *Straits Times*, saya minta izin Tuan Yang di-Pertua hendak bacha sedikit.

Mr Speaker: Apa pula itu (*Ketawa*).

Tuan Haji Rahmat bin Haji Daud:
Potongan akhbar *Straits Times*:

“Singapore, Tuesday, 21 employers were charged in Ninth Magistrate Courts with employing 39 workers who did not possess work permits. The offence under Regulations of Employment Act were alleged to have been committed between March and June this year. 19 of the employers pleaded guilty. Of the 39 cases, one was fined \$70 and the others were fined \$100 each.”

Jadi menunjukkan bukan warganegara yang datang dari Malaysia bekerja di-Singapura dengan tidak ada work permit mereka di-tangkap dan di-da'awa di-dalam Mahkamah serta di-denda tetapi warganegara di-Singapura datang di-sini bebas bekerja di-mana² tiada siapa ganggu, ini-lah yang merugikan buroh² kita di-Malaysia sendiri.

Dari itu saya harap Kementerian Buroh mesti-lah mengambil tindakan untuk menyelamatkan pekerja² kita sebab saya tahu di-Johor Bahru tidak lama lagi tentu-lah banyak penganggor² daripada warganegara kita yang tidak mempunyai pekerjaan di-Johor Bahru kerana mereka itu

di-lepaskan oleh pihak military di-Singapura. Dan banyak pula pekerja² di-Singapura dengan tidak payah work permit bekerja di-Johor Bahru. Saya harap Kementerian Buruh mengambil tindakan supaya dapat warganegara sahaja yang boleh bekerja didalam tanah ayer kita di-sini.

Baharu² ini pula kolam ayer yang baharu di-Kota Tinggi sana, mereka itu mengambil pekerja² daripada Singapura ia-itu work brigade daripada Singapura telah di-hantarkan di-Kota Tinggi sa-ramai barangkali kalau tidak salah dalam 10 orang untok meninjau di-sana dan saya dengar khabar tidak lama lagi di-hantar lagi sa-beberapa banyak. Maka mereka gunakan buruh di-kolam ayer yang baharu di-Kota Tinggi. Ini sangat merunsingkan pekerja² di-sebelah Johor Bahru sana. Jadi, saya harap juga-lah Menteri Buruh menyasiat perkara itu supaya kerja² buruh, baik yang skilled atau unskilled, patut-lah di-ambil daripada warganegara kita sendiri, dengan itu dapat-lah kita menyelamatkan warganegara kita daripada tidak mempunyai pekerjaan. Demikian-lah terima kaseh.

Tuan Toh Theam Hock (Kampar):

Mr Speaker, Sir, I would like to refer to Head S. 28 which deals with the collection of development tax. In so doing, the Government will be able to obtain new sources of revenue, which will be required for various development projects in this country. There is no doubt that if the national progress is to be continued at the present rate of development, additional sources of money must be found. There is, however, one factor, Mr Speaker, Sir, which I would like to say, and that is a lot of people do not mind giving money away in the form of tax for the country provided such collections are done with foresight and tact. I hope the Honourable Minister will see that the officials and staff who are to be recruited for this development tax project are given proper training to deal with the members of the public. I am saying so because in this scheme, the small man in the street, such as hawkers, vegetable gardeners or sellers, fish mongers, fruit sellers and many others will be affect-

ed, and they will be asked to part with some of their money. From the economic point of view, Mr Speaker, Sir, these people are earning a living from hand to mouth and, therefore, to ask them to pay development tax is something new and these people will not be accustomed to the intricacies of such taxes. Therefore, I hope the Minister himself will issue a personal directive to the officials of the Development Tax Department to be absolutely tactful and not to be over-bearing. Whatever advice and help these people need should be given at all times by the Department. I hope, Mr Speaker, Sir, that it is possible for the Honourable Minister to consider, perhaps, at a later stage, raising the provision of \$500 to \$2,000 per annum as the minimum development income for those individuals who are not partners.

Mr Speaker, Sir, I would now like to refer to the expenditure under Heads S. 47 and S. 48 under the Ministry of Labour and Industrial Relations, which I feel should be improved as much as possible. Although I would like to congratulate the Minister of Labour and officials of the Ministry for having taken a lot of trouble to put the case of the Dolomite Industries strike in Batu Caves before the Industrial Court, I think the Honourable Minister should be able to come to this House with a definite announcement as to the exact date when the Industrial Court will sit. There has been too much dilly-dallying by the Management in trying to escape the provisions of the new Industrial Court Ordinance to recognise the Dolomite Industries Branch of the National Union of Mine Workers whose headquarters is in Kampar. The workers had already taken a proper ballot that they wished to join the National Union of Mine Workers and this can be verified by the Ministry of Labour. As a result of severe provocations by the management of Dolomite Industries, the workers were forced to go on strike on June 12th and the workers have been on strike for nearly seventy-one days to-date. The provisions if the new Industrial Court should be strengthened so that it does not give loopholes to the

management to escape its responsibilities. In fact, on August 15th, at the request of the Ministry of Labour, the workers returned to work but were locked out by the management who refused to take the workers back as its employees but only on contract basis. I would like to ask the Honourable Minister to state clearly, in this House, what action does he intend to take against the management of the Dolomite Industries for the lock-out of the workers? Mr Speaker, Sir, surely in the new Industrial Court Ordinance there should be adequate safeguards for the workers against lock-out by the Management. It is absolutely necessary for us to provide such safeguards for our workers.

Mr Speaker, Sr, I have been following the strike in the Dolomite Industries with great care, because many of my electorates who are members of the National Union of Mine Workers are supporting this strike, which is a legal and just strike imposed upon the workers by the management. I am sure the Honourable Minister is aware himself that the Management of the Dolomite Industries is adopting a very stubborn and wicked attitude against the Alliance Government and all kinds of nasty words have even been heaped upon the Honourable Minister personally.

Mr Speaker, Sir, in this fast-developing society of ours, it is necessary for the Government to ensure that our workers are given a far deal. If managements like the Dolomite Industries in Batu Caves, are allowed to continue to exploit the workers, the time will come when there will be a big explosion and if ever this explosion occurs it is because some employers, like the Dolomite Industries, have acted without foresight and rather in an irresponsible manner. This is a serious matter, and I hope that the Government will take every opportunity to ensure that all our workers are adequately protected, otherwise subversives will carry out their nefarious activities detrimental to the cause of this country.

Mr Speaker, Sir, I hope the Honourable Minister will direct officials of the Ministry of Labour to look into the problems of the workers in a realistic and sympathetic manner rather than dismiss the workers' problems as something academic. This unfortunately, to my mind, is the case with the officials in the Ministry of Labour and they do not seem to be as dedicated as the officers in the Special Branch of the Police who go all-out to protect our very existence and our security. If we have officers in the Ministry of Labour who are as dedicated as the Special Branch Officers, I am sure there will be no strike or any major labour problems as they will be "nipped in the bud". This is particularly so for officials in the Industrial Relations Department. Thank you, Mr Speaker.

Tuan Francis Chia Nyuk Tong Sabah): Mr Speaker, Sir, I would like to talk under the Ministry of Foreign Affairs, Head S. 20, on this controversy of the Anti-Smuggling Agreement with the Philippines. I am shocked at the irresponsible behaviour of the Filipino officers who leaked secret information of our two countries to the Press in order to sabotage the friendly relationship of Malaysia and the Philippines.

Smuggling in the Philippines is an ancient disease which has defied solution for decades. This disease is already in the blood-stream of the Filipino people from the highest to the lowest. Smuggling operation covers an area stretching from Formosa, Hong-kong and even from Singapore. The extent of the cigarette trade in Sabah, which has become smuggled goods the moment they enter the Philippines, due to the fact that this disease has infected everybody, is a very small proportion of the whole smuggling problem of the Philippines. Even then, it is a lucrative legal trade as far as Sabah is concerned. Malaysia is prepared to abandon this trade in order to assist the anti-smuggling drive in the Philippines. Now, what do we get? Various difficulties are being placed in the way of our giving this assistance—this is extremely illogical—as if our assistance is a matter of right.

I believe there are people in influential circles who are out to develop a crisis between Malaysia and the Philippines. The report of Ambassador Busuego was leaked out in order to achieve this purpose. I understand that every part of the coded message was seen by the *Bulletin* correspondent. I also understand that this was the work of a Philippine senior official, whose hysteria about the Philippines claim we heard a few weeks ago. This officer, based in Singapore, is now hanging around in Manila. I would like to ask these elements not to use issues like this as the basis for their *politiking* at home. Malaysia has nothing to lose, if a crisis develops. Our country and people have faced bigger crises before. We in Sabah are rather surprised that the Philippines is continuing its meaningless and baseless claim on the territory. During the last State elections the people of Sabah rejected the funny claim of the Philippines as mere nonsense.

South-East Asia is often referred to as a troubled region, but few people realise that much of the trouble is the making of a few cranks in some countries who wish to pursue their personal desires under the guise of national glory.

Now, Logarta and his gang are trying to stir up trouble. My appeal is to the people of the Philippines. They should not fall victims to the fairy tales of a few *Logartas*. They should regard the State of Sabah as a legitimate part of Malaysia. Sabah will be in Malaysia forever. No one Logarta or hundreds of Logartas can shake the confidence of the people of Sabah in Malaysia. Thank you.

Tuan Ong Kee Hui (Sarawak): Mr Speaker, Sir, this morning in reference to Head S. 1—Parliament, the Honourable Member for Bungsar complained about the treatment which we on this side of the House have received in the matter of Bills and important measures coming up before the House of which we have received very little notice. Well, if the Member for Bungsar, who stays in Kuala Lumpur complains like this, what

about us from Eastern Malaysia? In the case of this particular important measure which this House will be debating, namely the Income Tax Bill, we only got the draft late in July—that was the first draft—which gave us barely time even to make representations, because I understood that a time limit was given for representations to be made to the Minister so that they could be considered, and we only received the revised draft of the Bill when we arrived here. Furthermore, it is only, I think, yesterday that we got further amendments to the revised draft.

Mr Speaker, Sir, this is a very complicated piece of legislation and it is hardly fair to us, either on this side of the House or to the Government backbenchers themselves, if we are given inadequate notice of such an important measure. I am sure that when the time for debate comes, we would be accused of not having done our homework properly. I would add my plea to that of the Honourable Member for Bungsar, that in the case of certain important measures like this, more notice should be given, and in the case of Honourable Members from East Malaysia, I would urge that such Bills should be sent by airmail and not by ordinary surface mail so that we could get more notice of these Bills.

Now, Sir, I would like to refer briefly to two other Heads—Head S. 4—Election Commission and Head S. 37, Commissioner of National Registration. In answer to a question which I put to the Honourable Prime Minister, he assured us that the representations which have been made to the Election Commission on the delimitation of boundaries in the case of Sarawak will not, in fact, delay the date of the election. I would urge the Honourable Prime Minister to remove this air of uncertainty in Sarawak by announcing as soon as possible a definite date for the election, so that speculations as to whether an election in fact will take place and whether it would take place this year or next year could be removed. However, I note that, in coming to this House for supplementary provision, the Government has made no request for

any provision for the election in Sarawak. I take it then that the election will not take place this year; otherwise the Honourable Minister of Finance would presumably ask for some provision.

The other point is that a very necessary prelude to any election in the getting up of the electoral rolls, and in the case of Sarawak, this exercise of changing identity cards, although it has made a good deal of progress, has not yet been completed. There are thousands of potential electors who have not yet in fact been registered, and I would urge the Government to carry out a crash programme so that this could be done as soon as possible. There are other items to which I would have liked to refer, but time is short, Sir. So, I would once again urge the Government to give some regards to some of the points which we on this side of the House have raised on the debate on this supplementary estimates.

Tuan Haji Ahmad bin Abdullah (Kelantan Hilir): Tuan Yang di-Pertua, saya mengambil bahagian sedikit sahaja dalam Bill ini. Saya ucapkan terima kasih kepada pehak yang berkenaan, saya berchakap di-bawah Head S. 1—Parlimen, kerana nampak-nya alat pembesar suara untuk hendak mendengar perbahathan² di-dalam Rumah yang mulia ini telah di-pasang di-dalam bilek kami maka saya sa-kali lagi ucapkan ribuan terima kasih.

Tuan Yang di-Pertua, telah menjadi kebiasaan bahawa Rang Undang² untuk menambahkan belanja atau Supplementary Estimate ini telah menjadi kebiasaan bagi Kerajaan untuk mengemukakan Bill ini sa-telah di-gunakan wang itu. Pada tahun 1966, kalau tidak silap saya, tidak kurang daripada 3 Supplementary Estimate Bill yang telah di-kemukakan tetapi pada tahun ini nampak-nya Kerajaan ukoran dia punya belanjawan-nya nampak-nya yang di-kemukakan di-dalam Rumah ini nampak-nya lebeh baik sedikit kerana chuma baharu kita melihat satu sahaja Supplementary Bill, tetapi saya perchaya sa-belum habis tahun ini barangkali ada lagi Supplementary Bill

yang akan di-kemukakan di-dalam Dewan ini.

Tuan Yang di-Pertua, saya sekarang ini berchakap di-bawah Head S. 7—Perdana Menteri. Di-sini ada di-sebutkan bahawa perbelanjaan yang di-pinta ia-lah \$40,000 kerana perbelanjaan ini telah di-gunakan bagi lawatan Yang Teramat Mulia Perdana Menteri ka-Ceylon dahulu, tetapi di-bawah Head itu juga Butiran 18, chuma \$21,153 yang di-kehendaki bagi perbelanjaan yang telah di-belanjakan oleh Perdana Menteri bagi lawatan-nya ka-Jepun. Di-sini walau pun negeri Jepun lebeh jauh daripada Ceylon tetapi perbelanjaan-nya nampak sedikit sahaja daripada perbelanjaan yang telah di-belanjakan bagi lawatan-nya ka-Ceylon. Ini menunjukkan bahawa orang² yang mengiring Perdana Menteri itu bilangan-nya lebeh besar daripada orang² yang telah mengiring Perdana Menteri bagi lawatan-nya ka-Jepun. Jadi oleh sebab kedudukan kewangan negara kita tidak-lah sehat bahkan negeri kita ada di-dalam keadaan kerumitan kewangan, saya harap perkara ini jangan timbul lagi di-masa yang akan datang. Pengiring² itu hendak-lah di-sadikitkan sa-boleh²-nya, sebab dengan yang demikian baharu-lah dapat kita mengadakan jimat chermat supaya tidak-lah kedudukan kewangan kita menjadi kerumitan.

Tuan Yang di-Pertua, sekarang saya tempoh sedikit di-dalam Head S. 23—Treasury General Services. Di-sini di-bawah Head S. 24, Butiran 52, ada wang sa-banyak \$6 juta yang telah diberikan kepada Padi and Rice Marketing Board untuk di-gunakan bagi pekerjaan Rice Marketing Board itu. Ada-lah satu perkara yang menyedehkan kita, Baharu² ini kita telah membacha surat-khabar *Utusan Melayu* kalau tidak silap saya pada 10 haribulan Jun bahawa satu pertikaian telah berlaku di-antara Menteri Perdagangan dan Perusahaan dengan FAMA. Menteri Perdagangan mengikut kenyataan yang telah di-buat oleh *Utusan Melayu* itu bahawa Menteri Perdagangan dan Perusahaan atau Kementerian Perdagangan dan Perusahaan telah membuat satu sekatan bagi penjualan padi² daripada satu

negeri ka-satu negeri yang lain. Pendek kata oleh sebab sekatan ini telah di-kenakan oleh Menteri Perdagangan ka-atas FAMA, maka pehak FAMA telah tidak dapat menjual padi², pendek kata tidak kurang daripada 56 ribu pikul padi yang telah terkandas dan tersadai di-dalam godown-nya di-Tanjong Karang disana. Saya harap Kerajaan di-antara dua belah pehak Kementerian ini hendak-lah mengadakan satu polisi untuk dapat bekerjasama, kerana apa, mudah²an dengan ada kerjasama di-antara dua Kementerian ini, maka FAMA tidak-lah akan gagal. Kalau si-kira-nya tidak ada kerjasama di-antara dua Kementerian yang tersebut, saya takut FAMA ini akan menjadi lagu RIDA dahulu juga yang telah mati tidak berkubor.

Tuan Yang di-Pertua, sekarang saya berchakap di-bawah Heads 39, 40, 42 ia-itu Ministry of Information and Broadcasting—Radio and Information. Saya nampak perjalanan Kementerian ini dan alat² di-dalam Kementerian ini telah di-salah gunakan oleh pehak yang tertentu untuk kepentingan parti-nya, kerana baharu² ini di-dalam pilihan raya kechil di-Pasir Mas, saya sendiri melihat beberapa banyak kereta² yang di-punyai oleh Pejabat Penerangan hingga sampai tengah malam lewat pukul 12 maseh saya tengok berpusing² di-dalam kampong² memberi penerangan. Saya tidak tahu apa-kah penerangan yang telah di-beri, akan tetapi saya sendiri telah melihat. Ini ia-lah satu perkara yang menunjukkan bahawa alat² Kerajaan itu telah di-salah gunakan bagi parti Kerajaan. Maka ini tidak-lah satu perjalanan, pendek kata perjalanan ini ia-lah perjalanan yang boleh di-katakan berchanggha dengan peratoran demokrasi.

Sekarang saya sentoh sedikit di-bawah Head 23—Treasury General Services. Di-sini ada peruntukan sa-banyak \$300,000 ia-lah untuk hendak di-belanjakan bagi kemerdekaan bagi perayaan ulang tahun yang ke-10 bagi kemerdekaan kita. Di-sini, Tuan Yang di-Pertua, pada fikiran dan pandangan saya, pendapat saya bahawa kemerdekaan yang kita telah chapai ini bukan-lah satu kemerdekaan yang telah

menguntongkan kapada bangsa Melayu. Pendek-nya kemerdekaan yang kita telah chapai ini telah menghapuskan bangsa Melayu sa-bagai satu bangsa di-dalam tanah ayer mereka itu, dan telah menjadi bangsa Melayu sekarang ini sa-bagai satu kaum yang terkechil di-dalam tanah ayer mereka.

Dan saya yakin kedudukan yang ada sekarang ini sa-kira-nya berlanjutan di-dalam masa 10, 15 tahun lagi sahaja orang di-Tanah Malaysia ini akan menjadi Singapura yang kedua. Oleh yang demikian wang yang telah di-untokkan sa-banyak \$300,000 untuk di-belanjakan untuk perayaan ini tidak-lah kena pada tempat-nya, bahkan hari ulang tahun ini hendak-lah di-jadikan satu hari perkabongan bagi bangsa Melayu. Bangsa Melayu semua-nya hendak-lah pakai tanda hitam, baik di-kepala, di-kupiah, songkok² mereka itu, atau pun di-tangan mereka itu menunjukkan bahawa bangsa mereka itu telah terhapus di-dalam tanah ayer kita ini.

Tuan Ahmad bin Arshad: Tuan Yang di-Pertua

Tuan Haji Ahmad bin Abdullah: Minta ma'af, masa sangat sengkat. Dan kita sedang mengalami kerumitan tentang kewangan jadi perkara ini tidak-lah kena pada tempat-nya. Lebeh baik wang ini di-jadikan sa-bagai satu scholarship, atau di-berikan sa-bagai satu scholarship kapada anak² kita yang susah².

Tuan Edmund Langgu anak Saga (Sarawak): Mr Speaker, Sir

Mr Speaker: Ada 3, 4 minit sahaja lagi.

Tuan Edmund Langgu anak Saga: Mr Speaker, Sir, I would like to take this opportunity to participate in this debate on the Supplementary Supply (1967) Bill. Sir, the Alliance in its desperate attempt to win political support has used many uncalled for methods. Of late, in Sarawak, the Honourable the State Chief Minister has warned the Penghulus and other Headmen not to get involved in politics and threatened to take action against

those who did so. We, in Sarawak, are naturally very much concerned about such a threat, and we wonder if such policy has the backing of the Central Government. Sir, we would be interested to know what it is going to do with Temenggongs, Pengarahs, Penghulus and others in the Alliance. If not, then Penghulus and other native Headmen of Sarawak should be immediately relieved of such unfounded threat.

Again, we heard that Penghulu Tawi Sli telling the people that if his Government failed, it would mean the destruction of the country, its heritage and its tradition. Such talk is an insult to the intelligence of the people of Sarawak and mockery of our Parliamentary democracy. He has stated that all members of the Opposition are subversive elements like the Communists. We know that by alarming the people, and passing such irresponsible and uncalled for remarks, he is very likely to put the country in chaos, disaster and destruction. We call, therefore, on the Central Government to disassociate itself with such sweeping remarks. These are the true signs of the inefficiency of the so-called Sarawak State Government. Therefore, we from the Sarawak National Party, Sir, strongly appeal to the Central Government to fix the date for the general election to be held in Sarawak.

The Chairman of the Election Commission said that the election would now be held in April next year. It appears that even in April, 1968, as things go now, we shall not have our general election in Sarawak, because the Federal Government has deliberately not given enough money for the National Registration Teams to do the work. I have been given to understand that only about 65% of the voters in Sarawak have been registered. This leaves about 35% more to be registered. But since June, 1967, no money and no registration teams are doing the work, particularly in the rural areas. So, I call upon the Honourable Prime Minister to explain why the Government is deliberately putting up obstacles for an earlier election in Sarawak.

Defence (Military protection)—The Prime Minister's recent statement that Malaysia would rather surrender than fight if attacked by big powers like Communist China has caused a lot of misgivings to those of us who have all along been working very hard to realise a better "Sarawak for Sarawakians". You will recall, Sir, that when Sarawak came into Malaysia, the Prime Minister together with the others painted the picture that Sarawak if she stood alone would not be able to defend herself militarily when attacked. We were then being told and assured of military protection once we were in Malaysia. You will appreciate that assured military protection was one of the main factors that influenced us to accept our independence through Malaysia as we did. Sir, now in view of the said statement made by the very chief policy maker of the Central Government, are we to be optimistic about the assured protection?

Mr Speaker: I have a feeling that you may be reading from your paper there; you are not allowed to read.

Tuan Edmund Langgu anak Saga: Because I do not like to waste time, Mr Speaker, Sir.

Mr Speaker: I do not mind about the time, but the Standing Order says you cannot read your speech.

Tuan Edmund Langgu anak Saga: Indeed there seems to be justification in the recent call by Opposition leaders in East Malaysia to re-examine the terms and conditions of their states entering into Malaysia. Such double and cowardly talk by the Honourable Prime Minister is an insult to the people of Sarawak and Sabah and to the relatives of those who had died in defending our beloved land against world powers like Japan in World War II and Asian giants like Indonesia during the Indonesian Confrontation.

State Radios and Information Services—Now, I am going to touch on the State Radio and Information Service. I deplore the fact that the State Radio and Information Services for both Sarawak and Sabah are so

completely biased and they reflect a very one-sided picture, never allowing the Opposition, who represents a large section of the people their rights to radio time and the publicity through Government channels. I call upon the Government to do away with such undemocratic practices.

Secondary Education—I understand that the development funds for secondary education in Sarawak will be reduced from 1967 and that the recurrent funds for the year 1968 will be less than that for 1967 in spite of the increase in general enrolment. Judging from the number of candidates for the public school examination this year, I notice that the number of students in Sarawak secondary schools next year will be increased by 27%. So, it is very illogical and unfair for the development funds and the recurrent funds for the year 1968 to be reduced in Sarawak. If this happens, then no development can be made and no progress can be achieved in Sarawak secondary school education in 1968. We all know that more students need more teachers and more educational facilities.

The Parliamentary Secretary to the Minister of Health (Tuan Ibrahim bin Abdul Rahman): On a point of order Mr Speaker, Sir. The Honourable Member is not speaking on the Supplementary Estimates before the House.

Mr Speaker: You must speak on the Supplementary Estimates: speaking on a set speech which you have written and you are reading it here—you are not allowed to do that.

Tuan Edmund Langgu anak Saga: I am speaking on Head S. 18 Mr Speaker, Sir.

Mr Speaker: Speaking on what?

Tuan Edmund Langgu anak Saga: Education, Grants and Subventions; something connected with secondary school education.

Mr Speaker: Will you refer me to the Head?

Tuan Edmund Langgu anak Saga: Head S. 18.

Mr Speaker: What about Education Grants? Are you pleased with it or not?

Tuan Edmund Langgu anak Saga: Pardon?

Mr Speaker: Are you pleased with the Education Grants or not. Say something about it and be done.

Tuan Edmund Langgu anak Saga: I am about to finish my speech on that matter.

Mr Speaker: You continue to read what you have already written there. You are not allowed to do that.

Tuan Edmund Langgu anak Saga: I want to ask the Ministry of Education to look at this matter seriously before our Budget meeting this year and make sure that Sarawak gets a fair share of the Federal Funds for secondary school education.

Mr Speaker: Well, time is up now.

Tuan Edmund Langgu anak Saga: Well, Sir, thank you.

Dr Ng Kam Poh: Mr. Speaker, Sir, I will now try to reply to all the questions posed by the Opposition on the other side of the House, but I would like to say a few words in reply to the speeches made by certain members of the Opposition, in particular, the Member for Batu. I am glad that he is here today. He has accused the Treasury of not working hard enough and also that the Treasury has used ways and means to pad up the Supplementary Estimates by putting various figures into volumes of paper so that the Opposition cannot discover them. I want to refute that allegation, because the Treasury, as he well knows, has opposed all the time any infringement or any use of expenditure other than the essential ones. The Honourable Member for Batu well knows that we do not try to hide our expenditure under voluminous files. They are all explained in the Treasury Memorandum and, if the Honourable Member so wishes, he can get further clarification from me in Parliament. As usual in his manner of speaking, he has

always castigated the Government saying that it has been spending money lavishly and he pointed out instances of the Prime Minister going to Ceylon as well as going to Japan, buying crockery for the Parliament House, and also that the West German President's visit here. Sir, we are a member of the United Nations. Sometimes our Prime Minister has to go to certain official functions and to visit other countries, because he is invited to do so. We try to cut down our expenditure as much as we can, at least the Treasury tries its level best—that I can assure the Honourable Member from Batu—but sometimes inevitably expenditure occurs and that is why we have to come to this House. This is the essence of democracy. Mr Speaker, Sir, he has asked the reason why the Prime Minister has spent so much money in going to Ceylon and so little for going to Japan. The reason, of course, is because there were thirteen members of the delegation who went to Ceylon and only six to Japan, and transport alone come to \$21,000 for the trip to Ceylon and \$11,000 for the trip to Japan. That is the reason why

Dr Tan Chee Khoon: Is the Honourable Assistant Minister of Finance aware that the Member for Kelantan Hilir has asked that if the numbers, who accompanied the Prime Minister to Ceylon were too great, the Treasury, in future, should see to it that the people who follow our Prime Minister be reduced to the barest minimum. This is a plea by the Member for Kelantan Hilir.

Dr Ng Kam Poh: I am well aware of that. I speak fairly fluent Malay, and I can quite understand what the Member for Kelantan Hilir has said. I will come to him later after I have finished with the Honourable Member for Batu (*Laughter*). Sir, I am well aware that the party which went to Ceylon was bigger but the necessity was there. That is why even when the Treasury opposed such a large number of people going overseas when we were convinced that they were necessary, we had to give way. We just cannot say "No" to everything—and besides this was the

Prime Minister's first official visit to Ceylon. Now, why should the Member for Batu or even the Member for Kelantan Hilir and the Honourable Member for Bungsar castigate our Prime Minister for his first official visit to Ceylon? That is something I cannot really understand. He tries to impress the gallery and Malaysia at large that we are wasting money, we are pouring money down the drain, and that we should use money, for example, for the Lady Templer Hospital Fund. I agree with him, Mr Speaker, Sir, when he talked about Lady Templer Hospital. But, Mr Speaker, Sir, when he talked about the Lady Templer Hospital, he talked as if he is the only one flowing with the milk of human kindness and no body else here has that. I beg to differ Mr Speaker, Sir. I am also a doctor of medicine; I agree with him that we should give the Hospital a grant and we have given the Lady Templer Hospital an annual grant of \$500,000. In 1964, they asked for an additional grant of \$200,000. Well, we agreed and gave them that too. Now, they want that extra \$200,000 yearly. That, Sir, has to be considered. Instead of the Honourable Member for Batu shouting at me across the floor, will he please ask the Lady Templer Hospital Committee, or whatever it is, to write a letter to the Minister of Finance, approach me, and have a small little "chakap"—we will manage somehow.

Dr Tan Chee Khoon: Mr Speaker, Sir, on a point of clarification, is that an assurance that a "chakapan" will do the trick between the Chairman of the Board of Governors of the Lady Templer Hospital? If that is so, I will inform Tun H. S. Lee, the former Minister of Finance, and ask him to have this "chakapan".

Mr Speaker: I would like to know how the Lady Templer Hospital comes into this. We were talking about quite something else just now.

Dr Ng Kam Poh: Mr Speaker, Sir, he brought it up, Sir, in his speech, the Lady Templer Hospital. I did not bring it up first. He brought it up in his speech and so I have got to reply to him. Well, any way I can assure him

this: that if the "chakap²" is fruitful and if he can prove to me that he needs the money, I will consider it. Is that sufficient?

Again, the Member for Batu has alleged that the \$300,000 is not sufficient for the Merdeka celebrations and that the Honourable the Prime Minister is going to need \$1 million, and that if he cannot get the \$1 million he will come to the House for funds. Well, I will not answer that, because the Honourable Prime Minister has already replied to that question during Question Time. But on what he said about the *kapal layar* found all over the place, the boards and all that, I can assure him that it is not the intention of the Government here to have this *kapal layar* on the big board there to be used as a propaganda for the people, because it is an Alliance affair. This is a national celebration and should be taken as such. The *kapal layar* during 1959-1964 is because of the elections. The Alliance won the elections, and so we put the *kapal layar* there. Next time, if the *kepala lembu* wins the elections, then *kepala lembu* can be put there (*Laughter*). I have no quarrels with him about that. Let us hope that by the time of our golden jubilee, somehow or other, the *kepala lembu* might win the elections, then he may be able to put the *kepala lembu* on the golden anniversary celebration boards and things like that.

Mr Speaker, Sir, now I come to the Member for Bungsar. He says that we have not given him time to study the Bills, which are voluminous and that we are doing it in indecent haste. The Bill was given to this House, I agree, only three or four days ago, but I would like to bring to his notice that this Bill was published in the *Gazette* in June, two months ahead of time. Being a Member of Parliament, I hope he has taken the trouble to look at the *Gazette*, which was given to him free or sent to him free of charge. If he had looked at that he would have understood the Bill by reading it. Of course, there are certain amendments, but I do not think that this is actually in indecent haste and it is not fair to say it is not democratic and that we are trying to ram through

the Bill because of that. I think adequate time has been given to them to voice their opinions and to go through the Bill after the reading of this Supplementary Supply Bill.

I would like also to come to his point about the bridge at Muar. He did say something to the effect that according to his calculations, from the questions he had asked, the bridge would be amortised within three years. Of course, in his own calculations he did not think of maintenance, and of the expenditure incurred on the people collecting the toll, and so on and so forth. Probably, that is why he came to the conclusion that it can be done in three years. We have done our own bit of calculation and we think it would come back in five years; besides, Mr Speaker, Sir, the rates for the toll at Muar Bridge have been reduced in respect of lorries and buses from \$3.50 per vehicle of 2 axles to \$2.50. Mr Speaker, Sir, this is one of the ways wherein a democratic society gets its taxes indirectly. Fortunately, or unfortunately, I have been to various countries of late and I have been even to some of the developed countries, and I can assure Members of the Opposition that there are toll bridges that have been collecting toll for the past ten or more years, irrespective of whether they have repaid the money or not. This is one of the ways of collecting taxes. Let us face it. Just because we built a bridge and we collected enough back for the bridge, it does not mean that we should not collect tolls. It is an indirect way of collecting money. I wish to inform the Honourable Member for Bungsar too that in respect of motor cycles, motor cars and buses, the season ticket is actually half the ordinary rate. In respect of taxis and *kereta sekolah*, the season ticket is one-third the ordinary rate, and in respect of *bas sekolah*, it is only one-fourth the ordinary rate. The bridge at Batu Pahat is expected to be amortised in about thirty years. This is for the information of the Member for Bungsar.

I will now come to the Honourable Member for Kampar, who has spoken about development tax. I would not like to create a debate here, but I would like to inform him that the question of

development tax has been debated before, and I rather not answer the question now. He has made an appeal and I suggest that he should write to the Honourable Minister himself and let that be that.

Sir, I now come to the Honourable Member for Sarawak, the Honourable Ong Kee Hui. He has complained about delineation of boundaries and the date of the election, in that there are no provisions in the estimates, and he thinks maybe the election will not be this year and probably not even next year. I cannot assure him that the election will be this year or next. I think in due course, when further supplementary estimates come up to this House, if there are any, he will probably know, or he can ask the Prime Minister whether the election will be conducted this year or next.

The Member for Kelantan Hilir praised the Ministry of Finance saying that we have better supplements just like the Honourable Member for Batu, and he also made a comparison between the Prime Minister's visit to Japan and Ceylon, and he said that we should not use so much money, in his actual words, "Kewangan kita tiada-lah sehat", in other words, our finance is not very well, I can assure the Honourable Member for Kelantan Hilir that we are better off than most countries, though I would not advocate throwing our money away. However, I think we have managed to administer our finances rather well, in spite of the fact that rubber is going down and we are facing adverse conditions.

He referred again, to the question of the \$300,000 to be used for the Merdeka celebrations, and he accused the Government or told the House in no uncertain manner that the Malays are becoming a minority race. Mr Speaker, Sir, we have come to ten years of our independence, and roughly three years since Malaysia, and I think it is time that the people from the Opposition, like the Honourable Member for Kelantan Hilir, should think more in terms as a Malaysian rather than that of a Malay, a Chinese, or an Indian—I mean, slowly we should do away

with all these thoughts and think more in terms of being a Malaysian. I would advocate that also for the Honourable Member for Sarawak, who is always talking of Sarawak for the Sarawakians—Mr Edmund Langgu, I think: sorry if I pronounce the name wrongly, it is not intentional (*Laughter*). Where will all this lead to? If I say, "Perak for the Perakians, Penang for the Penangites and that sort of thing", where do we go from there?

Tuan Ong Kee Hui (Sarawak): Sir, on a point of personal clarification. Does not the Honourable Assistant Minister think that, as Members for those States, we have some responsibilities to our constituents? (*Laughter*).

Dr Ng Kam Poh: Mr. Speaker, Sir, I do not even know what constituency he comes from (*Laughter*).

Tuan Ong Kee Hui: I did not say constituency; I said constituents—the whole of the people of Sarawak.

Dr Ng Kam Poh: Mr Speaker, Sir, I have also responsibility to my constituency, but I think as a Malaysian—I do not think as a Sarawakian, a Penangite or a Perakian

AN HONOURABLE MEMBER: or Telok Anson.

Dr Ng Kam Poh: or, Telok Anson (*Laughter*). That is what I am trying to tell him—think as a Malaysian. I hope I have heard the last of these things—Sarawakians for Sarawak, Sabahans for Sabah and that sort of thing. Let us not be so parochial or provincial. Let us think as Malaysians. Fair enough, you may be proud of the State you come from, but not to that extent.

Last but not least, Mr Speaker, Sir, I do not think I have any more to say except to thank you very much for bearing with me for so long (*Laughter*) and with this I end my speech (*Laughter*). (*Applause*).

Question put, and agreed to.

Bill accordingly read a second time.

Mr Speaker: The sitting is suspended for 15 minutes.

Sitting suspended at 5.25 p.m.

Sitting resumed at 5.40 p.m.

(Mr Speaker in the Chair)

House immediately resolved itself into a Committee of Supply.

(Mr Speaker in the Chair)

SCHEDULE

Heads S. 1, S. 4, S. 7, S. 9, S. 15, S. 20, S. 39, S. 40 dan S. 42—

Dato' Engku Muhsein bin Abdul Kadir: Tuan Pengerusi, dengan izin tuan, saya mohon supaya:

S. 1—Parliament	\$135,125
S. 4—Surohanjaya Pilehanraya	316,141
S. 7—Perdana Menteri	338,458
S. 9—Pejabat Perjawatan Malaysia	10
S. 15—Muzium	10
S. 20—Kementerian Luar Negeri	505,619
S. 39—Kementerian Penerangan dan Penyiaran	28,070
S. 40—Radio	75,000
S. 42—Penerangan	144,160

di-luluskan.

Oleh kerana perkara² yang berkenaan ini telah di-bahathkan dengan panjang lebar dalam bacaan kedua, maka tidak-lah saya memanjangkan chakapan hanya merojokkan perkara ini kepada Command Paper Nombor 30 dan 31 yang Ahli² sakalian dapat mengikutinya.

Tuan Pengerusi, saya mengusulkan.

Tuan Haji Mohamed Yusof bin Mahmud (Temerloh): Tuan Pengerusi, saya hendak berchakap dalam S. 4 berkenaan dengan wang sa-banyak \$313,074 kerana perbelanjaan pilehanraya umum Dewan Ra'ayat dan Dewan Negeri (Sabah).

Saya puji-lah kecekapan pegawai² pilehanraya yang menjalankan pilehanraya di-Sabah dengan perbelanjaan

yang bagitu tersekat. Pada pengalaman saya, kerana saya telah berpeluang berada di-negeri Sabah dalam pilehanraya ini, banyak perkara² yang telah terjadi yang telah dapat saya pastikan. Saya chuba hendak memberi sedikit fikiran supaya perkara² ini tidak berbangkit dalam pilehanraya² yang akan datang terutama sa-kali pilehanraya negeri Sarawak.

Apa yang terjadi dalam pilehanraya Sabah, Tuan Pengerusi, ia-itu pertamanya ada ra'ayat² luar negeri yang chuba, atau chuba mengambil bahagian yang penting menyebelahi parti² yang mengambil bahagian dalam pilehanraya itu. Jadi, perkara ini telah di-sampaikan kepada Returning Officer, atau Pegawai Pilehanraya Tempatan, tetapi sampai sekarang saya tidak tahu-lah apa tindakan yang telah di-ambil. Jadi supaya perkara ini tidak terjadi pada pilehanraya yang ka-hadapan, ia-itu pegawai pilehanraya mesti-lah cekap dan chergas mengambil tindakan tegas terutama sa-kali ra'ayat² luar negeri mengambil bahagian yang chergas dalam pilehanraya menyebelahi parti² yang bertanding dalam pilehanraya itu. Di-sini saya bagi mithalan ia-itu sa-orang General Manager Estate Melalap di-mana beliau sengaja, kerana tidak suka pada satu parti ia-itu chuba menakut²kan orang² yang dalam estate itu supaya jangan mengundi, atau pun dapat mempengaruhi pekerja² mereka supaya jangan sokong parti² yang mereka tidak suka. Kejadian samacham ini telah terjadi, ia-itu satu daripada pekerja² dalam estate itu yang chuba mempengaruhi pekerja² lain untuk menyokong satu parti dan didapati oleh manager ini (sa-orang yang berkulit puteh), maka dengan sertamerta orang² ini telah di-keluarkan daripada estate itu dengan di-berhentikan kerja-nya. Perkara ini telah saya bawa kepada ma'aluman Returning Officer di-daerah itu dan manager ini telah mendapat tahu hal ini maka dengan sertamerta dia keluar daripada negeri Sabah. Jadi saya harap perkara yang sa-macham ini jikalau terjadi lagi, orang² yang sa-macham ini jangan di-benarkan datang balek ka-negeri Malaysia ini.

Yang kedua, kejadian² ada terjadi yang mana ada pegawai² yang tertentu menjaga keamanan yang menyebelahi kepada parti² juga. Jadi saya harap Returning Officer bila menentukan menjaga polling station, menjaga kawasan² untok hendak memberi penerangan, supaya meneliti ada-kah pegawai² yang menjaga keamanan itu terlibat dalam mana² parti. Kita mahu mengadakan penjaga² atau pengawal² dalam pilihanraya yang 'adil dan tidak menyebelahi kepada satu² parti yang lain. Kejadian ini banyak telah terjadi bagaimana saya telah mengalami sendiri dan saya telah memberitahu kepada Returning Officer di-daerah itu. Jadi saya tidak hendak berchakap panjang dalam perkara ini, saya berharap dapat perhatian terutama sa-kali daripada pegawai² pilihanraya supaya pegawai tertentu negeri itu mengambil tindakan.

Pada masa hadapan untok mengadakan pilihanraya supaya tidak ada pegawai² keamanan menyebelahi mana² parti hendak-lah di-tentukan yang pegawai² itu betul² tidak menyebelahi. Jika dia tidak boleh menchari pegawai² yang tertentu, boleh-lah dia berunding dengan Kerajaan Pusat mengambil pegawai² keamanan daripada negeri ini menjaga keamanan di-tempat itu.

Jadi, lagi satu yang sangat menyedehkan saya ia-lah kejadian² yang mana Returning Officer ini tidak dapat mengawas pegawai² yang di-letakkan di-dalam polling² station, atau pun pegawai² yang menjaga di-tempat² mengundi, di-dapati kebanyakan pegawai² dalam itu ada-lah menyebelahi kepada parti². Ada kejadian² di-mana saya sendiri melihat dan mengalami, ia-itu pengundi² masuk dengan membawa kertas nombor untok menchari nombor mengundi dalam bilangan daftar itu, dengan sebab pegawai ini menyebelahi pada satu parti yang dia mengerti yang orang yang masuk mengundi itu parti lain dia kata, "nama tuan tidak ada di-sini". Maka orang itu pun keluar balek berjumpa saya, saya bawa dia balek, saya kata: "Ada nama orang itu di-sini". Jadi, ini pun saya adukan kepada Returning Officer,

tetapi saya tidak tahu apa yang telah terjadi.

Jadi saya harap kerana kita akan mengadakan pilihanraya di-negeri Sarawak nanti kejadian² ini 'akan timbul, maka tentu-lah tidak akan memberi puas hati kepada mereka² yang bertanding dalam pilihanraya itu.

Bagitu juga untok menentukan kawasan tempat mengundi, patut-lah pegawai² pilihanraya ini mengambil orang tengah atau pun mendapat ketentuan daripada wakil² parti yang bertanding di-tempat itu menentukan kawasan yang tidak boleh canvassing, tidak boleh memujuk pengundi dalam kawasan itu. Pegawai² ini tidak berpegang keras ia-itu 200 ela daripada polling station jauh-nya. Pada hal sa-tengah tempat itu, Tuan Pengerusi, polling station itu ia-lah tengah² bandar atau pun sa-tengah tempat itu jauh daripada orang ramai yang tidak patut sangat sampai 200 ela jauh-nya yang di-tetapkan tempat yang tidak boleh memujuk pengundi. Ini pun rasa saya dapat pegawai pilihanraya ini berunding dengan parti² yang bertanding bagaimana hendak menetapkan kawasan² yang tidak boleh memujuk pengundi² ini. Jadi, ini-lah tiga empat perkara rasa saya, Tuan Pengerusi, dapat timbangkan pada masa hadapan ia-itu Penyelia² Pilihanraya memikirkan kerana saya tahu perkara ini telah terchatet dan telah di-beritahu kepada Pegawai² Pilihanraya Daerah yang saya ada pula pada masa itu dan saya perchaya ini ada-lah di-dalam chatetan² daripada pejabat itu dan saya harap perkara ini tidak akan timbul lagi di-masa pilihanraya ka-hadapan. Saya tahu kita akan mengadakan pilihanraya di-Sarawak nanti.

Terima kaseh.

Tuan Hanafi bin Mohd. Yunus (Kulim Utara): Tuan Pengerusi, saya berchakap dalam Head S. 23, Pechahan-kepala (Baharu) 40.

Tuan Pengerusi, sa-bentar tadi kita dengar di-dalam Dewan ini ia-itu sa-orang Ahli daripada Parti P.M.I.P. telah menerangkan yang peruntokan

\$300,000 ini untuk menyambut perayaan merdeka ini ia-lah membazirkan wang dan beliau itu berchadang supaya hari perayaan ini menjadi satu hari perkabongan orang² Melayu.

Dato' Pengerusi, pada fikiran saya \$300,000 ini tidak-lah menchukupi, maka dengan sebab itu-lah di-dalam ucapan Yang Teramat Mulia Tunku Perdana Menteri telah menerangkan tidak menchukupi wang \$300,000 ini dan di-minta derma² daripada hartawan² dan dermawan² sa-hingga peruntokan ini di-anggarkan sa-banyak satu million ringgit atau pun \$1 juta.

Dato' Pengerusi, sa-bagaimana fikiran yang telah di-keuarkan oleh Yang Berhormat wakil daripada PAS tadi, saya perchaya-lah barangkali tidak sa-orang pun Ahli² Yang Berhormat di-dalam Dewan ini yang bersimpati dengan fikiran beliau itu. Dan saya harap-lah Ahli² Yang Berhormat dalam Dewan ini menganggapkan yang beliau itu sudah rosak otak-nya.

Dato' Pengerusi, lagi saya berchakap dalam Head 25 ia-itu Royal Customs, atau pun Kastam di-Raja. Apa yang saya hendak chakap di-sini, Dato' Pengerusi, saya minta-lah

Mr Chairman: Kepala S. 25 tidak ada tersebut.

Tuan Hanafi bin Mohd. Yunus: Baik, terima kaseh tuan.

Tuan Ahmad bin Arshad: Saya berchakap pendek sahaja. Dalam Kepala 7, pechahan-kepala kechil 57, ia-itu pertandingan berzanji perengkat kebangsaan dan juga perbelanjaan menterjemah tafsiran Quran. Saya chuma hendak membantah sungutan yang di-buat oleh Ahli Yang Berhormat daripada Bachok atas kedua² perkara yang telah di-laksanakan oleh Kerajaan. Dalam pertandingan berzanji ini, saya chuma hendak memberi satu pendapat supaya kalau boleh di-luaskan lagi sa-lain daripada berzanji di-champorkan marhaban. Sebab, berzanji dengan marhaban itu ada hubungan dalam kitab itu.

Jadi, tiap² sa-orang yang masok serta berzanji itu di-minta dia membacha marhaban 2 atau 3 rangkap. Dengan ini sempurna-lah kata berzanji dan marhaban yang di-buat oleh masharakat Islam di-seluruh tanah ayer kita.

Yang kedua, berhubong dengan tafsiran Quran. Saya berharap tafsiran Quran ini dan saya minta penjelasan apa-kah di-tulis dalam tulisan jawi atau pun

Mr Chairman: Saya suka hendak mengingatkan, kita dalam jawatan-kuasa, jadi kita berkenaan dengan wang ini, ada chukup-kah, tidak-kah? Itu sahaja.

Tuan Ahmad bin Arshad: Jadi, wang yang di-kehendaki bagi tafsiran Quran, Dato' Yang di-Pertua \$20,000

Mr Chairman: Kalau perkara² macham itu, tegoran² macham itu bukan di-sini tempat-nya.

Tuan Ahmad bin Arshad: Chuma saya hendak minta penjelasan tafsiran Quran ini di-buat dalam tulisan Jawi atau tulisan Rumi dengan wang yang di-untokkan sa-banyak ini? Jadi, itu sahaja-lah, Dato' Pengerusi, yang dapat saya berikan pandangan. Terima kaseh.

Tuan Mustapha bin Ahmad: Saya hendak berchakap sadikit sahaja.

Mr Chairman: Atas Kepala mana?

Tuan Mustapha bin Ahmad: Atas Kepala Perdana Menteri, peruntokan untuk perayaan tadi-lah ia-itu menyentoh kedudukan daripada wakil Kelantan Hilir, saya merasa amat dukachita-lah Ahli Yang Berhormat daripada sa-belah sana itu menudoh . . .

Mr Chairman: Ia, ada-kah fasal wang ini?

Tuan Mustapha bin Ahmad: Dia menudoh erti-nya dia menudoh "kurang otak" macham mana

Mr Chairman: Itu tidak boleh di-sentoh di-sini.

Tuan Mustapha bin Ahmad: Jadi, saya minta sahaja dia tarek balek.

Engku Muhsein bin Abdul Kadir:

Tuan Pengerusi, segala pandangan yang telah di-buat itu di-ambil ingatan. Berkenaan dengan tafsiran Quran itu ia-lah daripada asli-nya ia-itu daripada 'Arab kapada Melayu. Sekian.

Question put and agreed to.

The sums of \$135,125 for Head S. 1; \$316,141 for Head S. 4; \$338,458 for Head S. 7; \$10 for Head S. 9; \$10 for Head S. 15; \$505,619 for Head S. 20; \$28,070 for Head S. 39; \$75,000 for Head S. 40 and \$144,160 for Head S. 42 ordered to stand part of the Schedule.

*Head S. 12—***Engku Muhsein bin Abdul Kadir:**

Tuan Pengerusi saya mohon menchadangkan S. 12 peruntokan sa-banyak \$19,000 di-kemukakan menjadi sa-bahagian daripada Jadual.

Question put, and agreed to.

The sum of \$19,000 for Head S. 12 ordered to stand part of the Schedule.

Heads S. 13 and S. 58—

Tuan Khaw Kai-Boh: Mr Chairman, Sir, with your permission I would like to take Heads S. 13 and S. 58 together. Head S. 13 is in respect of the Ministry of Commerce and Industry and S. 58 in respect of the Ministry of Local Government and Housing.

Mr Chairman, Sir, as the details are already provided in the Command Paper, I will not take further time of this House.

Question put and agreed to.

The sum of \$218,596 for Head S. 13 and the sum of \$28,695 for Head S. 58 ordered to stand part of the Schedule.

Head S. 16—

Tuan Chen Wing Sum: Mr Chairman, Sir, I beg to move that a token sum of \$10 appearing under Head S. 16 Ministry of Defence, in the Supplementary Supply Bill, form part of the Schedule. Details are provided in Command Paper No. 31 of 1967. Sir, I beg to move.

Question put, and agreed to.

The sum of \$10 for Head S. 16 ordered to stand part of the Schedule.

Head S. 18—

Tuan Lee Siok Yew: Tuan Pengerusi, Tuan, saya mohon menchadangkan S. 18 sa-banyak \$594,341 menjadi sa-bahagian daripada Jadual.

Question put, and agreed to.

The sum of \$594,341 for Head S. 18 ordered to stand part of the Schedule.

Heads S. 22 to S. 25 and Heads S. 28 and S. 29—

Dr Ng Kam Poh: Mr Chairman, Sir, with your permission I would like to take Heads S. 22 to S. 29 together, as they cover the various departmental estimates that come within the portfolio of the Treasury, and I accordingly move that the following sums be approved:

Head S. 22—\$39,424.

Head S. 23—\$8,609,075.

Head S. 24—\$6,500,000.

Head S. 25—\$71,500.

Head S. 28—\$97,510.

Head S. 29—\$124,386.

Since all this expenditure is explained in Command Paper No. 31, I need not follow up with a speech. Sir, I beg to move.

Question put, and agreed to.

The sum of \$39,424 for Head S. 22, the sum of \$8,609,075 for Head S. 23, the sum of \$6,500,000 for Head S. 24, the sum of \$71,500 for Head S. 25, the sum of \$97,510 for Head S. 28 and the sum of \$124,386 for Head S. 29 ordered to stand part of the Schedule.

*Head S. 30—***Tuan Ibrahim bin Abdul Rahman:**

Tuan Pengerusi, saya menchadangkan ia-itu wang tambahan peruntokan berjumlah \$127,300 di-bawah Kepala S. 30 di-persetujukan. Keterangan yang lanjut ada-lah di-dalam Command Paper 31.

Tuan Mustapha bin Ahmad: Tuan Pengerusi, soalan peruntokan di-dalam

Kementerian Kesihatan ini berhubung dengan pemberian bantuan di-dalam Negeri Kelantan dan Trengganu, maka pendapatan orang itu, Tuan Pengerusi, masih ada lagi, penyakit² seperti kolera dan lain² lagi, merebak di-dalam negeri Kelantan, tetapi seperti di-kawasan umpama di-Tanah Merah, seperti kawasan yang luas, sa-orang doktor sahaja yang jaga di-kawasan itu, tidak sempat untuk menjaga keseluruhan-nya, sebab itu peruntokan sa-banyak ini sudah bagus-lah itu dan banyak-lah, patut juga di-tambah sa-orang doktor lagi di-kawasan itu. Itu sahaja yang saya minta.

Tuan Ibrahim bin Abdul Rahman: Tuan Pengerusi, peruntokan yang paling banyak sa-kali di-untokkan ialah di-negeri Kelantan. Dalam wang sa-banyak \$127,300 itu, \$70,000 di-untokkan pada Kelantan, oleh sebab banyak kerosakan.

Question put, and agreed to.

The sum of \$127,300 for Head S. 30 ordered to stand part of the Schedule.

Heads S. 33, 35 and 37—

Dr Ng Kam Poh: Mr Chairman, Sir, I beg to move that Heads S. 33, S. 35, S. 37, S. 39, S. 40

Mr Chairman: Heads S. 39 and S. 40 have already been approved.

Dr Ng Kam Poh: I am sorry, Sir. With your permission, I would like move that:

Head S. 33—\$136,174,

Head S. 35—\$56,000,

Head S. 37—\$550,540;

stand part of the Schedule.

Sir, I beg to move.

Question put, and agreed to.

The sum of \$136,174 for Head S. 33, the sum of \$56,000 for Head S. 35 and the sum of \$550,540 for Head S. 37 ordered to stand part of the Schedule.

Head S. 44—

Tuan Haji Abdul-Rahman bin Ya'kub: Tuan Pengerusi, saya mohon

menchadangkan supaya peruntokan tambahan sa-banyak \$26,570 di-bawah Kepala S. 44 di-jadikan sa-bahagian daripada Jadual. Keterangan yang lanjut ada tersebut di-muka 28 dalam Command Paper 31.

Question put, and agreed to.

The sum of \$26,570 for Head S. 44 ordered to stand part of the Schedule.

Heads S. 47 and S. 48—

Tuan Lee San Choon: Mr Chairman, Sir, with your permission I would like to take Heads S. 47 and S. 48 together. I beg to move that the provisions amounting to \$279,842 under Head S. 47 and Head S. 48 for the Ministry of Labour under the Supplementary Estimates before the House stand part of the Schedule.

The necessity for these provisions is adequately explained in the Treasury Memorandum, Command Paper No. 31 of 1967.

Tuan Mustapha bin Ahmad: Saya berchakap sedikit dalam S. 47—Ministry of Labour. Ada peruntokan sa-banyak \$819,448 dan peruntokan itu ada-lah di-beri untuk menjaga keselamatan pekerja² ketika pekerja² itu bekerja di-dalam factory dan lain² lagi. Sa-lain daripada tempat itu, Tuan Pengerusi, patut-lah pehak Kementerian ini juga mengambil berat, terutama di-dalam pembalakan dan lain² yang sekarang ini terjadi yang patah kaki, jatuh kena kayu, jatuh di-jalan dan lain² lagi, tetapi sampai hari ini nampak-nya Kementerian ini walau pun peruntokan untuk menjaga itu tak pernah mengambil berat dalam soal ini. Jadi saya merayu-lah pada Tuan Pengerusi untuk menyampaikan kepada pehak Menteri Buroh supaya mengambil perhatian dalam soal ini, tidak hanya di-batasi penjagaan kepada buroh² itu, itu hanya dalam perusahaan² sahaja, tetapi di-perluaskan kepada pekerja² lain walau pun sifat-nya unskilled labour, sebab itu saya minta-lah perhatian peruntokan sa-banyak ini supaya meluaskan lagi usaha² penjagaan kepada buroh itu.

Tuan Lee San Choon: Tuan Pengerusi, pegawai² dalam Kementerian saya selalu mengambil perhatian dalam tiap² cases accident, dalam factory atau lain² sharikat. Jikalau Ahli Yang Berhormat ada case yang specific, boleh bawa ka-Kementerian saya dan kita akan mengambil tindakan.

Tuan Haji Mohamed Yusof bin Mahmud: Saya hendak berchakap juga berkenaan S. 47

Tuan Pengerusi: Hendak berchakap lagi-kah, lepas Menteri sudah bagi jawab tidak boleh lagi-lah.

Tuan Haji Mohamed Yusof bin Mahmud: Saya berdiri, tetapi, Tuan Pengerusi tidak nampak pada saya.

Tuan Pengerusi: Boleh-lah sedikit sahaja.

Tuan Haji Mohamed Yusof bin Mahmud: Terima kaseh, Tuan Pengerusi, sebab saya fikir penting perkara ini, Tuan Pengerusi, kerana kita ada meranchangkan menghantar buroh² ka-Negeri Sabah. Jadi pada masa lawatan saya ka-Sabah, mereka² ini telah berjumpa dengan saya atas kesulitan² yang di-alami oleh buroh² yang kita hantar ka-Sabah ia-itu mereka² itu kebanyakan ada di-hantar ka-estate². Dalam estate² itu pekerjaan-nya tidak-lah di-tetapkan gaji-nya bulan² mengikut pendapatan, kerja yang di-buat hari². Apa yang telah jadi, Tuan Pengerusi, kemungkinan di-negeri itu ada 15 hari hujan dalam satu bulan, maka pendapatan mereka itu tidak-lah dapat \$3 sa-hari. Dengan sebab itu mereka sangat kesulitan kerana barang² makanan di-negeri Sabah terlampau tinggi. Jadi inilah mereka minta sampaikan kepada Dewan ini supaya menimbangkan sabagaimana janji asal, ia-itu kalau mereka ini tidak mendapat \$3 satu hari, atau pun sa-bulan sa-banyak \$90, maka jika pendapatan mereka itu \$50 sahaja pada bulan itu, yang \$40 itu di-minta Kerajaan menambah supaya mereka dapat hidup. Ini-lah yang saya fikir penting, Tuan Pengerusi, untok saya berchakap dalam S. 47 itu.

Jadi, saya harap kita menghantar buroh² ini dengan ingatan supaya

mereka mendapat pendapatan yang normal dan boleh membuat pekerjaan yang kekal, dan ini-lah yang telah terjadi di-negeri Sabah, Tuan Pengerusi. Jadi, saya harap bila kita menghantar mereka² ini, kita ikut di-belakang menilek bagaimana-kah mereka² ini, ada-kah mereka itu senang, atau pun ada-kah mereka itu lebeh susah daripada mereka dudok dalam negeri ini. Jadi saya harap Kementerian Buroh mengambil perhatian berat dalam perkara ini, sebab saya sendiri telah pergi berjumpa dengan mereka itu dan mereka telah menyampaikan rayuan² ini. Mereka juga kata mereka telah menghantar rayuan² melalui manager² estate mereka kapada Kementerian Buroh, tetapi tidak mendapat layanan kata-nya. Wallah hu a'lam, saya tidak tahu, ada-kah surat mereka tiba ka-Kementerian Buroh atau tidak, saya tidak mengerti, tetapi sunggoh pun begitu, saya berharap mereka yang ada sekarang kita siasat ada-kah bagaimana tujuan asal kita supaya buroh ini senang mendapat pendapatan baik.

Yang kedua, pada masa hadapan kita memberi jaminan yang mereka itu akan dapat selamat dan pendapatan yang baik di-negeri tempat yang mereka pergi itu.

Tuan Lee San Choon: Tuan Pengerusi, Kementerian kita tidak sedar ada cases begitu dan juga kaki-tangan Kementerian kita selalu ada pergi melawat ka-peladang² di-Sabah mana kita hantar pekerja² dari West Malaysia ini. Jika ada cases begitu atau ada kirim surat kita tidak jawab boleh saya minta tolong Ahli Yang Berhormat dari Temerloh bawa ka-perhatian kita dan kita akan ambil tindakan yang sesuai.

Tuan Haji Mohamed Yusof bin Mahmud: Saya akan berjumpa.

Question put, and agreed to.

The sums of \$264,192 for Head S. 47 and the sum of \$15,650 for Head S. 48 ordered to stand part of the Schedule.

Heads S. 63 to S. 66 and S. 71—

The Minister of Transport (Tan Sri Haji Sardon bin Haji Jubir): Tuan

Pengerusi, dengan izin Tuan, saya menchadangkan:

Kepala S. 63—Kementerian Pengangkutan	\$ 2,261
Kepala S. 64—Penerbangan 'Awam	14,454
Kepala S. 65—Penerbangan 'Awam dan Perkhidmatan Kajichuacha— Malaysia Timor	486,586
Kepala S. 66—Perkhidmatan Kajichuacha	22,140
Kepala S. 71—Kementerian Kerja Raya, Pos dan Talikom	24,408

menjadi sa-bahagian daripada Jadual. Keterangan² ada di-Command Paper No. 31 muka 30, 31 dan 32.

Tuan Mustapha bin Ahmad: Saya suka juga berchakap dalam S. 63 ini—Kementerian Pengangkutan. Di-sini ada satu peruntokan yang di-minta kerana established Research and Planning Division of the Ministry of Transport. Saya tidak tahu-lah bahagian mana-kah bahagian planning yang di-kehendaki dalam Kementerian Pengangkutan untok mengator bagaimana kedudukan kapal terbang dengan keretapi tidak berlaga-kah, tetapi apa yang kita tahu kalau-lah umpama-nya satu jawatan baharu sudah di-buat dalam Kementerian ini mengenaï planning bahagian transport, saya harap tidak hanya di-batasi untok menyelideki hanya perjalanan keretapi, perjalanan kapal terbang, begitu juga patut di-baik perjalanan motokar, perjalanan bas dan lain² lagi sa-hingga kedudukan motokar dengan bas tidak berbalah.

Timbul-nya masaalah ini bagini. Dalam Jawatan-kuasa Pelesenan Negeri—saya juga salah sa-orang Ahli Jawatan-kuasa negeri Kelantan—kalau perkara itu di-bawa dalam meshuarat selalu kerana tidak ada nasihat daripada planning ini berbath di-antara pegawai bas yang ada kelulusan di-situ dengan lesen² baharu yang kita hendak beri kepada teksi². Akibat daripada itu perjalanan-nya selalu terganggu dan tidak pernah kita mendapat satu arahan, atau pun nasihat tertentu, yang khas yang menjadi pegangan kerja² kita. Sebab itu, saya harap satu badan baharu yang di-tubuhkan ini kerja-nya biar luas yang meliputi semua sa-kali sampai kepada jalan besar, jalan atas, jalan bawah.

Mengenaï Civil Aviation saya tengok di-sini ada peruntokan khas juga yang di-minta untok bayaran sewa tanah.

Apa-kah Kerajaan patut membayar sahaja harga tanah itu. Jangan sewa² sahaja. Jadi, kalau sa-kira-nya sewa bagini, Tuan Pengerusi, tentu-lah terus-menerus kita akan sewa² sahaja.

Kalau Kerajaan beli sebab Kerajaan ada wang banyak, jikalau tidak ada wang kita berhutang lagi sampai \$800 juta pun tidak apa supaya hidup kita, negara kita, tidak sa-bagai pinjam² sahaja, sebab itu saya minta supaya tanah itu Kerajaan tambah lagi wang dan beli tanah itu semua.

Tuan Hanafi bin Mohd. Yunus (Kulim Utara): Tuan Pengerusi, saya hendak berchakap dalam Head 71 ia-itu berkenaan dengan Perkhidmatan Pos.

Tuan Pengerusi, dalam Perkhidmatan Pos ini dari satu masa ka-satu masa tidak-lah dapat kita nafikan, ia-itu segala pekerjaan-nya berjalan dengan baik, tetapi, Tuan Pengerusi, saya harap pehak Kementerian ini menyelideki dengan lebeh halus lagi. Ini berkenaan dengan surat² yang di-poskan oleh sa-tengah orang tidak dapat di-terima, bahkan register² yang di-poskan tidak sampai kepada 'alamat-nya.

Baharu² ini, Tuan Pengerusi, saya dapat aduan daripada sa-orang yang di-dalam kawasan saya yang ia telah mengirim dengan chara register ka-pejabat pos di-Kuala Lumpur ini; dalam surat yang di-registerkan itu bersama² surat beranak dan juga surat² berkenaan dengan Provident Fund yang mana di-hantar kepada anak-nya di-sini, tetapi malang-nya surat itu tidak sampai ka-tangan orang yang di-kirim-nya. Saya telah menasihatkan supaya di-hantar pertanyaan kepada Ketua Pejabat Pos, tetapi malang-nya di-dapati jawab tidak upaya hendak menchari kerana surat itu hilang.

Dan lagi satu, Tuan Pengerusi, telah kena saya sendiri. Saya telah mengirim satu Money Order yang berharga \$50 dari Kulim ka-Kuala Lumpur, malang-nya juga tidak dapat di-terima wang Money Order itu. Sa-sudah saya minta balek sa-hingga lebeh kurang dua bulan baru-lah dapat balek wang itu. Maka ini-lah saya harap supaya

pehak Kementerian ini mengawasi dan menyelideki di-mana-kah surat² ini dan bagaimana-kah surat² ini telah jatuh dan bochor.

Tan Sri Haji Sardon bin Haji Jubir: Tuan Pengerusi, saya ucapkan terima kasih kepada kedua Ahli Yang Berhormat. Berkenaan dengan penyelidekan itu satu pejabat yang baharu, bukan untok perjalanan, untok menyiasat dari segi perhubungan raya; kapal terbang, shipping atau perkapalan, keretapi dan jalan raya, maka tidaklah bertelagah. Jadi insha' Allah tentang chadangan² itu elok kita adakan polisi yang tertentu masa hadapan.

Yang kedua, berkenaan dengan pejabat pos ini tidak ada dalam permintaan ini, tetapi saya akan sampaikan-lah kepada Menteri yang bertanggung-jawab, kalau ada surat² hubongkan dengan beliau tentu akan di-siasat perkara itu. Terima kasih.

Question put, and agreed to.

The sum of \$2,261 for Head S. 63; the sum of \$14,454 for Head S. 64, the sum of \$486,586 for Head S. 65, the sum of \$22,140 for Head S. 66 and the sum of \$24,408 for Head S. 71 ordered to stand part of the Schedule.

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

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

ORDER OF BUSINESS

(Motion)

The Minister of Finance (Tun Tan Siew Sin): Mr Speaker, Sir, I beg to move,

That, in accordance with Standing Order 14 (2), the second and third readings of the Income Tax Bill, appearing as item No. 27 in the Order Paper for today, be considered immediately after the Supplementary Supply (1967) Bill.

The reason for this change, Sir, is that I shall be rather busy tomorrow and I would like to be able to take this Bill myself in the House.

The Minister of Lands and Mines (Tuan Abdul-Rahman bin Ya'kub): Sir, I beg to second the motion.

Question put, and agreed to.

Resolved,

That, in accordance with Standing Order 14 (2), the second and third readings of the Income Tax Bill, appearing as item No. 27 in the Order Paper for today, be considered immediately after the Supplementary Supply (1967) Bill.

THE INCOME TAX BILL

Second Reading

Tun Tan Siew Sin: Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to make provision for imposing a uniform income tax throughout Malaysia in place of the taxes imposed by the Income Tax Ordinance, 1956, of Sabah, the Inland Revenue Ordinance, 1960, of Sarawak, and the Income Tax Ordinance, 1947, of West Malaysia; for specifying rates and allowances in connection with the tax; for ascertaining chargeable income; for assessing, collecting and recovering tax; for the administrative care and management of the tax; and for incidental and related purposes", be read a second time.

Honourable Members are no doubt aware that the taxation of income in Malaysia is presently administered under the provisions of three separate Ordinances, viz.:

- (a) the Income Tax Ordinance, 1956, of Sabah;
- (b) the Inland Revenue Ordinance, 1960, of Sarawak: and
- (c) the Income Tax Ordinance, 1947, of West Malaysia.

Since these Ordinances are very different from one another, considerable technical and administrative difficulties have been encountered in using them as a tax collecting measure, and it was evident that the assessment of income tax on a component basis in the face of such difficulties could not be continued indefinitely.

On 15th June, 1967, a proposed Income Tax Bill was published in the *Government Gazette* to afford an opportunity to all interested parties to study it and make representations. I would like to take this opportunity to

thank all those who have communicated their views and observations on the Bill to the Treasury. These were given very careful consideration and whilst the Government has accepted many of the representations received it has necessarily but reluctantly been obliged to reject some of them in order to safeguard the revenue.

The Bill now before the House is the culmination of a considerable effort in time, thought and labour. It is a significant milestone in the income tax legislation of this country and is in keeping with the more enlightened fiscal policies of the most advanced countries, but without the numerous complexities and ambiguities extant in the legislation of many countries. Honourable Members will have observed that this Bill is characterized by a painstaking effort to spell out as much as possible the different permutations of any set of circumstances having a bearing on the incidence of the tax. I am sure that the Bill as drafted will be welcomed to the tax-paying public and their professional advisers.

Without going into too much detail, I propose to touch on some of the main features of the Bill. We will now have the world income scope of charge, i.e., a person other than an individual who is resident in Malaysia, or an individual who is ordinarily resident in Malaysia, will be charged to tax on his income arising anywhere in the world. Certain temporarily resident individuals and all non-resident persons will be charged to tax on income derived from Malaysia. It is a fundamental principle of income tax legislation which charges tax on a world income basis to have regard to the residential status of a taxpayer. With respect to persons who are not resident in Malaysia, only income derived from Malaysia is chargeable to tax, whereas for persons resident in Malaysia, the tax is on income wherever derived. It was, however, considered undesirable to subject to tax as well the non-Malaysian income of persons who are short-term residents of Malaysia, such as casual visitors, Colombo Plan

experts and employees on short-term contracts, since such persons are in most cases taxed in the countries from which they come, and if they are given relief for foreign tax paid, there would be little or no tax yield to Malaysian revenue. Moreover, to attempt to tax such individuals might act as a strong disincentive to persons, who might otherwise be willing to come to Malaysia under technical assistance programmes, or to persons without whose services the setting up of new industries in Malaysia might be rendered more difficult. The tax treatment of such persons in some developing countries is much more generous. Apart from this exception, every person resident or every individual ordinarily resident in Malaysia will be subject to tax on income wherever arising. The Bill spells out in detail the different circumstances in which an individual is to be regarded as ordinarily resident for the purposes of the world income scope of charge to tax. This scope of charge for persons ordinarily resident in Malaysia is intended to encourage the investment in Malaysia of Malaysian funds which might otherwise be invested abroad.

The income on which tax is calculated for a year of assessment will be that for the year immediately preceding that year of assessment, or in the case of a business, for an accounting year ending in the immediately preceding year. The commencement and cessation provisions of the Income Tax Ordinance of West Malaysia, the year of assessment to 30th June for persons other than companies in Sabah, and the current year basis of assessment for salaries tax and interest tax in Sarawak are abolished. This new basis of assessment normally referred to as the preceding year basis is easily understood and will no doubt be very acceptable to all taxpayers. With the adoption of the preceding year basis of assessment, it has become necessary to legislate for assessments to be made in advance of a year of assessment in order to safeguard revenue, for example, when a retiring employee is leaving the

country, and to ensure an even flow of revenue. No hardship or inconvenience whatsoever is anticipated since suitable payment arrangements can normally be made to the satisfaction of the taxpayer.

In consequence of the unification of the existing tax laws of the three components of Malaysia, persons having income from more than one component will be required to make only one return of all his income, instead of separate returns from each component as at present. The return will normally be made to the component in which the taxpayer normally resides. In the case of non-residents, the proposal is to require them to make their returns of income to the Kuala Lumpur office of the Inland Revenue Department.

There is to be a change in the treatment of losses suffered in a business, trade, profession or vocation. The Bill provides that a loss suffered in any year in a business may be set off against income from all sources for that year, but any loss not so set off may be deducted only from income from business sources in subsequent years and not from income from all sources. This limitation is designed to safeguard revenue and is not intended to discourage more active participation in commerce and industry. This measure of relief is reasonable without being over generous and compares favourably with that prevailing in most developing countries.

Appeals against assessments to the Board of Review in West Malaysia and Sabah and to the Commissioner of Inland Revenue in Sarawak will be discontinued with the appointment of Special Commissioners. The appointments will be made by the Yang di-Pertuan Agong and it is intended that at least one of any two Special Commissioners hearing an appeal should be a person with legal or judicial qualifications. Adequate safeguards for the interests of taxpayers are provided in the Bill through a right of appeal to the High Court and, if necessary, to the Federal Court. The

new procedure, it is hoped, will expedite the disposal of appeals against assessments to the mutual advantage of both the appellant and the Government.

Parents who prefer to educate their young children in schools outside Malaysia will no longer be allowed the double rate deduction which is available only in respect of children of over 16 years of age, who are educated outside Malaysia and Singapore. The rationale for this exclusion is that the Government is already providing adequate primary and secondary education in this country and if parents choose to send their children abroad for such education, they should not expect to receive any special assistance from the Government. I shall be moving an amendment to the Bill during the Committee Stage to allow a double rate deduction to a person residing in East Malaysia whose unmarried child is receiving full-time instruction at any university, college, school or other educational establishment in West Malaysia or in Singapore since the educational facilities in East Malaysia are not yet comparable with those of West Malaysia or of Singapore.

Honourable Members will have observed that the penalty provisions in this Bill in certain respects are more severe than those in the existing Ordinances. The justification for these enhanced penalties is that it is the duty of the Government to ensure that the income tax laws of the country are fully enforced in the interests of the general body of taxpayers who would otherwise have to bear a disproportionately heavier tax burden through no fault of their own. These penalties are necessary as a deterrent to would-be tax evaders or those who deliberately delay submission of returns of income or omit or understate their income. It is considered that the Government should not condone the sins of those who do not accept their obligations to the country. The honest taxpayer need have no qualms about these penal provisions since there is provision in the Bill to abate or remit the penalties

where circumstances warrant such abatement or remission.

In the face of persistent and widespread evasion or attempts at evasion of tax, and in view of the inadequacy and shortcomings of existing legislation to prevent avoidance of tax, it is considered necessary to give wider powers to the Department of Inland Revenue. Taking into consideration that there are approximately 213,500 individuals in Malaysia paying income tax out of a population of nearly 10 million and the average reported income of a businessman is only \$3,600 per annum, it should be obvious to all and sundry that evasion and avoidance of tax are manifestly rife in this country. These additional powers are, therefore, necessary and will be used with circumspection and fairness by the Inland Revenue Department. I am sure that every honest citizen will support the Government in its fight against tax evasion and the prevention of tax avoidance.

Countries having Double Taxation Agreements with us have been informed that with the coming into force of this Act, negotiations for fresh agreements will commence as soon as possible.

As I have stated earlier, representations received were very carefully considered by the Government. Some of the more important amendments to the Bill giving effect to the representations which have been accepted by the Government, are as follows:

(a) The 30% abatement of tax payable by an individual resident in East Malaysia in respect of chargeable income of not more than \$50,000 per annum will continue for the year of assessment 1968. It is considered that with the upward harmonisation of personal reliefs in East Malaysia with those in West Malaysia, and the aggregation of income in Sarawak, the withdrawal of such abatement might result in undue hardship to the smaller taxpayers in these two components.

(b) The proposal to tax bonus shares or debentures as an exercise to prevent tax avoidance, especially by controlled companies, has been dropped since it is considered preferable to encourage companies to plough back their profits into their businesses and not to distribute them by way of dividends. Moreover, where it is evident that the issue of bonus shares or debentures is not intended to plough back profits but is designed to distribute profits to shareholders, there is provision in the Bill to disregard the transaction and to treat it as a payment of dividend.

(c) In keeping with the Government's policy to encourage more industrialisation in Malaysia and the migration of labour to the less developed parts of the country, housing provided by employers for workers not in the clerical, administrative and managerial grades, will qualify for generous capital allowances. An initial allowance of 40% is proposed and this compares very favourably with the 10% initial allowance for industrial buildings or structures. It is hoped that the entrepreneur will take advantage of this very generous tax concession to provide accommodation or a better standard of accommodation for his labour force. I shall also be moving an amendment to the Bill to replace Schedule 3 with a new Schedule which will incorporate this proposal.

(d) The proposal to tax retiring gratuities, designed to prevent tax avoidance by the payment of substantial "golden handshakes" on the retirement of an employee, or the payment of gratuities on termination of employment whether or not a contract of employment subsists, has also been dropped. It is considered that considerable hardship could thereby be caused to a retiring employee who is at the end of

his working life, or who has been forced to leave his employment because of circumstances beyond his control, and is likely to have difficulty in finding other employment. Exemption from tax will now be granted in respect of gratuities payable on retirement on or after 55 years of age in the case of a male employee, and on or after 50 years of age in the case of a female employee, or on account of ill-health. In the case of other gratuities payable on the termination of employment, they will be spread over the period of the employment, subject to a maximum of 5 years.

- (e) Leave passages of employees, like expenses for medical or dental treatment, are specifically excluded from liability to tax. It is appreciated that whilst there might be some valid reasons for taxing leave passages, it is felt that taxing them might appear to be an act of discrimination against foreign capital which we wish to encourage.
- (f) The value of accommodation provided to an employee by or on behalf of his employer is taken to be the annual value of the premises as determined by the local rating authority, or in the absence of such a value, the economic rent of the premises, and in either case, a sum not exceeding 20% of the employee's gross remuneration for the year. It is considered that the proposed ceiling of 20% is more realistic than the present 10% because Government should not be subsidising the provision of palatial accommodation by employers who clearly have money to burn.
- (g) The proposed rate of disallowance of 10% in respect of premiums payable by a person carrying on the business of general insurance in Malaysia to a re-insurer outside Malaysia in computing the income of the Malaysian insurer, is reduced to

5%. The reason for the disallowance is that since the premiums are paid to an insurer outside Malaysia, no tax would be payable in Malaysia in respect of profits which the foreign re-insurer is expected to make. Whilst the Government is unable to accept the suggestion to delete the disallowance from the Bill, it is considered that there are adequate grounds for reducing the rate of disallowance to 5%.

- (h) With the growing importance of the timber industry, the initial allowance in respect of plant and machinery used for extracting timber, will be increased to 60%. This harmonises with the rate of initial allowance available to the tin mining industry in West Malaysia. In addition, the cost of constructing roads and buildings in forests in connection with the business of extracting timber from forests in Malaysia, can be written off over a period of ten years. This relief is similar to that available to the planting industry. The necessary amendment to give effect to these allowances will also be incorporated in the new Schedule 3 referred to earlier.

In conclusion, I would like to take this opportunity of repeating the amnesty for income tax evaders which I offered in this House in 1960. Recently there were suggestions both in Parliament and in the Press that another amnesty should be announced. It was said that there were many successful businessmen and capitalists who had been hoarding currency notes of large denominations which were the fruit of income tax evasion, and that if an amnesty were again offered, tax evaders would be able to bring out their cash hoards for the development of the country. We have given considerable thought to this suggestion and have come to the conclusion that in view of the 10th anniversary of Merdeka and with the coming into force of this unified income tax legislation for the whole of Malaysia, the time is perhaps

opportune to renew this offer. As in the previous amnesty, there will be a moratorium against the prosecution of those tax evaders who voluntarily disclose their past misdemeanours. However, on this occasion, the amnesty will be complete in that those who have evaded income tax including tin profits tax, turnover tax, payroll tax and estate duty and who come forward not later than 31st March, 1968, to make a voluntary and full disclosure of their past misdeeds, will not be prosecuted nor be required to make any commercial restitution. In other words, they need pay only the amount of the tax they have evaded without the penalties which but for this amnesty would normally be imposed on them.

As I have stated earlier, the penal provisions in this Bill have been enhanced. The current anti-evasion drive is producing the expected results and is steadily gaining momentum. It is, therefore, hoped that the tax delinquent will avail himself of this last opportunity to put his tax affairs in order and spare himself the many sleepless nights he would undoubtedly suffer before the Inland Revenue Department catches up with him.

Sir, I beg to move.

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

EXEMPTED BUSINESS

(Motion)

Tuan Tan Siew Sin: Mr Speaker, Sir, in order to give a bit more time for the debate, I beg to move the following motion:

That notwithstanding the motion moved just now by the Assistant Minister of Finance, and notwithstanding the provisions of Standing Order 12 (1), the House shall not adjourn today until 8.00 p.m. or the earlier completion of Government business set out in the Order Paper for today.

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

Question put, and agreed to.

Resolved,

That notwithstanding the motion moved just now by the Assistant Minister of Finance, and notwithstanding the provisions

of Standing Order 12 (1), the House shall not adjourn today until 8.00 p.m. or the earlier completion of Government business set out in the Order Paper for today.

Mr Speaker: The sitting is suspended for five minutes.

Sitting suspended at 6.55 p.m.

Sitting resumed at 7.00 p.m.

(Mr Speaker in the Chair)

Dr Tan Chee Khoon: Mr Speaker, Sir, the Honourable Minister of Finance in his introduction to this Income Tax Bill sought to dispel any clue that may descend on the humble taxpayer of this country, sought to impress on us in this House and through the press to the country that this Bill has been carefully thought of and much thought has gone into the writing of this Bill, it is not ambiguous, that the powers given to the Comptroller-General in particular are not too excessive, there is nothing to worry, the penalties are not too excessive, and in any case it should only concern the taxpayer evader, and he ended up by saying that the Government has been generous in offering incentives and the like to the taxpayers of this country.

Mr Speaker, Sir, I do hope that if the press publishes what I have to say, the people of this country will have a much clearer picture of the real intent of the Bill that the Minister seeks to bring before us today.

Mr Speaker, Sir, it is an axiom in law that you must say what you mean and you must also mean what you say. We know that legal draftsmanship is a specialized branch of law and at best is a very difficult job. This becomes more so, when the legal draftsman has to draft income tax laws. Here, the Legal Draftsman has to be like a Chess Grand Master, for he must be able to think about ten moves ahead of the person, who makes use of the legal loopholes to avoid tax. I wish to emphasise that a statute must be clear, precise and unambiguous. The courts and tribunals that will have to interpret and implement this Income Tax Bill—and Act when it is passed by both the Houses—cannot go beyond the words

of the statute to seek the intention of this Legislature. The speech and assurances of the Minister for Finance do not count in a court of law. It is what is stated in the statute that counts. For while it is in the province of the Legislature to enact statutes, it is the prerogative of the courts to construe and interpret them.

This has been emphasised by many legal luminaries and I quote from Halsbury's "Laws of England"—

“... if the words used in a statute are plain and unambiguous they must be applied as they stand whatever the real intention of the legislature”.

Further, here is another quotation from Halsbury's Laws :

“In the construction and interpretation of statutes it must be presumed that Parliament has been specially precise and careful in its choice of language, so that the rule that words are to be interpreted according to their ordinary and natural meaning carries special weight.

The dominant purpose in construing a statute is to ascertain the intention of the legislature as expressed in the statute itself, and if the words used in the statute are plain and unambiguous they must be applied as they stand, whatever the real intention of the legislature.”

If the words used in the statute are plain and unambiguous the court is bound to construe them in their ordinary sense and may not modify or bend their meaning simply to avoid absurdity, mischief or injustice.

Furthermore, the Minister of Finance knows full well that many Privy Council judgments have clearly indicated that the courts cannot read beyond what is written in the statutes in order to ascertain the intentions of the legislature.

Judged by what I have said, this Bill that we have before us today falls far short of what is expected of an important statute as the Income Tax Bill, for this Bill is a hasty, ill-worded, and ill-considered piece of legislation, which, if bulldozed through this House today may well have disastrous results for the thousands of taxpayers in this country. I know these are harsh words indeed and is a terrible indictment on those who are responsible for drafting this Bill. In the course of my

speech I shall try to justify my indictment. At this stage I shall quote but a few instances.

In Section 140 (1) it is stated, “the Comptroller-General, where he is of the opinion that any transaction has the direct or indirect effect of altering, relieving, evading or hindering the operation of this Act in any respect, may disregard or vary the transactions and make such adjustment as he thinks fit, etc.” Surely, no court of law has ever been empowered to vary a covenant, an agreement, or the disposition, unless it is expressly empowered by statute and no statute has ever given such a blanket power to vary any transaction. At most power has been given to the court, not individuals, to vary agreements, etc., for the benefit of the parties.

Another example of sloppy draftsmanship can be seen in Part I of the Bill, which deals with interpretation. Surely, the logical and sensible thing would be to gather in all the interpretations under this Part. But no, the Legal Draftsman must clutter other parts of the Bill with interpretations. Thus Part III, Section 18, has its own share of interpretation; Section 20 has the interpretation of basis years, and there are more definitions in Section 60 (10), Section 104 (6), Section 112 (6), and section 138 (5).

Section 76 (3) in the Draft Bill takes the cake. It reads :

“In this section ‘Ruler or Ruling Chief’ means—

- (a) the Yang di-Pertuan Agong; or
- (b) the Raja Permaisuri Agong; or
- (c) the Timbalan Yang di-Pertuan Agong or other Ruler exercising the functions of the Yang di-Pertuan Agong; or
- (d) a State Authority or any person exercising the functions of a State Authority; or any of the Ruling Chiefs.”

Now, Mr Speaker, Sir, does the Legal Draftsman originally want to tell us that the meaning of a Ruling Chief is a Ruling Chief. I do not know how that definition can ever be of any help to anyone. Fortunately, and happily, the Ruling Chiefs are properly defined in the Bill that we have before us. Apart from this sloppy arrangement of the

interpretation, there are also a whole heap of words and terms used that have not been interpreted, and I shall deal with them, when we come to the committee stage.

One important interpretation has been omitted from this Bill. I refer to the word "dividend" which has been defined in the proposed Bill that was printed in the Government *Gazette* on 15th June, 1967; but in view of the hue and cry raised by the capitalists in this country, I see the Minister of Finance has capitulated, and there is not a single definition of dividend minus the capitalization of profits or of bonus shares.

The Minister of Finance knows too well that bonus share is a legal device that benefits the absentee capitalists, who have share in this country. This legal evasion had been exploited to the full by foreign capitalists, and I suppose the Minister of Finance now hopes to rope in any evasion of dividends under the all embracing Section 140. We have heard him say in this House that under Section 140, the Comptroller of Income Tax has the power to vary a transaction. But why is there no definition of the all important word "dividend"? I shall be grateful for a clarification by the Minister. As we go along with the discussion of this Bill I shall point out further examples of faulty draftsmanship contained in this Bill.

All in all I am sure the courts will have a hilarious time in interpreting some of the terms and words used in this Bill.

Income Tax Commission: The Bill that we see before us is not a simple attempt to unify or codify the present legislation as the Minister would have us believe. There are major changes being introduced, the nature and import of which is not quite understood, I believe, even by most of the officials of the Department of Inland Revenue. If that is so, what hope have humble mortals like me, and several others like me in the House, to understand this Bill thoroughly before we pass it? And it is important that we the legislators should be quite sure of what we are

legislating today, so that thousands of law-abiding tax-payers should not suffer for our sins of omission or of commission.

The innovations of this Bill may well have far-reaching consequences both for individuals and companies and as such we should look at them carefully before we pass them. I wish to make the plea for an Income Tax Commission which is a permanent body that can receive representations from the public regarding taxation and make suggestions or changes in the income tax structure in this country to the Government.

I do know that the officials of the Department of Inland Revenue have been at work at this Bill for about two years, but the tax-payers of this country have been given only two months to study this Bill. That the Minister has brought this Bill to this House shows that he is aware of the need for change. If there is a body such as the Income Tax Commission, then it can be of immense help to the Minister. And we should be constantly reviewing our income tax structure in the light of experience gained, particularly, when we are embarking on a programme of industrialisation. Now, I do know that there are *ad hoc* pieces of legislation such as the Pioneer Status Bill, the coming Incentives Bill, etc., and from time to time on Budget Day, the Minister of Finance makes tax concessions or incentives, in order to attract industrialists from abroad to plough their capital and know-how into this country. But that is not enough as the income tax structure in this country should be under constant review by a permanent body like the Income Tax Commission that I have proposed. Most progressive countries have such a body and I commend it to the Minister of Finance. Such a body is not new in this country, but I am alarmed that it has been deliberately omitted in the Bill before us today.

In sub-section 3 of the old Act, there is a Malayan Board of Income Tax which, I quote—

"shall perform and exercise such duties and powers as are conferred upon it under the provisions of this Ordinance and shall,

in addition, consider and decide upon such matters arising out of the provisions of this Ordinance as may be referred to it by either the Government of the Federation of Malaya or the Government of the Colony of Singapore, or both such Governments or by the Comptroller-General”.

The Income Tax Commission that I have in mind is similar to the Malayan Board of Income Tax except that instead of receiving representations from only the Governments or the Comptroller-General, it should also receive representations from the general public as well.

The Malayan Board of Income Tax is an extremely useful set-up and the Minister of Finance must show very cogent reasons for obliterating it from the Bill that we see before us today. I shall be very grateful, if the Minister will give us an explanation on this matter in his reply.

Section 6 gives the Minister of Finance the power to vary the rates in Schedule I, if he is satisfied that it is the intention of Government to promote the introduction into the House of Representatives of a Bill to vary such rates as laid down in Schedule I, and as to every such order shall only be laid before the House of Representatives as soon as may be, after it has been made, this is literally putting the cart before the horse with a vengeance. Instead of coming to us first and seeking our permission to vary the rates in Schedule I, the Minister makes the variation first and makes use of this House as a “Rubber Stamp” to legalise his variation. This is literally one of the many examples of the tyranny of the executive that abound in this country, and is totally repugnant to the concept of democracy, as we understand it. Mr Speaker, Sir, furthermore, our forefathers, or—I shall say not our forefathers, for some of the *dramatis personae* of the event which I am going to quote are alive today and some are in this House today—our predecessors were very conscious of the tyranny of the executive, and they were in the forefront of the fight for democracy in this country then.

I shall quote from page 453 of the proceedings of the Federal Legislative

Council of the 21st November, 1950, which debated a motion on the Draft Estimates introduced by the then acting Financial Secretary. These included the new proposed scale of export duty on rubber and the Honourable Member, whom I shall call Mr X at this stage, but at a later stage I shall reveal his true identity, stood up like a knight in shining armour and charged at the tyranny of the executive—in this instance he labelled it “the democratic dictatorship of the Secretariat”.

I quote:

“It cannot be disputed,” said the Honourable Member Mr X, “that finance is one of the most essential functions of Government, and yet as has been shown by the recent action of this Government in the matter of the proposed new scale of export duty on rubber, this Council is so completely impotent even when it comes to a matter of raising from one source alone a figure which would be double, or even treble, the total estimated revenue from all sources. In other words, this Council is so powerless that it could not even be allowed to debate this subject. And we are supposed to be travelling on the high road to democracy! This Government must be thinking along the lines of some countries who talk of a ‘democratic dictatorship of the proletariat’. Here presumably we have a democratic dictatorship of the Secretariat”.

Then the Honourable Member Mr X went on to quote from. I have with me here, “The Laws and Orders” by Professor G. K. Allen, one time Professor of Jurisprudence in the University of Oxford. He also quoted from “The New Depotism” by Lord Hewart former Lord Chief Justice of England. He also quoted “Can Parliament Survive” by Christopher Hollis, a Conservative M.P.

After quoting from these three books he went on to say and I quote:

“If the above words are true of England, and we have the testimony of men who should know that they are, they must apply with even greater force to Malaya where we do not even have the facade of Parliamentary government. On top of all this, Government has seen fit to emphasise or underline our impotence by refusing to bring proposals varying existing rates of taxation before this Council, so that it will be clear to all the world that we do not even exercise nominal as distinct from real or actual control. If it is the intention of this Government to lead this country along the road to democracy and

responsible self-government, let them heed these words; let them heed the dangers that they are imperceptibly drifting into, and let them withdraw before it is too late."

At the conclusion of this speech, there was applause from the whole House for this courageous speech.

Mr Speaker, Sir, the speaker from whose speech I have quoted was one Mr Tan Siew Sin, a prominent backbencher then, and a firebrand of those days. He even had the label "socialist" tagged on to his name. Today, he sits in front of me as the Minister of Finance. Age may have mellowed him, but power has merely whetted his appetite for more power, so that today he seeks the very arbitrary power that he so eloquently railed against on that day of 21st November, 1950. More than that, in that Council he had warned against the inadequate safeguards in the Emergency Regulations, but when these were incorporated into the infamous Internal Security Act and the inadequate safeguards in the Emergency Regulations were taken away, as far as I can see, he did not raise a word of protest.

Time not only marches on for the Minister of Finance, but how times have changed for him. I have reminded him before, and I repeat it again today, that I shall continue to bring out skeletons from his cupboard to show that the Minister of today is vastly different from the backbencher of yesterday. And the Minister must know that we on this side of the House are capable of doing a little research to recall his past for him—and I hasten to add his glorious past.

It is incomprehensible to me how a person, who on 21st November, 1950, had railed at the dictatorship of the Secretariat, can today under the provisions of this Bill seek to invest the Comptroller-General with such extraordinary powers. The relevant provisions of this Bill empowering the Comptroller-General with dictatorial powers are:

Sections 77, 78, 79, 80, 81, 112 (3), 125, 129 and 140 that I have quoted before. These provisions literally give the Comptroller-General unprece-

ented powers—powers which even a court of law would never exercise and is tantamount to the deprivation of the right of the individual to what little freedom is left to him.

Before I go further, I wish to make it perfectly clear that when I refer to the person of the Comptroller-General, I do not—I repeat, I do not—refer to the present incumbent of that post. What I wish to touch on is the extraordinary and unprecedented powers that a person holding that post wields.

Mr Speaker, Sir, life in this country is complicated enough without having the Comptroller-General being invested with such vast powers to breath down and frighten the humble taxpayer out of his wits. Thus, there is the Internal Security Act under which there is no writ of *habeas corpus*, taking part in any demonstration is now a non-bailable offence; and now with the Comptroller-General breaking into his house to get evidence to tax evasion against him in the middle of the night, can we blame the humble and law-abiding taxpayer if he quickly comes to the conclusion that the end of the world is at hand?

Now, I do know that these extraordinary powers invested in the Comptroller-General had been debated before in 1960. Then the Emergency was on and it was feared that terrorists may well impersonate officers of the Department of Inland Revenue and not only rob but perhaps kill the taxpayer as well in his house. It is true that the Emergency is no longer with us today, but the taxpayer is faced with perhaps a greater menace—the wave of gangsterism and lawlessness that is now pervading this country. What guarantee is there that gangsters will not impersonate tax officers and so rob the taxpayer in his own home?

I do know that then the Minister of Finance had given an assurance that the tax officers would not enter any household after the hours of daylight, but the present Minister of Finance will not be with us *ad infinitum*. In fact, the probability that he may be unseated in 1969 is always there. If that happens

what guarantee is there that the extraordinary powers invested in the Comptroller-General will not be abused? Today we have a Comptroller-General who is mild looking, considerate and kind, with a sense of justice and we may be reasonably sure that he will not abuse the powers invested in him. But in a few years time he will retire or, as so often happens, he may be replaced overnight and what guarantee is there that his successor will not abuse such powers? One must also remember that all the powers invested in the Comptroller-General are in almost all cases delegated by him to his subordinates, and what guarantee is there for the humble taxpayer like me to be free from the tyranny of the tax officers?

Section 116 lists out the offence under "Obstruction of Officers". There was no such offence in the old Act, but now another Frankenstein has arisen.

Under section 116 (e), the poor taxpayer cannot even claim the Fifth Amendment that the Americans enjoy. He must answer any questions posed by the Comptroller-General, or an authorised officer, or else face the prospect of a fine not exceeding \$1,000 on conviction. This surely is a travesty of justice. In the United States of America, the Supreme Court has ruled that any evidence extracted from a person by a law enforcement officer in the absence of his lawyer is inadmissible in court. Here, if a person refuses to speak he is liable to a fine not exceeding \$1,000. Can one blame the thousands of poor and humble taxpayers, who are voiceless in this House today, that they think that the world is coming to an end? No, the answer to all these lies not in investing the Comptroller-General with such vast powers but in plugging up the legal loopholes wherever they exist. This is another example where the Legal Draftsman has failed in his duty. Instead of doing his work in plugging up the legal loopholes, he has cooked up the "sweeping-up" clause in section 4 (f) and in section 140.

Mr Speaker, Sir, I have mentioned before that the Legal Draftsman, particularly in this case, should be like a Chess Grandmaster. He should think perhaps ten moves ahead of the chap who wants to evade tax legally; but, instead of thinking ahead of the taxpayer in this country, he has merely sought for the Comptroller-General extraordinary and very vast powers that I have mentioned before.

Section 79 deals with the powers of the Comptroller-General to call for statements of bank accounts, etc., and corresponds to section 61 (A) of the old Act. But, significantly the last paragraph of section 61 (A) of the old Act, which reads "provided that no such notice may be given in respect of any period commencing prior to the 7th day of January, 1947", has been omitted. Is there anything sinister in this omission? I shall be grateful for a clarification of the significance of this overt omission by the Minister.

It is also significant that the powers granted under sections 78, 79, 80 and 81 have not been invested in the Anti-Corruption Agency. If the Minister of Justice is sincere in his protestation of wanting to wipe out corruption in this country, then he should take a leaf out of the book of his colleague, the Minister of Finance, and invest the Director of the Anti-Corruption Agency with such powers as contained in sections 78, 79, 80 and 81.

To conclude my observations on the extraordinary power invested in the Comptroller-General, let me reiterate that I do understand perfectly well the intention of Government to do so, but I doubt if it is the intention of this House to do so. If it is not the intention of this House to do so, then one must provide checks and counter-checks to the dictatorial powers that are being invested in the Comptroller-General and see that such powers are not abused by him. Power corrupts, absolute power corrupts absolutely—this applies more so to the Comptroller-General who now has absolute powers.

Special Commissioners—

The Minister in his introduction on Special Commissioners dwelt very briefly on it and stated that there were adequate safeguards, but the powers of the Special Commissioners as contained in Section 98 (1) and (2) are extraordinary. In the draft Bill, it was a terrible piece of legislation and shows the legal draftsmanship at its worst. The only difference between the draft Bill or what the Minister would call the "proposed Bill", and the Bill before us today, is the insertion of the appointment of the Special Commissioners by the Yang di-Pertuan Agong—Section 98 (2) and (3) (a).

The Bill before us today is a vast improvement on the proposed Bill. With the introduction of the Special Commissioners, all the cards are stacked against the would-be appellant. The dice is all loaded against him and all the aces are up the sleeves of the Comptroller-General. Thus, in asking for an extension of time for appeal, the decision of one of the Special Commissioners is sufficient to refuse such an application. Worse still, in Schedule 5, paragraph 25, it reads:

"If the Special Commissioners differ amongst themselves as to the decision to be given on any issue in an appeal, the deciding order shall contain a statement of the fact of their difference on that issue and the appeal shall be deemed to be dismissed as regards that issue."

Reduced in simple terms, it means that if one of the two Special Commissioners sitting in judgment decides that the appeal should be dismissed, the appellant has had it. Worse still, if one decides that the appeal should be dismissed and the other says that it should be upheld, then the appeal will be deemed to be dismissed. What a travesty of justice! If this House passes this paragraph without amendment, then all that I will say is that all of us, whether in this House or outside, should hang our heads in shame, for such a judgment is against all the tenets of justice.

Compare this with the old Act that I have with me here, where the Board of Review provides protection for the

appellant. Thus, in Section 25, Subsections (2), (3) and (4) of the old Act, the appellant has the right to object to one-third of the members of the Board of Review. Likewise, the Comptroller-General has the same right. This is as what it should be and gives the appellant the opportunity of a fair hearing.

Alas! under the Special Commissioners, he has not the ghost of a chance for if one of the two Special Commissioners sitting in judgment on him decides to dismiss his appeal, his fate is sealed. I repeat again that this is a travesty of justice and is unworthy of one who had been a knight in shining armour charging in the forefront of the fight against injustice in the colonial era. In the name of justice and the thousands of taxpayers of this country, I call on the Minister of Finance to remove paragraph 25 of Schedule 5 and replace it with a more equitable paragraph or clause.

But what is wrong with the old Board of Review? Why should it be replaced by the Special Commissioners? I believe that one of the main defects with the old Board of Review was the difficulty to get its members to sit on the cases that have been scheduled for hearing. If this is so, then the system is not at fault, but the members should be changed. However, if the Minister insists in removing the Board of Review, I wish to bring to his attention the practice that obtains in the United Kingdom. There you have two appeal boards:

- (a) Special Commissioners, who are full-time officers with legal and income tax or accountancy experience; and
- (b) General Commissioners who consist of local people much like the Board of Review under the old Act.

The appellant can then decide to have his case heard before either of the two boards. I commend this proposal to the serious consideration of the Minister of Finance as a solution to a very bad piece of legislation in

Section 98 (1) and (2) and paragraph 25 of Schedule 5. Under those paragraphs of Schedule 5, it looks to me that the Minister of Finance or the Comptroller-General tells the would be appellant, "Heads I win, tails you lose, you lose in any case".

Personal Relief—There are three cases of personal relief, which I wish to bring to the attention of this House. The first refers to parents or dependants. The Minister of Finance knows full well that in the United Kingdom, where the taxpayer is far more heavily taxed, the law allows for personal relief for this category of persons. If that is the practice in the United Kingdom, then the need for this relief is all the more greater in this country. We, Asians, look after our parents and our dependants with greater care than those living in the West. That being so, why should not the taxpayer be allowed personal relief for this category of persons? I shall be grateful for an answer by the Minister of Finance.

The Minister also knows that in other countries, in Australia, for example, if you go and see a doctor and he charges you \$2 (Australian) you keep the receipt and you can claim income tax rebate; under the law that prevails here today we cannot claim income tax rebate of this nature.

The next plea that I wish to make is in respect of educational deductions for mature persons, who go for further studies abroad on their own steam and qualify there. This is a matter which is very close to my heart—and I hope it is also close to the heart of every Member of this House and I hope to get the support of those of us in this House, even if the Minister of Finance does not support it.

Government today gives pioneer status to companies to start industries. It proposes to give further tax incentives to other industrialists. But there are no tax incentives where individuals are concerned. Where individuals are concerned, Government has not bothered to encourage older or mature persons to pursue studies on their own abroad. Those who pursue the right

type of studies will benefit not only themselves but the country as a whole. What is more, they become a valuable asset to the country when they qualify without any cost to the Government. This is rather paradoxical, when you consider that Government encourages its own staff to undertake further studies in post-graduate courses abroad by way of full pay, transport and travelling allowances, subsistence allowances and even special private tuition in the case of some law students in London. But many students who are not fortunate enough to be selected, or who can never hope to be selected have to go on their own steam, often with borrowed money or with their own savings. Some of them are supported by their working wives. After they qualify, many if not most of them have to struggle during the first few years and their income, if any, is barely sufficient to support themselves, let alone pay off the accumulated debts during the course of their studies. One way Government can help such deserving cases will be to exempt them from paying income tax for the first few years after they have qualified and have started earning. Such an assistance will further remove an anomaly which exists at present. At the moment, the parents of those students over 16 years of age, who go abroad for higher studies obtain some relief provided for under Section 48 (3), but students who have no parents to support them but who go under their own get neither relief nor encouragement. Hence, I wish to make this proposal regarding income tax relief for mature students for the consideration of the Minister of Finance; and in the Committee stage, at the appropriate time, I shall propose an amendment to Schedule 3 after paragraph 51, to incorporate this proposal of mine.

Personal Relief for multiple wives—Mr Speaker, Sir, as with mature students, so the person with multiple wives does not get any further personal relief. Here I want to make it perfectly clear that both as a Christian and a humble tax-payer who finds it hard even to maintain one wife, I am not advocating that a person should have multiple

wives. Like the Minister of Finance, I agree that having multiple wives is a luxury that I myself cannot enjoy. But the Minister knows full well that there are many people in this country who have multiple wives. But, it does seem strange to one that whilst a person with multiple wives does not enjoy any personal relief for the extra wives he is penalised in that if all his wives are working then all their incomes are aggregated and, of course, he has to pay more. This is not cricket to me, but then one does not expect the officers of the Department of Inland Revenue to understand anything about cricket. But perhaps this is a subject which the P.M.I.P. and even those members of UMNO will pursue with greater vigour when their turn comes to speak.

Section 91 (1) empowers the Comptroller-General to make further assessments going back to twelve years. I do know that this move was fully debated in 1960, when it was first introduced. I feel that this power will encourage inefficiency on the part of the tax officers, as knowing that they have twelve years to work on they will K.I.V. most cases and then wake up when the twelve years are nearly up. As for the poor tax-payer, how on earth is he to remember events that have occurred twelve years ago? Most progressive countries adopt the upper limit of six years or seven years, and I shall be making this amendment when we come to the Committee stage. I feel that there is no necessity for this upper limit of twelve years as under 91 (2) the Comptroller-General may at any time make an assessment in respect of that person for any year of assessment for the purpose of making good any loss of tax attributable to the fraud, wilful default or negligence in question. If the Comptroller-General has this reserve power, why should he want to go back to twelve years to make extra assessment? It is my submission that this reserve power too should be limited to a six-year period. Debts are normally extinguishable after six years and so should be a debt owed to Government, especially if the Government is inefficient. But when it

comes to relief in respect of error or mistake, the poor tax-payer has only six years in which to make an application in writing to the Comptroller-General for relief as provided for in Section 131 (1).

Thus we can see once again how formidable an opponent the Comptroller-General is and how vast the powers he wields. Thus to be equitable either the tax-payer should have twelve years in which to lodge a claim for relief in respect of errors or mistakes and the Comptroller-General should be given six years to make extra assessments.

Severance Pay—The question of severance pay is a burning issue with hundreds, if not thousands of tax-payers. This is because with the withdrawal of British troops thousands of tax-payers will lose their employment. What little they will get by way of severance pay may well be swallowed up by the Comptroller-General of Income Tax. Why this category of tax-payers should be taxed on their severance pay, I fail to understand. When the expatriate officer left with his Malayanization Bounty, he was not taxed. Even now the expatriate officers both in the N.E.B. and in East Malaysia walk out with their bounty, it is tax free, and the sums involved run into tens of thousands for the individuals. Why, then, should the local tax-payers be taxed on their severance pay? Is it because that the local tax-payers are like prophets without honour in their own country, or that they are voiceless in this House?

Then, what about the trade union agreements concluded with employers which provide for severance pay? Why should such severance pay be taxed according to paragraph 15 (b) of Schedule 6?

Redeeming features—Mr Speaker, Sir, this Bill is not without its redeeming features though. Thus, income from whatever sources, and this includes income from abroad, is taxable. Despite the hue and cry raised by the *Straits Times* on behalf of the tiny minority of expatriates in this country,

I wish to congratulate the Government on this innovation.

Then parents, who send their children abroad below sixteen years of age for studies, do not now get twice the relief allowed for them as in the practice under the old Act. Again, I congratulate the Government on this measure for those who can afford to send their children abroad for their primary and secondary education can easily afford any extra burden that the Government may choose to heap on them.

The other innovation that I wish to congratulate the Government on is with regard to the double taxation, when one starts to earn. I must confess that I am a simpleton where this is concerned. Years ago, when I started to earn my living, my accountant spent hours patiently trying to explain to me this double taxation at the beginning of one's working life. I must confess that I have never understood it to this day.

Now, it is a great relief to me to see this simple definition of basis year laid down in section 20. But one thing I do know is that when I stop working and do not have any earned income, then I shall claim my income tax rebate at the end of my working life.

The Bill that we have before us is a Bill running into 206 pages. I can confidently say that there are very few persons, if any, in this country at this moment, who are brave enough to say that they have understood the full import of this Bill. If that is so, then it is all the more so with the thousands of taxpayers in this country, who have not seen this Bill, or even if they have the chance to read this Bill—I doubt if many of them can digest it.

It is thus important that the Department of Inland Revenue should prepare a booklet to explain all the implications of this Bill, where it concerns the ordinary tax-payers. This booklet should be written in simple non-technical language, so that it can be easily understood. It should also be written not only in the National Language and English but also in Chinese and Tamil and the Department of Inland Revenue

should enlist the help of the Department of Information, in order to get the message across. The Department of Inland Revenue should also enlist the aid of the three mass media in this country, namely the press, radio and television in order to get the message across to the simple tax-payer.

I think it would be true to say that most taxpayers in this country live in mortal fear of the officers of the Department of Inland Revenue. It would also be true to say that their hearts often miss a beat, when they receive a communication from the Department of Inland Revenue. The officers of the Department of Inland Revenue should try to change this picture image of themselves. They should try to gain the confidence of the thousands of taxpayers in this country, so that they can extract the income tax painlessly and efficiently and in a friendly manner.

It is no secret that the Bill that we have before us today has heavily borrowed from similar legislation in Australia and in the United Kingdom, particularly from the former. But even

Mr Speaker: How long will you be?

Dr Tan Chee Khoon: Another five minutes, Sir.

Mr Speaker: Another five minutes? Well, carry on.

Dr Tan Chee Khoon: But even in this matter of borrowing, the people responsible have quietly left out the reliefs that are provided in the two countries. I have already commented on the relief for parents and dependants and that one which they can obtain in the United Kingdom is absent in this Bill before us today. Then, whereas in the two countries mentioned there are adequate safeguards, when we borrowed from their legislation, the safeguards are again quietly dropped out.

One glaring example is seen in section 140 borrowed from Australia. In the Australian legislation, there is adequate safeguard provided, but in

the Bill before us today there are no safeguards in section 140 despite all that the Minister may say. I submit that when the Comptroller-General is of the opinion that you have done this or that wrongly, you have had it. There is no appeal against his opinion, however misguided it may be.

Mr Speaker, Sir, the proposed Bill was published in the *Government Gazette* on the 15th of June, 1967, but I myself did not see it until after the closing date for representations, i.e., on the 7th of July, 1967. I gather that only one memorandum was received on time. My friends in East Malaysia tell me that they received the proposed Bill late in July.

This Bill that we have before us today itself was laid on the Table of this House on the afternoon of Monday, 21st of August, 1967. As we can see, it is more than a quarter of an inch thick and runs into 206 pages. Not content with it, the Government has brought forth this amendment which is about one-sixth of an inch thick and has inflicted on us further amendments.

I maintain that the time given to us in this House and for the country at large to study this important Bill is all too short. It may well take the experts in income tax law more than six months to be able to understand the import of this Bill, and even then the experts may not fully comprehend this Bill. Speaking for myself, I must confess that I do not fully understand all the implications of this Bill. I need more time to do so.

Since Monday, when the Bill was tabled, I have been seeking the opinion of my colleagues in the Opposition on this side of the House, and I have their authority to say that they will fully support me, when I move a reference back of this Bill to a Select Committee. Hence, on behalf of the whole Opposition in this House, I give advance notice to the Minister of Finance that after this Bill has been read a second time, I shall move a motion to commit this Bill to a Select Committee. On this matter, the whole

Opposition is going to vote as one, and we hope that the Government will heed our voice and commit this Bill to a Select Committee. Thank you.

EXEMPTED BUSINESS

(MOTION)

Tun Tan Siew Sin: Mr Speaker, Sir, in view of the fact that the debate on this Bill is a bit longer than expected, I would like to move:

That notwithstanding the two motions agreed to by the House just now, and notwithstanding the provisions of Standing Order 12 (1), the House shall not adjourn until consideration of the Income Tax Bill, which is now before the House, has been completed.

The Minister of Labour (Tuan V. Manickavasagam): Sir, I beg to second the motion.

Dr Tan Chee Khoon: Mr Speaker, Sir, may I seek a clarification from the Honourable Minister whether it is the intention that this Bill should be passed by this House before it rises tonight?

Mr Speaker: It is a motion, and it is going to be put to the House—it is only a motion. I quite agree with the Minister, because the amount of work is voluminous. We have got now, I think, 27 Bills and two Motions, and we have a matter of ten hours, that is tomorrow and the day after: we must rise the day after. I think it is wise, provided the Members agree. I will put the question before the House.

Question put, and agreed to.

Resolved,

That notwithstanding the two motions agreed to by the House just now, and notwithstanding the provisions of Standing Order 12 (1), the House shall not adjourn until consideration of the Income Tax Bill, which is now before the House, has been completed.

Dr Tan Chee Khoon: Mr Speaker, Sir, I do appeal to the Honourable Minister of Finance. As he can see for himself in this House the Opposition is depleted, and those who have spent many long hours on this Bill have done so in the hope that they can speak tomorrow and if the

Mr Speaker: May I point out to the Honourable Member that there is a Speaker in this House, and instead of appealing to me, he is appealing to the Minister of Finance— what for? I am the one who makes the ruling here.

Dr Tan Chee Khoon: I withdraw that Mr Speaker, Sir—I do see the idea down there. I do appeal to you, Sir, as you can see that the House is almost empty on the Opposition benches.

Mr Speaker: I am not concerned with the attendance. If there is no quorum then we do not have a meeting. If there is a quorum we will have a meeting. That is all, and this motion has been agreed to.

Tuan Tan Toh Hong (Bukit Bintang): Mr Speaker, Sir, if people on this side of the House can wait the whole day to speak on this Bill, I do not see any reason why Opposition Members should not wait as well to speak on this Bill. In fact, it is their duty to be in this House. Why is it they are not here, Mr Speaker, Sir?

Mr Speaker: Well, we will have to carry on. You do not suppose I would like to carry on more than anybody else?

THE INCOME TAX BILL

Second Reading

Debate resumed.

Tuan Sim Boon Liang (Sarawak): Mr Speaker, Sir

Mr Speaker: How long will you take?

Tuan Sim Boon Liang: Ten to fifteen minutes, Sir.

Mr Speaker: If you speak as long as the Honourable Member for Batu again, there will be no end to it!

Tuan Sim Boon Liang: No, Sir. Mr Speaker, Sir, as you are no doubt aware, direct taxation was first introduced in Sarawak in 1961, and direct taxation in West Malaysia has

now attained the age of twenty-one years.

Taxation is something fairly new to the people of Sarawak and, in fact, they are still undergoing education in taxation. Sir, the proposed Income Tax Bill is to raise the level of income tax in East Malaysia to that of West Malaysia. If the proposed Bill is enacted, there will be a very substantial increase in taxation in Sarawak. This is contrary to paragraph 24 (1) of the Inter-Governmental Report.

Sir, Sarawak achieved independence only four years ago, unlike West Malaysia, which had ten years of independence. I would say that the circumstances, the conditions and the opportunities obtaining in Sarawak and in West Malaysia are quite far unequal—that is, the people of Sarawak are not able to enjoy the many developed amenities of West Malaysia such as roads, railways, television, free primary education, comprehensive system of education, low-cost housing in urban and rural areas which are assured. Why are these benefits not harmonised first? On one hand you are harmonising taxation, and on another hand you do not provide the people of Sarawak and Sabah with the kind of facilities you have in West Malaysia. Is this the way that the people of East Malaysia should be treated? It is all very well for the Ministers to say that they have done their best to help the East Malaysian States, but the people of the East Malaysian States expect them to do much better.

Sir, under this new Income Tax Bill we can see that the Honourable Minister of Finance is now stretching his hands towards the people of Sabah and Sarawak, in East Malaysia, in order to bring taxation of personal income to the level of West Malaysia through this new Bill. Computation of income tax under the new law, when it is passed, will be based on the earned income of the preceding year and not on the year as is presently practised. This means that on the year, when the law comes into effect, the taxpayer has to pay two years' tax in one year. Then, under the new law the

tax relief of \$5,000 due to a married man, made up of \$3,000 for himself and \$2,000 for his wife, under the present law, will be reduced to \$2,000 and 10 per cent of his earned income—the maximum of \$1,000 for himself and \$1,000 for his wife under the new law. Thus a married man with an income of \$6,000 per annum, who is paying income tax of \$37, under the present law, will have to pay \$95 under the new law—the margin of increase is horribly high. So, you see here, Sir, that by doing so, the Government is trying to get income taxation from people who can least afford to pay. It is inconsistent with the tax policy of most democratic countries of taxing people in accordance with one's ability to pay. Here, people who are most able to pay are not asked to pay more, whereas people who are unable to pay, who earn barely enough to feed their families, are asked to pay income tax and development tax. Sir, the new income tax will bear heavily on the low and the middle income groups, who form the majority in the two East Malaysian States.

Mr Speaker, Sir, at present, the cost of living in Sarawak is very high—higher than in West Malaysia. So, in this honourable House today I would like to make a plea to the Honourable Minister of Finance to give very careful consideration to his tax proposals, which will have very serious implications in respect of some of the tax proposals in their application to Sarawak. Sir, if possible, it is wise for the Honourable Minister of Finance to postpone the application to Sarawak and Sabah of the new taxation Bill, say, in another four or five years' time.

Sir, during the Indonesian confrontation, a number of new taxes were introduced, and the then existing ones were increased, the reason being that the Government needed money for defence to fight the confrontation. Sir, confrontation has been over for some time, but the taxes remain. In fact, the Government should now consider abolishing a number of the taxes which were imposed during confrontation, but instead of abolishing the taxes the Government is increasing taxes and

introducing new ones which add a great burden to the people of the two East Malaysian States. I remember that there are no trade licences in West Malaysia and the trade licence in Sabah will be abolished

Mr Speaker (to Clerk): Check quorum please.

(Division Bell rung; House counted; 26 Members present).

Tuan Sim Boon Liang: I remember, Sir, that there are no trade licences in West Malaysia and the trade licences in Sabah will be abolished as from January, 1968. Therefore, Sir, I urge the Honourable Minister of Finance to consider the question fairly and ask the Sarawak Government to abolish the trade licences the same as in Sabah. Mr Speaker, Sir, I would like to appeal again to the Honourable Minister of Finance to go slow in his harmonising programme in extending higher taxation to the two East Malaysian States so as to bring it to the level of West Malaysia through this new Income Tax Bill. This should be done in gradual stages and the steps should not be grossly disproportionate as stated in the I.G.C. Report, paragraph 24 (1). Sir, if the Bill is enacted at it stands, it will certainly cause even more hardship to the people, who are already suffering from very high cost of living in the two East Malaysian States, and a social injustice will be done to them—to them, Malaysia means higher taxation. Mr Speaker, Sir, I oppose the Bill.

Tuan Haji Ahmad bin Abdullah (Kelantan Hilir): Tuan Yang di-Pertua, saya mengambil bahagian sedikit didalam Bill Income Tax ini.

Tuan Yang di-Pertua, nampaknya Yang Berhormat Menteri Kewangan berebut² hendak meluluskan Bill yang sangat penting ini pada malam ini juga dengan tidak memberi peluang sedikit pun kepada anggota² daripada Parti Pembangkang untuk mengambil bahagian membahathkan Bill ini dengan sa-penoh-nya. Ini ada-lah satu perkara yang menyedehkan kerana kita tahu Bill yang ada di-hadapan ini akan mendatangkan bebanan dan keberatan

kewangan di-atas berpuluh² ribu, bahkan ratusan ribu, tax payers yang membayar cukai tiap² tahun di-dalam negeri ini. Ada-lah Bill ini di-bentangkan sa-bagaimana pengetahuan kita sakalian ia-lah pada bulan Jun yang dahulu, tetapi semenjak bulan Jun sehingga sampai sekarang banyak perubahan² yang telah di-masokkan ka-dalam Bill ini dan dengan yang demikian sangat-lah susah bagi anggota Dewan Ra'ayat ini, lebeh² lagi bagi mereka yang dudok di-sabelah Parti Pembangkang ini, untuk mengkajikan dengan sa-halus²-nya.

Saya merasa pelek dan hairan, kerana mengapa-kah peluang yang cukup tidak di-berikan kepada mereka supaya dapat mereka itu mengambil bahagian yang akan memberi faedah yang besar kepada pehak Kerajaan daripada criticism² dan point² yang akan di-keluarkan oleh mereka itu apabila mereka itu dapat peluang untuk membahatkan Bill ini. Maka itu-lah sebab-nya bagi saya menyokong penoh bagi chadangan yang telah di-keluarkan oleh wakil daripada Batu supaya Bill ini di-refer atau di-kembalikan kepada Select Committee, kerana yang demikian sahaja-lah maka dapat di-adakan satu Undang² yang dapat memuaskan sakalian pehak di-dalam negeri ini.

Tuan Yang di-Pertua, satu perkara yang pelek lagi ia-lah satu kuat-kuasa yang bagitu penoh telah di-minta dan akan di-berikan kepada Menteri Kewangan sa-bagaimana yang ada tersebut di-dalam Bill ini.

Mengikut dalam Bill ini, Menteri Kewangan ada mempunyai kuat-kuasa untuk menambah, mengurangkan rates of taxes mengikut kemahuan-nya apabila dia pandang mustahak dan 3 bulan kemudian daripada itu baharu-lah dia perlu mendapatkan approval, atau keputusan, atau pun persetujuan daripada Dewan Ra'ayat ini. Ini ada-lah satu perkara yang pelek. Kalau sa-kira-nya Menteri Yang Berhormat berkata bahawa kuat-kuasa tidak akan di-jalankan, kalau sa-kira-nya bagitu kerana apa-kah Yang Berhormat Menteri yang berkenaan meminta supaya

di-berikan kuat-kuasa ini kepada-nya. Demikian juga kuat-kuasa yang paling luas dan paling besar di-berikan kepada Comptroller-General yang dapat mengubah dan dapat mengenyepikan sakalian transaction mengikut kemahuan dia apabila dia pandang transaction itu boleh jadi akan mengurangkan rates of taxation, atau pun sa-orang itu membuat transaction dan dengan yang demikian kerana hendak mengelakkan diri-nya daripada membayar cukai.

Tuan Yang di-Pertua, di-dalam negeri yang demokrasi yang kita sekarang ini melaong²kan kepada dunia semua sama sa-kali kita mengamalkan demokrasi hendak-lah memberi peluang kepada sakalian ra'ayat jelata menghadapi atau pun mengemukakan apa² juga pandangan mereka itu lebeh² lagi dari segi perkara income tax ini, kerana dalam income tax beratus² ribu orang yang akan mengalami kesusahan dan kepahitan.

Saya tidak-lah akan mengambil bahagian yang panjang dalam perkara ini chuma saya membantah di-atas chadangan usul supaya Bill ini di-luluskan sa-masa ini juga dengan tidak memberi peluang kepada pehak Pembangkang yang lain untuk mengambil bahagian di-dalam perbahathan ini.

Tuan Tan Toh Hong: Mr Speaker, Sir, on this new Income Tax Bill I am glad to note that some highly complex provisions and commencements and concessions regarding the basis of assessment in the existing States of Malaya Income Tax Ordinance have been removed. In its place, a more simple method has been introduced and I am sure all accountants and all professional advisers would welcome this. I would like to congratulate the Honourable Minister on this.

Sir, the most significant change is that income now includes world income. This removes the present anomaly that the rich, who invest outside Malaysia, need not pay tax on such income earned, if it is not remitted back to Malaysia. This is indeed a right move to encourage our own

Malaysians to invest locally, thereby helping to generate local employment. This provision, Sir, disproves the unfair charges by the Honourable Member, Tuan Sim Boon Liang, who is not here now, that the Alliance Government favours only the rich capitalists, and it does not take into account those with the ability to pay. I think, he is wrong there, Sir.

But there is one instance, and I am sad to note, that the value of leave passages which mainly benefits the expatriates are not subject to tax. After all, Sir, leave passages and fares are benefits like the benefits of the provision of housing, whereas the provision of housing in respect of local as well as expatriates are subject to tax—why this preferential treatment of not subjecting the leave passages to tax which is after all a luxury. On the other hand, basic living expenditure like medical and dental expenses are not given the benefit of deductions. In Australia, such expenses are allowed deductions in a limited way. I, therefore, like to appeal to the Honourable Minister to consider some sort of deductions for medical and dental expenses spent by the taxpayers, on himself and his dependants, and such deductions be allowed only up to a limit of say \$1,000 per year per taxpayer on the production of actual bills. Incidentally, the production of actual bills would ensure all doctors and dentists to produce receipts, thereby helping the Income Tax Department also.

Sir, I would like to touch on Section 80, Sub-section (3). Sir, I always believe, and believe sincerely, that the national language is a vital unifying factor in our nation and that its use should be encouraged and promoted to the widest extent. However, Sir, under Section 80 (3), the Comptroller-General may require a person who keeps his accounts in languages, other than the national language, to submit within 30 days a translation of books, accounts, and records in the national language. As you know, Sir, a large number of small

businessmen, especially those in the small towns and new villages, are unable to keep their records in the national language, and the application of this provision will impose financial hardship. In the new villages and small towns, it is very difficult to get translators at the moment to translate straightaway from, say, Tamil or Chinese into the national language; in effect, it means finding translators to translate first from Tamil, or Chinese, into English and then from English into the national language. This would mean doubling the expenditure, which is already additional. Besides, in these circumstances, I doubt they could even comply with the 30 days requirement under the provision, and if they failed to comply they would be subjected to penalties and fines, and as such, on their behalf, I appeal to the Honourable Minister to relax this provision wherever necessary, and that it should be applied with wisdom and understanding.

Sir, we have before us a Bill of importance affecting every person in Malaysia, it is a complex Bill and highly technical. While it is necessary to have a unified Act replacing the three existing Ordinances as early as possible, unfortunately, the time for exhaustive study by the professionals is somewhat short. There was a much longer time for the public to study a Bill of a similar nature, namely, the Companies Act, between the First and Second Reading. As such, I would like to appeal to the Honourable Minister, that after the passing of this Bill, to allow representations to be made on possible amendments and, if necessary, to have the amendments tabled in the next meeting of Parliament in November. In this way there is no need at all to have a Select Committee, which I feel is not absolutely necessary. We know, Sir, that the Honourable Minister is always open to reason and he has accepted, even before the presentation of this Bill, a number of amendments to the proposed Bill published on June 15th. For example, after representation, the 30% abatement for

individuals in East Malaysia remain unchanged; and this, Sir, gives lie to the unfair charge by the Honourable Member, Tuan Sim Boon Liang, that East Malaysia is not being treated according to the spirit of the I.G.C. Report. Thank you, Sir.

Tun Tan Siew Sin: Mr Speaker, Sir, I must say that I have listened with very great interest to the speeches, which have been made on this Bill, and I shall try to reply as comprehensively and briefly as possible to the major points which have been made.

The Honourable Member for Batu makes the general charge that this Bill gives greatly enlarged powers to both the Minister of Finance and the Comptroller-General of Inland Revenue. To begin with, he had a three-and-a-half hour session, by my authorisation, with the Comptroller-General of Inland Revenue, a week or so ago, and I think he knows in his heart of hearts that this Bill is not as bad as he has made it out to be. I mean, those powers are nothing very new, except for innovations in one or two minor respects, and many of them in fact, as he has himself admitted, had existed since at least 1960. He refers, for example, to the new powers given to the Minister of Finance to determine rates before Parliament has actually approved it. He has really given only one side of the picture, because he knows well that these rates have to come to Parliament eventually or, in fact, in the very near future, and Parliament is then in a position either to endorse the action of the Minister of Finance, or to repudiate it. The reason, of course, for this amendment is plain. As Honourable Members are well aware, it does happen sometimes that we cannot have a Budget meeting before the end of the year—for example, the next Budget meeting of this House will probably be held in January—and if it is necessary to introduce changes, it is desirable, even from the taxpayers' point of view, to announce the proposed changes before the end of December, and in such a case, it would be open to the Government to announce the changes, say, in the last week of December, and it would

then be up to Parliament, when it meets a week or so later, or a few weeks later, either to endorse the action of the Government or to repudiate the Government. There is nothing new in this, because Honourable Members are well aware that this is the system followed in the matter of tariff changes, in the matter of Customs changes and excise duty changes, and I do not think Parliament has objected to the procedure, because there may be a time when it is necessary to adopt this extraordinary procedure. But I can assure the House that this power will not be used, unless it is absolutely necessary, but sometimes it may be necessary to use this power for chronological reasons.

He also refers to the dictatorial powers of the Comptroller-General and, in particular, he picks on section 140 where the words "is of the opinion" appear. I am told that the Comptroller-General tried to convince him that even though these words have been inserted, the actions of the Comptroller-General acting under the section are appealable. In other words, if the Comptroller-General were to act arbitrarily or unfairly, his actions will be subject to appeal to the Special Commissioners in the first instance; and if the taxpayer is still dissatisfied, there is, as I have indicated in my speech on the second reading of the Bill, an appeal to the High Court, and eventually to the Federal Court itself. It will, therefore, be seen that the Comptroller-General is not as powerful as that and, if he acts unfairly, his actions will clearly be reversed on the various appeals, which are allowed under the Bill. He has asked me why the definition of "dividend" has been deleted in the latest Bill. The answer is simple as he himself is aware. The original definition would have made bonus shares subject to tax and, after considerable thought on the part of the Parliamentary Draftsman, it was felt that it was really not possible to draft a definition of "dividend" which would exclude bonus shares from taxation and yet make it clear that only dividends will be liable to tax. Under the circumstances, it was felt that the best course would be to delete the definition of dividend. Honourable

Members should be aware that in the existing Ordinance there is no definition of dividend, and this has worked well enough in the past.

The Honourable Member for Batu has also asked why the Malaysian Board of Income Tax has been abolished. The reason for this is simple. In fact, I am the Chairman of the Board of Income Tax under the law and in all these years the Board has, I think, met only once in a matter of eight years, and most of the business transacted by the Board has, in fact, consisted of applications for tax exemptions, which has meant that in 99% of the cases the Board has been able to transact its business by means of circulars. Under the circumstances, it was felt that it was not a very effective method of working and hence it was decided to abolish the Malaysian Board of Income Tax.

The Honourable Member for Batu also gave another instance of the so-called dictatorial powers of the Comptroller-General by quoting the case of a section, which enables the officers of the Department of Inland Revenue to enter and search the premises of suspected income tax evaders. This power has been in existence since 1960, and I well remember the time when this Bill was debated in this House. At that time too certain Members of the Opposition suggested that the giving of such powers to the Department would turn this country into a Gestapo style State, it would turn this country into a Police State. Nothing of that sort has happened, even though these powers have been in existence for the last seven years. These powers are clearly necessary because, as the Honourable Member himself knows, income tax evasion is very rife in this country and unless the officers of the Department have got this power to enter premises, it is more than possible that vital evidence could be destroyed long before the Department could get at it, and hence these powers. But so long as they use it with circumspection and restraint, and no one has yet suggested that it has been abused, I think there is every need for such powers. I must admit

that the most pleasing feature of the speech of the Honourable Member for Batu is that he could not have been more vehement than the most rabid capitalist. In fact, when I heard him speak, I thought that if ever he should fall foul of his own party, I am sure the Chambers of Commerce would happily give him a job as a tax consultant.

Since this proposed Bill has been published, we have received numerous representations from business houses, businessmen and Chambers of Commerce and I must say that no one has been more vehement in attacking the Bill than the Honourable Member for Batu. In fact, he has been more vehement than, I think, any Chamber of Commerce and I must say that I must congratulate him on the apparent change in his attitude towards taxation. It is rather unfortunate, however, that probably out of ignorance, he has chosen, in the greater part of his speech, to be, what I might call, the devil's advocate. In other words, I think he has been the best advocate of income tax evaders and those who try to avoid income tax.

He has tabled a series of amendments which, I believe, he is going to move in Committee and which are designed, in fact, to make life more difficult for the officers of the Department, whose job it is to catch the evaders. As I tried to point out in my speech, the number of taxpayers in this country is just over 2% of the total population, and the very fact that the average businessman in this country reports an income of only \$3,600 per annum or \$300 per month means that evasion is really rife in this country, and unless we have these powers we might as well say good-bye to our efforts to reduce the incidence of income tax evasion in this country. Honourable Members must remember that in any law the Government must have considerable powers; for example, in the Internal Security Act, the Minister of Home Affairs has powers to arrest any of us without trial and put him in jail, and no one has yet suggested that these powers are not necessary because although one accepts.

Dr Tan Chee Khoon: I think the Minister of Finance is a little amiss that those of us on this side of the House and in particular the then Socialist Front, now the Labour Party, has time and again protested against the infamous Internal Security Act and its abuse.

Tun Tan Siew Sin: Well, I think, more sensible people agree that these powers are necessary, because otherwise we will not be able to secure the safety of this country. I must also admit that I was very pleased to hear that the Honourable Member was very worried that he might one day become the victim of the Comptroller-General. That is a very encouraging sign, because it means that the Honourable Member thinks he is so prosperous that the Department of Inland Revenue may one day decide to pay special attention to him.

Dr Tan Chee Khoon: For the information of the Honourable Minister of Finance, I think my file with the Income Tax Department is as thick as my file with the Special Branch (*Laughter*).

Tun Tan Siew Sin: Mr Speaker, Sir, the Honourable Member for Batu has also referred to Section 116, which deals with the powers given to the Department in case of any obstruction to officers. As I have said previously, these powers are necessary, because otherwise it will be open to tax evaders to obstruct officers, who want to enter the premises to search the premises, or to examine their books of account, and these powers have so far not been abused at all, even though they have been in existence for some time.

The Honourable Member has asked why only one Special Commissioner has been provided for the purpose of hearing an appeal for the extension of the time allowed for appeal. The reason is quite simple. This is a very minor matter and it is felt that one Commissioner can easily deal with a matter of this sort. If the Honourable Member will recall, you get a similar principle in the Industrial Relations Act, where it has been provided that

in very minor matters the President of the Industrial Court can act on his own, without the other members of the Court sitting with him at the same time.

He has also asked why provision has not been made in the case of Special Commissioners for the appellant to object to either one of them, whereas this power is given to the appellant, or this concession is given to the appellant, in the case of members of the Board of Review. The answer of course, is quite simple. As Honourable Members are aware, the members of the Board of Review consist of members of the public—they could be lawyers, chartered accountants, or just ordinary members of the public—and it was felt that in such a case it was possible for various reasons that these members of the public would be prejudiced against a particular appellant. But, in the case of Special Commissioners, they are civil servants, they are public servants under the law and it is felt that in the case of public servants, i.e., full time employees of the Government, the chances of their being prejudiced one way or the other would be very much less and, hence, there was not the same need for the appellant to be given the right to object to any Special Commissioner. The other reason, which is not very important, is that whereas the Members of the Board of Review are appointed by the Minister of Finance, the Special Commissioners will be appointed by His Majesty the Yang di-Pertuan Agong.

The Honourable Member for Batu also pleaded for an allowance to be given for the maintenance of aged parents. I accept that in theory this request sounds reasonable enough, but when you think of the fact that the average businessman in this country pays a tax on a purported income of only \$300 a month, the giving of such a concession may mean that the average businessman in this country pays no tax at all; and that, I think, is the danger because, as I say, tax evasion is so rife that the giving of such a concession would mean that probably

practically every tax-payer in this country would claim that he has got aged parents to support, and I must admit that it would not be possible for the Department to check on every tax-payer and we might end up with about 50,000 tax-payers instead of 213,000 tax-payers. It is not true, as the Honourable Member has suggested, that tax will be levied on gratuities paid as a result of loss of office. Where any gratuities are paid as compensation for loss of office, no tax will arise—there is no question on that point.

Dr Tan Chee Khoon: Mr Speaker, Sir, I regret that I have to correct the Minister of Finance. The relevant Schedule is very clear: that if there is any question of severance pay or retiring gratuity, it is clearly laid down in, I think, Schedule 6, paragraph 15 (b), where it is spelt out the manner how gratuity can be taxed and the Minister should be more conversant with his own Bill.

Tun Tan Siew Sin: I am afraid that I have to disagree with the Honourable Member for Batu. I can give an assurance to this House that where compensation is paid for loss of office, such compensation will not attract income tax.

Dr Tan Chee Khoon: Mr Speaker, Sir, if I can seek a clarification from the Honourable Minister in respect of paragraph 15 (b), page 197. Severance pay is not gratuity; it is a pay for loss of income, and it is spelt out. Unless it is for loss of employment—Section 15 (b) applies. You count it backwards, he himself just now pointed out that if you count it backwards for five years for \$2,000 a year.

Tun Tan Siew Sin: Section 15 (b) does not apply to the kind of gratuity which the Honourable Member has in mind—that is the short answer to his question.

The Honourable Member made a suggestion that the Department of Inland Revenue should, if this Bill is passed by Parliament, issue a booklet, so that tax-payers can understand this law better. I can give the undertaking

that the Department in fact has this proposal already in mind and will issue such a booklet. I agree that this legislation is extremely complex and it is extremely difficult to understand, and such a booklet, I think, will be of help both to the tax-payers and the Government in the long run. The Honourable Member for Batu also made the incredible allegation that tax-payers in East Malaysia did not get this proposed Bill until late in July. This is a fantastic allegation, because in early July, when I was away in London, a delegation from the State Government of Sabah came to see the Deputy Prime Minister and made very extensive representations on this Bill—and this was in early July.

Dr Tan Chee Khoon: Mr Speaker, Sir, on a point of clarification, it is not as incredible as the Minister would have us believe. I believe most of these things have been sent by surface mail, not by air mail; and although the proposed legislation was printed on the 15th of June, it did not really come out until the 17th or so, and I have it from Members from East Malaysia, particularly from Sabah, that they did not receive this Bill until late in July.

Tun Tan Siew Sin: Mr Speaker, Sir, whatever the information available to the Honourable Member for Batu, the fact remains that a delegation from the Sabah State Government saw the Deputy Prime Minister on this proposed Bill in early July, and that is a fact which cannot be gainsaid, because it was splashed in the newspapers; and if certain Honourable Members received it in late July, it is possible that they refused to receive the Bill. I do not know what happened. I do not think the blame attaches to the Department of Inland Revenue. In these circumstances, I do not think it is really necessary to have a Select Committee, because even the hour long speech of the Honourable Member for Batu touched only, in fact, on a very few minor points. He, in point of fact, agrees with the major lines of this Bill and, in fact, the major innovation was the change from a derivation basis to a world income tax basis and he thinks that this is a

very good change—in fact, this is the most important change proposed in this Bill

One Honourable Member from Sarawak, of course, sang the usual refrain about the level of taxation in East Malaysia as compared to the level of taxation in West Malaysia. As I have already pointed out both in this House and outside it, the people of East Malaysia are still extremely lucky, because in spite of harmonisation of income tax, those with annual incomes of \$50,000 or less in East Malaysia will, even after this Bill has been passed, pay 30% less tax than their counterparts in West Malaysia—and if this is not good enough I do not know what is.

My Honourable friend for Bukit Bintang suggested that the provisions of Section 80 (3) should be used with restraint and discretion. I can give that assurance, and I can assure him also that the Department will not ask for a translation, unless it is absolutely necessary, or unless it has a reason to believe that it is dealing with a case of tax evasion. We will not trouble the ordinary tax-payer with this provision and there is no intention at all of making life unnecessarily difficult for honest tax-payers.

My Honourable friend for Bukit Bintang also suggested that even if this Bill is passed, we should allow representations and consider them, and if necessary introduce an amending Bill subsequently, if we feel that such representations have merit. I can give that assurance and I am prepared to say that even if this Bill is passed by both Houses of Parliament, and it is felt that further amendments are necessary, I am prepared to bring an amending Bill into Parliament at a later stage to give effect to the Government's intentions. I hope that on that basis this House will pass this Bill on my assurance that Government does not regard this as the last word in income tax wisdom—I agree that we do not have a monopoly of wisdom in Malaysia—and if it is felt at some future date that amendments are necessary, we would be prepared to consider them and, if such

amendments are necessary, we should be we would introduce an amending Bill to give effect to those intentions.

Question put, and agreed to.

Bill accordingly read a second time.

Dr Tan Chee Khoon: Mr Speaker, Sir, under Standing Order 54, I move that this Bill be committed to a Select Committee.

Question put, and negatived.

Committee

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr Speaker *in the Chair*)

Clause 1 ordered to stand part of the Bill.

Dr Tan Chee Khoon: Mr Speaker, Sir, under Clause 1 I have an amendment.

Mr Speaker: Are you proposing an amendment to Clause 1?

Dr Tan Chee Khoon: Yes, it is the Clause which deals with Interpretation. Clause 2—I am so sorry, Mr Speaker, Sir.

Tun Tan Siew Sin: Mr Speaker, Sir, perhaps, I could help the Honourable Member. I am aware that he has submitted to the House a list of amendments, which he proposes to move in Committee. May I suggest to him that he does not move his amendments, because I did not receive this list until late this afternoon and I had not much time to give them as much thought as I would like to. Although I do not agree with the majority of his amendments, there are one or two to which I am prepared to give some consideration. If he insists on moving them now, I am afraid I have to say, "No", but if he gives me a little bit of time, I am prepared to give some consideration and, if necessary, move an amending Bill later this year.

Dr Tan Chee Khoon: I regret that I cannot accede to the request of the Honourable Minister of Finance. He

should not say that we have not given him enough time. I submitted these amendments yesterday evening. I gave enough time according to our Standing Orders and I wish to go through these one by one.

Tun Tan Siew Sin: The reason why I make this proposal is not because I cannot make up my mind, but this is a technical Bill; and although I, myself, may feel that certain suggestions merit consideration, I cannot say "Yes" until I have had a chance to consult with the Legal Draftsman—this is a matter of legal drafting, and I am not sure the drafting proposed by the Honourable Member is in order, because I had a chat with the Comptroller-General of Inland Revenue and he expressed some misgivings.

Dr Tan Chee Khoon: Mr Chairman, Sir, be that as it may, I must inform the Honourable Minister of Finance that, although I am a doctor, in drafting these amendments I have had the help of a lawyer, and I want to go through them. It is his pleasure to reject, as he has rejected all the requests of all of us. It does not really matter one bit to me that the Minister should reject all of them. It is his privilege and pleasure.

Mr Chairman: May I point out that the numbering in your list, you say "Section" which should be "Clause". Like Clause 4, as in the Bill, you have put "S" there, which is rather confusing—Clause 4, Clause 6 and so on. May I suggest that you now put to the House the question of your amendments as a whole, because that is in the form of a slip which has been circulated round—I take it that you have circulated it to all the Members and they have received this amendment slip—instead of going through one by one, and confusing matters. Would you put it to the House?

Dr Tan Chee Khoon: Mr Chairman, Sir, I wish to go through this one by one. If I go through section by section, or clause by clause, as you say, it will be less confusing to the Honourable Minister.

Mr Chairman: It will be more confusing in that I see there are some amendments which are proposed on behalf of the Government also. I am giving you the chance to move your amendments first.

Dr Tan Chee Khoon: Mr Chairman, Sir, if you want me to go through the exercise of going through my amendments I am prepared to do so, as you suggested. I will go through one by one instead of having to go through clause by clause as is the practice.

Mr Chairman: There are two pages of it. We will start going through clause by clause. I take it that you do not object to "section" being changed to "clause", because you call it section and the Government side calls it clause. That is another confusing thing.

Clause 2—

Dr Tan Chee Khoon: Mr Chairman, Sir, under clause 2, I have an amendment on page 4, and it relates to the word "premises"—

"In paragraph (b) delete all words after the word 'land' and substitute therefor the words 'surrounding the building or buildings and used as grounds or gardens.'"

There is nothing sinister about this amendment, except that the legal advice that I have received is that the land is not attached to the building but the building is attached to the land—and this makes it a little neater.

Tun Tan Siew Sin: Mr Chairman, Sir, in fact, when I saw this proposal of the Honourable Member for Batu, I was wondering what he was driving at because I, as a layman, cannot see the difference between the two; and I think under such circumstances I must accept the wording of the Legal Draftsman. The Honourable Member will admit that the meaning of both this amendment and our amendment is the same, except that he feels that he can draft better than the Legal Draftsman.

Amendment put, and negatived.

Clause 2 ordered to stand part of the Bill.

Clause 3 ordered to stand part of the Bill.

Clause 4—

Dr Tan Chee Khoon: Mr Chairman, Sir, I beg to move an amendment to Clause 4 (f) which reads, add at the end “but including gains or profits from dealings in land”. I wish to make it quite clear that I do not quite agree with the sweeping-up clause as laid down in 4 (f). I feel, as I have mentioned before in my speech, that the Legal Draftsman should spell out whatever legal loopholes there are in this Bill instead of this sweeping-up clause, which says “gains or profits not falling under any of the foregoing paragraphs”; that means under any of the paragraphs from (a) to (e), if the Comptroller-General has missed the bus, then he gathers all of them in under this all-embracing (f). I have made this amendment to 4 (f) to include the words, “but including gains or profits from dealings in land”. I have moved this amendment, Mr Chairman, Sir, in view of the prevalent practice in this country of people, who have indulged in fragmentation, and they are mainly from members of the M.C.A. and the M.I.C. These tycoons have made literally millions, and they have escaped from fragmentation and they have escaped paying income tax. Although there is this sweeping-up clause, if one spells it out, “but including gains or profits from dealings in land”, then it makes it more explicit that any gains made from fragmentation will be garnered in by the Comptroller-General as well.

Tun Tan Siew Sin: Mr Chairman, Sir, I am afraid I cannot agree with the Honourable Member for Batu and I cannot understand his reasoning either. He in one breath says that this is a sweeping-up clause and there is something in what he says, but having expressed his disapproval of this clause, he wants us to go even further, and in fact if we agree to his amendment—it is only an amendment of five words—it means that with one fell swoop we are introducing capital gains tax by the back door. That is really the effect of his amendment. This amendment, in fact, is a very sweeping amendment and it will introduce a capital gains

tax, and it will be a most impossible tax to implement because you cannot introduce a complex tax of that nature by the addition of just five words.

Dr Tan Chee Khoon: Mr Chairman, Sir, the reason why I have introduced this, although I do not agree with the sweeping-up clause, is that I am realistic enough that whatever amendment I may propose will be thrown out of court by the Honourable Minister of Finance and of this House; but that has not deterred me one wee bit in as much as yesterday, when I spoke out against demonstrations, that has not deterred me—the fact that I may get into trouble with my own Party.

Amendment put, and negatived.

Clause 4 ordered to stand part of the Bill.

Clause 5 ordered to stand part of the Bill.

Clause 6—

Dr Tan Chee Khoon: Mr Chairman, Sir, I beg to move the amendment as laid out in the amendment slip to clause 6 (3) (a) and which reads as follows:

“Clause 6 (3) (a) delete the words with brackets ‘(or such longer period . . . House of Representatives)’.”

Now, Mr Chairman, Sir, the Minister of Finance, in his reply to me, has stated that he himself has not abused the powers given to him and it is not likely that the Government will use this power if it holds its Budget session well within the calendar year.

Mr Chairman, Sir, as I pointed out in my speech, these statutes that we are approving today do not depend on the generosity of the Minister. When a court of law comes to interpret these statutes, it does not look back on the *Hansard* to look for the assurances of the Minister, one goes by what is written in this Bill. And what is written inside is very clear. Clause 6 (2) says:

“The Minister . . . may by statutory order declare those rates to be varied in that way;”

and further down Clause 6 (3) (a) reads :

“at the expiration of a period of three months (or such longer period as may be specified by resolution of the House of Representatives)”

The Minister has pointed out that there is nothing alarming about it, but he knows full well that any variation that he has made, he merely lays it on the Table of this House. I think, it need not be debated in this House. I have already quoted, Mr Chairman, Sir, from the proceedings of the Federal Legislative Council, where he has railed against the then Acting Financial Secretary of the then colonial Government. Today, in this House, he asks for the very same power that he has railed against.

Tun Tan Siew Sin: Mr Chairman, Sir, I think the Honourable Member, I hope unwittingly, is trying to mislead this House. Any order made by me under this section will not only be laid before the House, it will also be debated by this House. So, the House will be given the opportunity either to confirm the order, or to reject it. He has suggested two amendments to this particular clause. The first is to disallow this longer period of three months. I should make it clear that a period which is longer than three months will only be allowable with the specific consent of the Dewan Ra'ayat. I, myself, cannot have a longer period than three months, and so I do not see why there is this anxiety on the part of the Honourable Member for Batu.

In regard to his second amendment, the effect of this, if carried, would be that where there has been an overpayment of tax on the part of the tax-payer, the Comptroller-General will have to refund the tax to him without any claim from the tax-payer in question. This is admirable in theory, but completely impracticable in practice, because in such cases the Comptroller-General would not know all the tax-payers to whom repayment is due, because he would not be aware of the various deductions from dividends which have been made and, therefore, it is utterly impracticable.

Dr Tan Chee Khoon: Mr Chairman, Sir, the Minister knows full well that under Clause 6 (3) (a), he merely tables whatever variations he has to make in this House, and it ceases to have effect at the expiration of three months. It is only when any variation that he wants is in excess of the period of three months that he has to get the approval of this House. And as for any repayment to be made, we all know that all of us have a file with the Income Tax Department, and if there are any repayments to be made, I do not see any reason why it should not be made. Presumably, all the information regarding the tax-payer is in his file, and if there are tax deductions. I do not see any reason why the Income Tax Department should not make the tax deductions.

Tun Tan Siew Sin: Mr Chairman, Sir, I do not think the Honourable Member really understands how these things work. Let us take the case of a company which is paying a dividend. It makes a deduction. The Comptroller-General would not know who the shareholders of the company are. Now, in case there has been an over-deduction, in the sense that a refund is due from the Government, it is not open to the Comptroller-General to find out which tax-payer has paid more than he should unless the tax-payer himself claims. I really cannot understand why the Honourable Member is so insistent on this point.

In regard to the other point about orders laid before this House, I agree that where the period required is three months, then I do not require the approval of this House; but in the matter of fixing of rates or the alteration or the revision of rates of tax by an Order, these rates will not take effect until the House annuls the Order and therefore the House will have a chance to consider and debate on the proposals.

Dr Tan Chee Khoon: Sir, the Minister has a very reasonable explanation, but I can only read what is written, and what is written is very explicit. It is not just my opinion, but the opinion of a few lawyers that I have consulted. However, the other thing about tax

rebate is this. Most of us, when we declare tax—I can speak for myself—we say that there is so much from Rothmans, or the like, in which case the Comptroller-General should give us a rebate on it. The information is there, and I do not see why the tax-payer should again write in for the rebate.

Amendment put, and negatived.

Clause 6 ordered to stand part of the Bill.

Clauses 7 to 38 inclusive ordered to stand part of the Bill.

Clause 39—

Dr Tan Chee Khoon: Mr Chairman, Sir, I rise to move an amendment to Clause 39 (g) to delete the whole of the paragraph and re-number the rest. We have heard time and again from the Members of the Opposition from East Malaysia as to how the timber industry has been over-taxed. But, here, I am not trying to speak for the Members from East Malaysia. This Clause 39 (g) in effect, means that there would be double taxation on the people, who are going for the timber industry, and that while it can be postulated that in East Malaysia the timber industry is that flourishing that the merchants there can afford this additional burden, the same cannot said of the timber merchants of West Malaysia; and if this sub-clause (g) is applied to the timber merchants in West Malaysia, they will soon go out of business, as the Minister well knows.

Tun Tan Siew Sin: Mr Chairman, Sir, I must say that the Honourable Member for Batu has changed very greatly. He is now advocating a proposal, which has been abandoned even by the timber millionaires themselves. So, I am afraid I cannot agree to it. However, Sir, I would like to, if I may at this stage of going through the amendments, if you agree to it, move my amendments.

Mr Chairman: Yes, you can propose the amendments.

Tun Tan Siew Sin: I would propose that clause 39 be amended in the manner indicated in the amendment sheets which have already been circulated to

Honourable Members. The reason for the amendment which reads as follows is given in the sheets:

For “qualifying expenditure or qualifying plantation expenditure” in sub-section (1) (e) (ii) substitute “qualifying expenditure, qualifying plantation expenditure or qualifying forest expenditure”.

Mr Chairman: (To Dr Tan Chee Khoon) Do you accept the amendments of the Minister?

(Dr Tan Chee Khoon indicates dissent).

Amendment (moved by the Member for Batu) put, and negatived.

Amendment (moved by the Minister of Finance) put and agreed to.

Clause 39, as amended, ordered to stand part of the Bill.

Clauses 40 and 41 ordered to stand part of the Bill.

Clause 42—

Tun Tan Siew Sin: Mr Chairman, Sir, I would like to move an amendment to clause 42 in the manner indicated in the amendment sheets which have already been circulated to Honourable Members. The reason therefore is to conform with the amended Schedule 3, and the amendment reads as follows:

“*Clause 42.* Delete paragraph (b) and substitute the following—

“(b) the amount of—

(i) any balancing charge or the aggregate amount of the balancing charges;

(ii) any plantation charge or the aggregate amount of the plantation charges; and

(iii) any forest charge or the aggregate amount of the forest charges,

falling to be made for that year under Schedule 3 in relation to that source.”

Amendment put, and agreed to.

Clause 42, as amended, ordered to stand part of the Bill.

Clause 43 ordered to stand part of the Bill.

Clause 44—

Tun Tan Siew Sin: Mr Chairman, Sir, I would like to move an amendment to clause 44 in the manner indicated in the amendment sheets which

have already been circulated to Honourable Members. The reason therefor is to correct a wrong reference, and the amendment reads thus:

“*Clause 44.* Substitute ‘(6)’ for ‘(5)’ in sub-section 1 (c)”.

Amendment put, and agreed to.

Clause 44, as amended, ordered to stand part of the Bill.

Clauses 45 to 47—

Clause 47—

Dr Tan Chee Khoon: Mr Chairman, Sir, I like to comment a little on clause 47 which contains “personal relief”. I made the suggestion that the parents and dependants should deserve consideration from the Honourable Minister of Finance. He, himself, has admitted that there is merit in such a suggestion, but his one mortal fear is that if this is allowed then he will not have anybody to tax in this country. That is a hypothesis that I would like him to prove statistically; I do know that even if this were allowed, the sum need not be that big. He knows that in an Asian context we have to support aged parents and dependants—more so than the people in the West. People in the West allow such deductions but here, in an Asian country, the Minister of Finance says, “Although there is merit, sorry, chum, because of the difficulty of implementing it, we cannot allow this amendment”. I am sorry, I have not got any amendment here, but I make a plea for this category of persons. His only excuse is the difficulty of implementing it, but I do not think that is beyond the capacity, either of the Department of Inland Revenue or of the Legal Draftsman.

Tun Tan Siew Sin: Mr Chairman, Sir, I have given my reasons as to why we have grave misgivings with regard to this proposal. And although, as I said earlier, there may be some merit in it, I think, certainly for the time being, it is very difficult for the Government to consider it. But I would say that we will not rule it out altogether, when conditions are slightly better.

Dr Tan Chee Khoon: Mr Chairman, Sir, there is a little concession on the part of the Minister of Finance that he will consider it at a later date when, perhaps, this society of ours is a little more affluent, and that he can let a few of us paying a little less tax to the Department of Inland Revenue.

Clauses 45 to 47 inclusive ordered to stand part of the Bill.

Clause 48—

Tun Tan Siew Sin: Mr Chairman, Sir, I would like to move an amendment to clause 48 as indicated in the amendment sheets which have already been circulated to Honourable Members. The reason for this amendment which reads as follows is to extend this sub-section, in relation to a resident in East Malaysia, so that it will apply to a child of any age and to ordinary schooling in Singapore or West Malaysia:

“*Clause 48.* Delete sub-section (3) and substitute the following—

- (3) Where for a year of assessment any individual is entitled under sub-section (1) (b) or (c) to a deduction (in this sub-section referred to as the ordinary deduction)—
- (a) in respect of a child who at any time in the basis year for that year of assessment is over the age of sixteen years and—
- (i) is receiving full time instruction at a university, college or other establishment (similar to a university or college) of higher education; or
 - (ii) is serving under articles or indentures with a view to qualifying in a trade or profession, in a place outside Malaysia and the Republic of Singapore; or
- (b) where that individual is resident in East Malaysia for that basis year, in respect of a child who at any time in that basis year—
- (i) is receiving full time instruction at a school, university, college or other educational institution; or
 - (ii) is serving under articles or indentures with a view to qualifying in a trade or profession,
- in West Malaysia or the Republic of Singapore, then, if that individual satisfies the Comptroller-General that he has directly expended in that basis year a sum or sums exceeding the ordinary deduction on the maintenance

of that child in that place or in West Malaysia or the Republic of Singapore, as the case may be, or in making (in connection with that full time instruction of that child in that place or in West Malaysia or the Republic of Singapore, as the case may be, or in connection with that child's service under those articles or indentures in that place or in West Malaysia or the Republic of Singapore, as the case may be) any payment to which sub-section (1) (b) or (c) applies, there shall be allowed in respect of that child, in substitution for the ordinary deduction, a deduction equal to the total sum or sums so expended but not exceeding twice the amount of the ordinary deduction."

Amendment put, and agreed to.

Clause 48, as amended, ordered to stand part of the Bill.

Clauses 49 to 63 inclusive ordered to stand part of the Bill.

Clause 64—

Tun Tan Siew Sin: Mr Chairman, Sir, I would like to move an amendment to clause 64 as indicated in the amendment sheets already circulated to Honourable Members. The reason for this amendment which reads as follows is to conform with the wording of sub-section 2:

"*Clause 64.* Substitute 'the executor's' for 'his' before 'gross income' in line 3 of sub-section (3)."

Amendment put, and agreed to.

Clause 64, as amended, ordered to stand part of the Bill.

Clauses 65 and 66 ordered to stand part of the Bill.

Clause 67—

Tun Tan Siew Sin: Mr Chairman, Sir, I would like to move an amendment to clause 67 of the Bill as indicated in the amendment slip already circulated to Honourable Members. The amendment reads "Delete 'or in the name' in sub-section 1 (b)". This is a matter of drafting. These words are superfluous in sub-section 1 (b). Sub-section 1 (c) deals with cases of persons in whose names other persons are assessable and chargeable.

Amendment put, and agreed to.

Clause 67, as amended, ordered to stand part of the Bill.

Clauses 68 to 76 inclusive ordered to stand part of the Bill.

Clause 77—

Dr Tan Chee Khoon: Mr Chairman, Sir, I beg to move the two amendments standing in my name to clauses 77 (2) and 77 (3), which read as follows:

"*Clause 77 (2).* In line 4 delete 'fourteen days' and substitute therefor the words '30 days'.

Clause 77 (3). In line 10 delete the words 'one month' and substitute therefor the words 'three months'."

If I may clarify a little. I think the period of fourteen days is far too short. I think a more realistic period would be thirty days, in order to allow a person who has slipped up to make up for the lost time. The other amendment, of course, is regarding the second last line of clause 77 (3) which says, "shall within one month of his arrival" Again, I think it is too short a period, because the newcomer to this country normally does not think in terms of his obligations to the Income Tax Department. He thinks in terms of the house that he should get, whether the electricity is there, the water supply is there, whether the garden is well taken care of, whether his furniture and fittings are all ready in his house, and perhaps he has to settle a few other things with his employer. This is one of the things that will deter the newcomer, particularly, if he is a newcomer invited to this country by His Majesty's Government. As such, far from this Bill acting as an incentive to industrialists coming to this country, it may well deter people, if they know that within one month of their arrival here they should pay a visit to the Income Tax Department.

Tun Tan Siew Sin: Mr Chairman, I wonder whether the Honourable Member is prepared to compromise with me. He wants three months and the Bill says "one month". I suggest we make it two months.

Dr Tan Chee Khoon: I am prepared to compromise.

Tun Tan Siew Sin: With regard to the first amendment of fourteen days, this is something which, I think, has been in existence for many years, and I suggest we leave it as it is. There is no excuse, I think, for the person, who is already in this country, and this sub-clause normally is only used against evaders, not against the honest taxpayers, but I can see the point in his second amendment.

Dr Tan Chee Khoon: Perhaps if the Honourable Minister can be a little bit more accommodating, Mr Chairman, Sir, I will accept his "two months" period and withdraw my suggestion of 30 days. And if there is a little bit more spirit of compromise from the Minister, I may well withdraw the rest of my amendment (*Laughter*).

Amendment to substitute "two months" in place of "one month" in line 10 of clause 77 (3) put, and agreed to.

Clause 77, as amended, ordered to stand part of the Bill.

Clauses 78 and 79—

Dr Tan Chee Khoon: Mr Chairman, Sir, if I may comment a little on clause 79. I wonder why, seeing the Minister is part and parcel of the machinery of Government, the Minister instead of keeping his eyes on the tax evaders should also as he himself knows full well that corruption is fairly rife in this country, should not he point out to his Ministerial colleagues, particularly, the Minister of Justice, that these powers, as laid down in clause 79, should be given to the Director of the Anti-Corruption Agency.

Tun Tan Siew Sin: Mr Chairman, Sir, this is a rather complicated matter, and there is I think some danger in giving the powers as proposed in clause 79 to the Anti-Corruption Agency, because taxpayers normally know that any information divulged to the Department of Inland Revenue is

kept very secret; and once it is felt that such information is given to all and sundry, there may be an aversion on the part of even a dishonest taxpayer to make a full disclosure—and I think we have to go slow with that one. In fact, this matter has been considered rather carefully not only by the Department of Inland Revenue but by the Government as a whole, and it was eventually decided that it would not be desirable to give this power to the Anti-Corruption Agency.

Clauses 78 and 79 ordered to stand part of the Bill.

Clause 80—

Dr Tan Chee Khoon: I rise to make an amendment to clause 80, sub-section (1) that is, in line 2 between the words "all" and "times" add in the word "reasonable". Now, the Minister of Finance has assured us that no officer of the Inland Revenue Department has broken into the House of any recalcitrant taxpayer. We have his assurance, and as I have pointed out before, and I will point out again, that these assurances are not enough when a case comes to a court of law. The insertion of the word "reasonable" between the words "all" and "times" will give a greater safeguard to the taxpayer.

Tun Tan Siew Sin: Mr Chairman, Sir, although on the face of it, I agree that the remarks of the Honourable Member for Batu are reasonable enough—he wants to insert the word "reasonable" in this clause—there is a greater danger than he perhaps realises. If this word is inserted, it is open to a dishonest taxpayer—we must remember that this is really meant for a dishonest taxpayer—we must re-emphasize and say, "Look here, this is not a reasonable time", and ask for an injunction; and it may be possible on that score, as far as I know, for the order to be given, the injunction to be made, that this must be considered further, and in the meantime a lot of time is lost and wasted and vital documents destroyed in the process: that is why we would like this clause to be kept as open as it has been drafted, so that there is no danger at all of it being challenged in court.

Mr Speaker: Will you accept this explanation and withdraw your amendment?

Dr Tan Chee Khoon: No.

Amendment put, and negatived.

Clause 80 ordered to stand part of the Bill.

Clause 81 ordered to stand part of the Bill.

Clause 82—

Dr Tan Chee Khoon: Mr Speaker, Sir, I rise to move an amendment to clause 82 (6), to delete in line 3 the word "thirty" and substitute therefor the word "sixty" I feel that the period of thirty days as laid down in the Bill is far too short. I think a more realistic period should be sixty days.

Tun Tan Siew Sin: I believe the Honourable Member himself had a very long discussion with the Comptroller-General on this particular sub-clause and, I think, he is under the impression that—in his case, for example, I hope he does not mind as it is not meant to be personal—that these accounts have to be made out within sixty days of the end of the month. That is not so. This sub-clause is essential, again, for the purposes of catching the dishonest taxpayer, the would-be evader, because if we change the 30 days to 60 days and allow him, say, this period of 60 days, he could do it, on the 59th day and say, "Look here, the time lapse is so great that I could not remember". That is why, I think, it is very important that we should make it 30 days. But I can give every assurance that this is not aimed at the honest taxpayer but rather the dishonest taxpayer, and so long as some record is made, we shall not insist that the kind of accounts which are drawn up must be the kind drawn up by a chartered accountant so long as they are clear.

Dr Tan Chee Khoon: If I may clarify, since the Honourable Minister made reference to me and, possibly, he was thinking in terms of members of my profession. Now, members of my profession, their business is not to keep

accounts; their business is to look after the sick; and I do not think that those of us, who are medical practitioners can afford the luxury of employing a bookkeeper to keep our accounts. Consequently most of us, either use our wives, or we write these things up ourselves; and speaking for members of my profession, we find it very difficult. He now says that he will be very reasonable. These are his assurances, but his successor may not think alike and, therefore, may well implement the letter of the law, in which case it will cause a great deal of inconvenience, particularly, to members of my profession, whose difficulties I understand. I believe, if you look into other professions, they may well have the same difficulties.

Tun Tan Siew Sin: Mr Chairman, Sir, in order to accommodate the Honourable Member, I agree to 60 days.

Amendment put, and agreed to.

Clause 82, as amended, ordered to stand part of the Bill.

Clauses 83 to 90 inclusive ordered to stand part of the Bill.

Clause 91—

Dr Tan Chee Khoon: Mr Speaker, Sir, I rise to speak on the amendments standing in my name, viz:

*"Clause 91 (1)—*In line 4 delete the word 'twelve' and substitute therefor the word 'six'.

*Clause 91 (1) and (2) (b)—*delete the word 'twelve' and substitute therefor the word 'six'.

*Clause 91 (3) (b)—*delete the whole of this paragraph.

*Clause 91—*In the last but one line delete the words 'or negligence'."

The Minister knows full well that the practice in most advanced countries is that the upper limit is either six or seven years. Now, as I pointed out before, in this clause 91 (1), he gives the power to the Comptroller-General to go backwards to twelve years, whereas if there is any tax repayments to be made, he says, "Oh, yes, you can claim any repayment up to a maximum of six years". It is just not cricket to me.

The other amendment that I seek to make is to delete the word "twelve" and substitute the word "six" also in clause 92 (b). The other one, of course, is a more serious one. It is in clause 91 (3) (b) which says, "any person who has been negligent". Now, perhaps, the Minister does not realise the significance of this. I fully agree with him that the Comptroller-General should have this power, when it appears to him that any form of fraud, or wilful default, has been omitted by or on behalf of a person. I fully agree with him on that. But here he is lumping together with the same degree of probability "any person who has been negligent". Now, negligence is totally different from wilful default or fraud. I do not know whether the Minister realises the import of the (a) and (b). If he will say that the person who has been negligent will not be lumped together with fraud, or wilful default, that is a different thing altogether.

Tun Tan Siew Sin: Mr Chairman, Sir, I agree that there is some degree of difference between "negligence" and "fraud", but it is very difficult, under most circumstances, to determine where negligence ends and where fraud begins. If we have these fine distinctions, it will be open to a Court of Law to say, "Look here, this is only negligence and is not fraud"; I think that will nullify the intention of this clause which, again, is entirely aimed at the dishonest taxpayer. Secondly, Sir, this clause is substantially, though not entirely, the same as the clause in the existing legislation and no instance has yet been brought to our notice of the powers given in this clause having been abused.

Dr Tan Chee Khoon: Sir, if I may rebut that. The Minister keeps on telling us, this House, that there have been no instances of abuse, why should we be worried. My contention is that there has been no abuse in the past and present is no guarantee that there will be no abuse in the future.

Amendment put, and negatived.

Clause 91 ordered to stand part of the Bill.

Clauses 92 to 97 inclusive ordered to stand part of the Bill.

Clause 98—

Dr Tan Chee Khoon: Mr Chairman, Sir, I beg to move the amendment standing in my name, viz.:

"*Clause 98 (1)*—In line one delete the words 'two or more' and substitute therefor the words 'at least three'."

Mr Chairman, Sir, the Minister, in his reply to my speech, has insinuated that I have acted as the "Devil's advocate" for the habitual tax evader. I have already assured him that I do know for certain that my file with the Income Tax Department is, as I pointed out before, as thick as my file with the Special Branch. Now, clause 98 is a major departure from the established practice. I have pointed out to him before that, under the existing legislation, there are adequate safeguards. Under this innovation that he seeks approval before this House, there are virtually no safeguards. For example, he has put down there, "For the purposes of this Act, there shall be two or more". Now, he knows too well that under this legislation, under this clause 98 (1) and under, I think, paragraph 25 of Schedule 6, the dice is all heavily loaded against the appellant. Now, assuming that the appellant is a tax evader, he should be entitled to a fair hearing. There is no fair hearing, if there are two Special Commissioners, and if one of them thinks that there is no case for the appellant, then he has had it. Now, it would be fairer if the Minister were to agree that there should be three; and if two decide that the case should be dismissed, then the appellant will go away knowing that justice is not only done, but is seen to be done.

Tun Tan Siew Sin: Mr Chairman, Sir, as I pointed out in my reply, this present proposal cannot strictly be compared with the previous practice, where we have members of the public sitting on the Board of Review. The Special Commissioners will be public

servants, within the meaning of the law they will be civil servants, and it is felt that it would be invidious to have three Special Commissioners. But, in any case, if the Honourable Member insists on three, I do not have any strong views, but I should point out that this would not make matters better but rather worse, from the point of view of the taxpayer, because the law as it stands provides that where there is disagreement, where there is no unanimity of opinion among the Special Commissioners, the appeal will be dismissed. So, I do not think that the proposal of the Honourable Member to increase the number from two to three will help the appellants.

Mr Chairman: Do you wish to withdraw your amendment?

Dr Tan Chee Khoon: Mr Chairman, Sir, in a subsequent amendment, I have advocated this three Special Commissioners and the decision should be by a majority vote. Surely, if there are three, it will be more sensible to ask for a decision by a simple majority vote, rather than by saying, "We will increase it to three, but it must be a unanimous decision, otherwise the case is dismissed".

Tun Tan Siew Sin: Mr Chairman, Sir, if we want to change this principle radically and go by a majority vote, then I think it requires more than three—five, or seven, as in the case of jurors. I am not very sure that this is the right course to accept. Any way, this is a rather tricky thing and I am not prepared to give a decision now, but if the Honourable Member will leave it as it is, I will give it further thought and, if necessary, I will bring an amendment later on.

Dr Tan Chee Khoon: I shall be content and I am prepared to withdraw this one, if the Minister can see my point of view and the point of view of a whole heap of taxpayers, in that the principle is that there should be not all this dice being loaded against the taxpayer. If he will consider seriously the suggestion that I have

made, that the decision should be by a majority vote, be it 3, or be it 5, or whatever he likes, Sir, but it should not be out of two, if one decides against you, you had it. As he has pointed out that he will give his serious consideration, and it is a very tricky thing in that if you alter it here you possibly will have lots of other consequential amendments to make, I agree with him, I am not that bigoted as he thinks I am. If he can give an assurance that he will give his serious consideration, I am prepared to withdraw that.

Tun Tan Siew Sin: Sir, I will give some thought to this.

Clause 98 ordered to stand part of the Bill.

Clause 99 ordered to stand part of the Bill.

Clause 100—

Dr Tan Chee Khoon: In view of the assurance given, I withdraw my two amendments on clause 100.

Clause 100 ordered to stand part of the Bill.

Clauses 101 to 107 inclusive ordered to stand part of the Bill.

Clause 108—

Tun Tan Siew Sin: Mr Chairman, Sir, I would like to propose an amendment to clause 108 of the Bill in the manner indicated in the amendment sheets already circulated. The reason therefor is to conform with the wording of clause 110 (9). The amendment reads as follows:

"Substitute 'relief' for 'set-off' in line 15 of sub-section (4)".

Amendment put, and agreed to.

Clause 108, as amended, ordered to stand part of the Bill.

Clauses 109 to 119 inclusive ordered to stand part of the Bill.

Clause 120—

Tun Tan Siew Sin: Mr Chairman, Sir, I beg to move an amendment to the Bill as indicated in the amendment

sheets already circulated to Honourable Members. The reason for these amendments is to provide for the enforcement of section 84 (2) and make some consequential changes in the layout of the paragraphs. The amendment reads as follows:

- "1. Substitute 84 (1) for '84' in paragraph (a).
2. Delete paragraphs (c), (d) and (e) and substitute the following—
 - '(c) fails to give the notice required by section 83 (2), (3) or (4); or
 - (d) contravenes section 82 (1) or (6), 84 (2), 86 (1), 89 or 153 (1),"

Amendment put, and agreed to.

Clause 120, as amended, ordered to stand part of the Bill.

Clause 121—

Dr Tan Chee Khoon: Mr Chairman, Sir, consonant to my objection earlier on, regarding empowering the Comptroller-General to go back the 12 years in respect of accounts, I wish to move an amendment as laid down in the amendment slip put in by me to delete the whole clause.

The amendment reads as follows:

"In line (2) delete the word 'twelve' and substitute therefor the word 'six'."

Tun Tan Siew Sin: Mr Chairman, Sir, as I have already indicated, this amendment is not acceptable to the Government for the reasons I have already given.

Amendment put, and negatived.

Clause 121 ordered to stand part of the Bill.

Clauses 122 to 139 inclusive ordered to stand part of the Bill.

Clause 140—

Dr Tan Chee Khoon: Mr Chairman, Sir, I rise to move the amendment standing in my name, viz:

Clause 140 (1)—In line 1 delete the words "where he is of the opinion" and substitute therefor the words "where he has reason to believe".

Clause 140—In line 16—delete the words "or vary the transaction".

Despite the assurance of the Honourable Minister of Finance, I have been

advised that the powers conferred on the Comptroller-General under this clause is far too great. It says here, "where he is of the opinion". Now, if a person is of the opinion, he may well be of the opinion that those of us sitting on this side of the House, not that I say he will do so, but he may be of the opinion, that all of us sitting on this side of the House deserve consideration under this clause and that he should vary the transaction. I maintain that in a court of law it will be very difficult to refute an opinion. If it is a considered judgment that the Member for Batu should have a certain transaction varied, I do not think that I can get that changed in a court of law, despite the assurance of the Minister of Finance that all the powers given under this section to the Comptroller-General is appealable in a court of law. I have been advised that it is not so, that under this clause one cannot appeal to a court of law, and if the Comptroller-General is of the opinion that the transaction should be varied, then he had it.

Tun Tan Siew Sin: Mr Chairman, Sir, I am prepared to compromise with the Honourable Member. I wonder if he will agree that if I accept the first amendment, he does not proceed with the second, because the second is totally unacceptable.

Dr Tan Chee Khoon: If the Minister is in the spirit of compromise, I will accept that "where he has reason to believe" which I can then contest the reason to believe in a court of law. I will accept that compromise. Amendment to delete the words, "where he is of the opinion" and substitute therefor the words, "where he has reason to believe" put, and agreed to.

Clause 140, as amended, ordered to stand part of the Bill.

Clauses 141 to 156 inclusive ordered to stand part of the Bill.

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

Schedule 3—

Dr Tan Chee Khoon: Mr Chairman, Sir, I beg to move the amendment to Schedule 3 as laid down in my amendment slip which reads:

Schedule 3: add two new paragraphs 52 and 53 to read as follows and re-number the rest—

Initial Allowance for qualified mature students

52. Allowance made under paragraph 53 shall be known as initial allowance for qualified mature students.

53. Subject to this schedule, where a person of or over the age of 30 who has incurred expenditure in qualifying himself for a profession, in a seat of higher learning outside Malaysia and Singapore, he shall be allowed for each of the first 5 years of his business, or vocation, an allowance of 20% of the amount spent by him in acquiring the qualification provided:

- (a) he satisfied the Comptroller of Income Tax, that he supported himself from his own savings or from loans or advance, made to him for that purpose;
- (b) the maximum amount so allowed does not exceed \$10,000;
- (c) no other person, has claimed any relief or allowance, in respect of that person's expenditure under S. 48 of the Act.

The Minister has been saying, again I repeat, the Minister has been saying, that I have been trying to play the devil's advocate for the taxpayer. This amendment to Schedule 3 that I have proposed has nothing to do with tax evasion. It seeks to alleviate the financial difficulties of a large number of people, who have gone abroad to qualify themselves, to better equip themselves for the hard life that they have to face in Malaysia, and when they come back, they are saddled with debts and it will be a great relief to them, if the Minister will consider this amendment of mine which has nothing to do, I reiterate, with tax evasion.

Tun Tan Siew Sin: Mr Chairman, Sir, I agree that this has nothing to do with tax evasion. But the amendment as worded, I think, is open to ambiguity. For example, the Honourable Member for Batu suggests that if he can satisfy the Comptroller of Income Tax that he has supported himself from his own savings, or from loans made to him for the purpose, this concession should be available to him. I suggest, Sir, that it will be very extremely difficult for the Government

with the best intention, or for the officer in the Department of Inland Revenue, to decide whether the expenses incurred for this purpose were from savings, or were not from the savings of the taxpayer. I suggest it is nearly impossible to decide and, under these circumstances, really it will not be practicable to accede to the request of the Honourable Member. Further, I am told that this is a very unusual provision and is to be found in no income tax legislation anywhere also in the world.

Dr Tan Chee Khoon: Mr Chairman, Sir, being unorthodox has never worried me in my life. If I were to conform to the normal form, possibly I will not be in this House today. It has never been my practice to be orthodox and striking out on something new has never really worried me. I will be satisfied to withdraw this, if the Minister will consider this proposal of mine. Because of the time that was given to us, the legal phraseology may not be what it should be. If he will assure us that he will have a closer look at this, I will withdraw this.

Mr Chairman: Is there any amendment from the Government side to Schedule 3?

Tun Tan Siew Sin: Yes, Sir, I beg to move that Schedule 3 be deleted and be substituted by the following. In my opening speech I have given the reasons.

“SCHEDULE 3

Capital Allowances and Charges Qualifying expenditure

1. Subject to this Schedule, qualifying expenditure for the purposes of this Schedule is qualifying plant expenditure or qualifying building expenditure within the meaning of paragraphs 2 to 6.
2. Qualifying plant expenditure is capital expenditure incurred on the provision of machinery or plant used for the purposes of a business, including capital expenditure incurred on—
 - (a) the alteration of an existing building for the purpose of installing that machinery or plant and other expenditure incurred incidentally to the installation thereof;
 - (b) subject to paragraph 67, preparing, cutting, tunnelling, or levelling land in order to prepare a site for the installation of that machinery or plant.

3. Subject to paragraphs 4 to 6, qualifying building expenditure is capital expenditure incurred on the construction or purchase of a building which is used at any time after its construction or purchase, as the case may be, as an industrial building.

4. Where a purchased building to which paragraph 3 applies was in use as an industrial building within one month (or such further period as the Comptroller-General may allow) before the purchase, the qualifying building expenditure incurred by the purchaser on that building shall be taken, for the purposes of this Schedule, to be the amount of the purchase price for the building or, where the purchase price exceeds the vendor's residual expenditure in relation to the building at the date of the purchase, the amount of that residual expenditure increased by any balancing charge made on the vendor, in relation to the building, under this Schedule.

5. (1) In the case of a purchased building in use as an industrial building to which paragraph 4 does not apply, the qualifying building expenditure incurred by the purchaser on that building shall be taken, for the purpose of this Schedule, to be—

(a) the amount of the capital expenditure incurred on the construction of the building reduced by the aggregate amount of all allowances which, if the building from the time of its construction by a person to the date of its purchase by the purchaser had been owned by that person and had been in use as an industrial building for the purposes of a business of that person, could have been claimed by that person and made to him under this Schedule for each particular year of assessment following the year of assessment in which the expenditure on the construction of the building was incurred, up to and including the particular year of assessment in which the building was first used after its purchase as an industrial building by the purchaser, if there had been sufficient adjusted income of that person from that business for the basis period for each of those particular years of assessment; or

(b) the amount of the purchase price of the building, whichever is the smaller.

(2) For the purposes of this paragraph, where the amount of the capital expenditure incurred on the construction of the building is not known to the purchaser or the Comptroller-General, that amount shall be estimated by the Comptroller-General to the best of his judgment.

6. Qualifying building expenditure does not include—

(a) subject to paragraph 67, expenditure which is qualifying plant expenditure for the purposes of this Schedule;

(b) subject to paragraph 42, expenditure which is qualifying plantation expen-

diture for the purposes of this Schedule; or

(c) expenditure which is qualifying mining expenditure for the purposes of Schedule 2.

Qualifying plantation expenditure

7. (1) Subject to this Schedule, qualifying plantation expenditure for the purposes of this Schedule is capital expenditure incurred by a person on—

(a) clearing land in Malaysia for crops planted by him on the land, being crops of a kind approved by the Minister for the purposes of this paragraph; or

(b) planting (but not replanting) crops of a kind so approved on land in Malaysia cleared for planting; or

(c) the construction on an estate in Malaysia of a road; or

(d) the construction on an estate in Malaysia of a building used for the purposes of a business of that person which consists wholly or partly of the working of that estate, or the construction on that estate of a building which is provided by that person for the welfare of persons, or as living accommodation for a person, employed in or in connection with the growing and harvesting of crops on the estate and which, if the estate ceases to be worked, is likely to be of little or no value to any person except in connection with the working of another estate.

(2) For the purposes of this paragraph, "estate" means an estate consisting of a plantation (for the growing of crops of a kind approved for the purposes of this paragraph) and land (adjacent to or closely in the vicinity of that plantation) which is occupied for the purposes of a business which consists wholly or partly of the working of that plantation.

Qualifying forest expenditure

8. (1) Subject to this Schedule, qualifying forest expenditure for the purposes of this Schedule is capital expenditure incurred by a person on the construction in a forest of—

(a) a road or building used for the purposes of a business of his which consists wholly or partly of the extraction of timber from the forest; or

(b) a building provided by him for the welfare of persons, or as living accommodation for a person, employed in or in connection with such extraction, and which,

if the forest ceases to be used for such extraction, would be likely to be of little or no value to any person except in connection with the extraction of timber from another forest or with a business which consists wholly or partly of the working of an estate ("estate" here

having the same meaning as in paragraph 7).

(2) For the purposes of this paragraph, "forest", in relation to a person, means a forest in Malaysia in respect of which he has a concession or a licence to extract timber therefrom, being a forest in use by him for the extraction of timber therefrom for the purposes of a business of his which consists wholly or partly of that extraction.

Qualifying expenditure: initial allowances

9. An allowance made under paragraphs 10 to 12 shall be known as an initial allowance.

10. Subject to this Schedule, where in the basis period for a year of assessment a person has for the purpose of a business of his incurred qualifying plant expenditure, there shall be made to him in relation to the source consisting of that business for that year an allowance equal to one-fifth of the expenditure.

11. Subject to this Schedule, where in the basis period for a year of assessment a person has for the purposes of a business of his incurred qualifying plant expenditure on the provision of machinery or plant for getting tin-ore or extracting or dressing tin concentrates or for extracting timber from a forest or on the provision of machinery or plant for such other activities as may be prescribed, there shall be made to him in relation to the source consisting of that business for that year an allowance equal to three-fifths of the expenditure, unless he elects in writing, when claiming an allowance for that year in respect of that expenditure, that the allowance be equal to one-fifth of that expenditure.

12. Subject to this Schedule, where in the basis period for a year of assessment a person has for the purposes of a business of his incurred qualifying building expenditure on the construction of a building, there shall be made to him in relation to the source consisting of that business for that year an allowance equal to one-tenth of that expenditure.

13. Notwithstanding paragraphs 10 to 12—

(a) no allowance shall be made to a person under paragraph 10 for a year of assessment in relation to an asset and a business of his if at the end of the basis period for that year he was not the owner of the asset or it was not in use for the purposes of the business or, where the asset was disposed of by him in that period, he was not the owner of the asset or it was not in use, prior to its disposal, for the purposes of the business at some time in that period;

(b) no allowance shall be made to a person under paragraph 11 for a year of assessment in relation to an asset and a business of his if at the end of the basis period for that year he was not the owner of the asset or

it was not in use for the purposes of the business or, where the asset was disposed of by him in that period, he was not the owner of the asset or it was not in use, prior to its disposal, for the purposes of the business at some time in that period; and no such allowance shall be made unless, to the extent that the asset was used for the purposes of the business, it was used for any one or more of the kind of activities specified in paragraph 11 and taking place in Malaysia.

(c) no allowance shall be made to a person under paragraph 12 for a year of assessment in relation to an asset and a business of his if at the end of the basis period for that year he was not the owner of the asset or it was not in use as an industrial building or, where the asset was disposed of by him in that period, it was not in use, prior to its disposal, for the purposes of a business of his as an industrial building at some time in that period.

Qualifying expenditure: annual allowances

14. An allowance made under paragraphs 15 to 17 shall be known as an annual allowance.

15. Subject to this Schedule, where a person has for the purposes of a business of his incurred qualifying plant expenditure in relation to an asset and at the end of the basis period for a year of assessment he was the owner of the asset and it was in use for the purposes of the business, there shall be made to him in relation to the source consisting of that business for that year an allowance equal to such proportion of the residual expenditure at the end of that period as may be prescribed.

16. Subject to this Schedule, where a person has for the purposes of a business of his incurred qualifying building expenditure on the construction of a building and at the end of the basis period for a year of assessment he was the owner of the building and it was in use as an industrial building for the purposes of the business, there shall be made to him in relation to the source consisting of that business for that year an allowance equal to one-fiftieth of that expenditure.

17. (1) Subject to this Schedule, where a person has for the purposes of a business of his incurred qualifying building expenditure on the purchase of a building and at the end of the basis period for a year of assessment he was the owner of that building and it was in use as an industrial building for the purposes of the business, there shall be made to him in relation to the source consisting of that business for that year an allowance equal to the permitted fraction of that expenditure.

(2) In this paragraph "permitted fraction", in relation to qualifying building expenditure on the purchase of a building, means a fraction the numerator of which is one and the denominator of which is the number of years comprised in a period which begins with the year of assessment in the basis year for which the building was purchased and ends with the fiftieth year of assessment after the year of assessment in the basis year for which the building was constructed.

18. An allowance made to a person in relation to a business of his under paragraph 16 or 17 for a year of assessment in respect of any expenditure in relation to an asset shall not exceed the amount of the residual expenditure at the end of the basis period for that year.

19. Where in relation to any particular asset the Comptroller-General is of the opinion that the proportion prescribed under paragraph 15 is too high or too low having regard to the use to which the asset is put, he may give a direction for such other proportion as he considers appropriate to be adopted in relation to the residual expenditure.

Plantation allowances

20. An allowance made under paragraph 22 or 23 shall be known as a plantation allowance.

21. A person entitled to a plantation allowance in respect of any expenditure shall not be entitled to an allowance under any paragraph in respect of the same expenditure.

22. Subject to this Schedule, where in the basis period for a year of assessment a person has for the purposes of a business of his incurred qualifying plantation expenditure on the construction of a building, there shall be made to him in relation to the source consisting of that business for that year and for each of the nine following years of assessment an allowance equal to one-tenth of that expenditure.

23. Subject to this Schedule, where in the basis period for a year of assessment a person has for the purposes of a business of his incurred qualifying plantation expenditure to which paragraph 22 does not apply, there shall be made to him in relation to the source consisting of that business for that year and for the following year of assessment an allowance equal to one-half of that expenditure.

24. Subject to this Schedule, where a person (in this paragraph referred to as the transmitter) would but for this paragraph be entitled to a plantation allowance for a year of assessment in respect of qualifying plantation expenditure incurred by him in relation to an asset for the purposes of a business of his and in the basis period for that year that asset is transferred or transmitted by operation of

law or otherwise to some other person (in this paragraph referred to as the recipient)—

(a) the transmitter shall for that year be entitled to only a part of that allowance, being a part which bears the same proportion to the whole of that allowance as the number of days comprised in the period which begins at the beginning of that basis period and ends on the day of transfer or transmission bears to the number three hundred and sixty-five; and

(b) where the asset is—

(i) a plantation used by the recipient for the purposes of a business of his which consists wholly or partly of the working of the plantation; or

(ii) a building which is used by the recipient for the purposes of that business and is adjacent to or closely in the vicinity of that plantation or another plantation of his forming part of that business,

the recipient shall be entitled for the year of assessment in the basis period for which the transfer or transmission took place to the other part of that allowance, and for subsequent years of assessment to any plantation allowance which would have been made to the transmitter if the asset had not been transferred or transmitted and had continued to be owned and used by the transmitter for the purposes of his business at all material times.

25. Notwithstanding paragraphs 22 to 24, no plantation allowance shall be made to a person for a year of assessment in relation to an asset and a business of his—

(a) where the asset is transferred or transmitted in the basis period for that year, if it was not in use for the purposes of the business within one month (or such further period as the Comptroller-General may allow) before that transfer or transmission took place; or

(b) in any other case, if at the end of the basis period for that year he was not the owner of the asset or it was not in use for the purposes of the business.

Plantation charges

26. Where the business of a person consists wholly or partly of the working of a plantation in Malaysia and in a basis period for a year of assessment any sum first becomes payable to him in that period, being a sum in respect of a grant or other payment by the Government, a State Government or a statutory authority which is intended directly or indirectly to relieve him of the burden of any capital expenditure incurred by him on that plantation, a plantation charge equal to that sum shall be made on him in relation to the source consisting of that business for that year.

27. Where in the basis period for a year of assessment a person disposes of an asset and in relation to that asset and a business of his a plantation allowance has been made to him for a year of assessment, and the qualifying plantation expenditure incurred in relation to that asset was incurred over a period ending on a particular day and the disposal of the asset took place less than ten years after that day, there shall be made on him in relation to the source consisting of that business for that first-mentioned year of assessment a plantation charge equal to the amount of—

- (a) that plantation allowance; or
- (b) where a plantation allowance in relation to that asset has been made to him for more than one year of assessment, the aggregate of all those allowances for all those years,

and where that asset is disposed of by that person after the end of the basis period (for a year assessment) in which that business has permanently ceased to be carried on by him, the disposal shall be deemed to have been made in that basis period:

Provided that within three months (or such further period as the Comptroller-General may allow) of the beginning of that first-mentioned year of assessment or, where that asset was disposed of by that person after the end of that last-mentioned basis period, the year of assessment following that in which he disposed of that asset, he may by notice in writing delivered to the Comptroller-General elect that the amount of any plantation charge falling to be made on him in respect of the amount of that aggregate for that first-mentioned year be divided by the number of years of assessment for which those allowances were made; and a plantation charge equal to the amount resulting from that division shall be made on him in relation to the source consisting of that business for each of those years of assessment.

Forest allowances and forest charges

28. An allowance made under paragraph 30 or 31 shall be known as a forest allowance, and a charge made under paragraph 32 shall be known as a forest charge.

29. A person entitled to a forest allowance in respect of any expenditure shall not be entitled to an allowance under any other paragraph in respect of the same expenditure.

30. Subject to this Schedule, where in the basis period for a year of assessment a person has for the purposes of a business of his incurred qualifying forest expenditure, there shall be made to him in relation to the source consisting of that business for that year and for each of the nine following years of assessment an allowance equal to one-tenth of that expenditure.

31. Where a person in relation to a business of his in the basis period for a year of assessment permanently ceases to extract timber from a forest in relation to which he has incurred qualifying forest expenditure, there shall be made to him in relation to that expenditure; and he shall business for that year an allowance in an amount equal to the excess, if any, of that expenditure over the total of any allowances made to him under paragraph 30 in relation to that expenditure; and he shall not be entitled to an allowance under paragraph 30 in relation to that expenditure for any year of assessment subsequent to that first-mentioned year of assessment.

32. (1) Where a person who in relation to a business of his and a forest has incurred qualifying forest expenditure disposes of that forest, there shall be made on him in relation to the source consisting of that business for the year of assessment in the basis period for which the disposal took place a forest charge equal to the amount of any allowance or to the aggregate amount of any allowances made to him in relation to that expenditure under paragraph 30 or 31 or both those paragraphs; and, where a forest is disposed of by that person after the end of the basis period (for a year of assessment) in which that business has permanently ceased to be carried on by him, the disposal shall be deemed to have been made in that basis period:

Provided that within three months (or such further period as the Comptroller-General may allow) of the beginning of the year of assessment following that year in which he disposed of the forest he may by notice in writing delivered to the Comptroller-General elect that the amount of that forest charge be divided by the number of years of assessment for which those allowances were made, and in lieu of that charge a forest charge equal to the amount resulting from that division shall be made on him in relation to the source consisting of that business for each of those years of assessment.

(2) For the purposes of this paragraph, a person shall be taken to have disposed of a forest if, having a concession or licence to extract timber therefrom, he transfers or assigns that concession or licence or surrenders that concession or licence for valuable consideration.

Qualifying expenditure: balancing allowances and balancing charges

33. Allowances made under paragraph 34 and charges made under paragraph 35 shall be known as balancing allowances and balancing charges respectively.

34. Subject to this Schedule, where in the basis period for a year of assessment a person disposes of an asset in relation to which he has incurred qualifying expenditure for the purposes of a business of his

and the residual expenditure at the date of its disposal exceeds its disposal value, there shall be made to him in relation to the source consisting of that business for that year an allowance equal to the amount of the excess.

35. Subject to this Schedule, where in the basis period for a year of assessment a person disposes of an asset in relation to which he has incurred qualifying expenditure for the purposes of a business of his and its disposal value exceeds the residual value at the date of its disposal, there shall be made on him in relation to that business source for that year a charge equal to the amount of the excess:

Provided that no charge shall be made on him under this paragraph if that asset is an industrial building and it is disposed of by him in the basis period (in relation to that business) for a year of assessment which is the fiftieth year after the year in which that building was constructed.

36. No allowance shall be made for a year of assessment under paragraph 34 to a person in relation to an asset which has been disposed of unless an initial or annual allowance in relation to that asset has been made or would have been made, if claimed, to him.

37. A charge made on a person under paragraph 35 in relation to an asset shall not exceed the total of all allowances made to him under this Schedule in relation to that asset.

Disposal subject to control, etc.

38. (1) Paragraphs 39 and 40 shall apply where a person disposes of an asset in relation to which an initial or annual allowance has been made or would have been made, if claimed, to him and at the time of the disposal—

- (a) the disposer of the asset is a person over whom the acquirer of the asset has control; or
- (b) the acquirer of the asset is a person over whom the disposer of the asset has control; or
- (c) some other person has control over the disposer and acquirer of the asset; or
- (d) the disposal is effected in consequence of a scheme of reconstruction or amalgamation of companies,

the disposer of the asset, the asset in question and the acquirer of the asset being in those paragraphs referred to as the disposer, the asset and the acquirer respectively.

(2) In this paragraph "control", in relation to a company, means the power of a person to secure, by means of the holding of shares or the possession of voting power in or in relation to that or any other company, or by virtue of any

powers conferred by the articles of association or other document regulating that or any other company, that the affairs of the first-mentioned company are conducted in accordance with the wishes of that person, and, in relation to a partnership, means the right to a share of more than one-half of the assets of the partnership, or to more than one-half of the divisible profits of the partnership.

39. (1) Subject to any rules made under paragraph 40, the disposal of the asset shall be deemed to have taken place on the first day of the disposer's final period for a sum equal to the disposer's residual expenditure on that day.

(2) In this paragraph "the disposer's final period" means, in relation to the disposal and acquisition of the asset, the basis period (appropriate to the disposer's business for the purposes of which qualifying expenditure has been incurred in relation to the asset) for the year of assessment which coincides with the first year of assessment for which an initial or annual allowance may be made to the acquirer in relation to the asset if it is used for the purposes of a business carried on by the acquirer or as an industrial building.

40. Any qualifying expenditure incurred by the acquirer in relation to the asset to which regard would be had but for this paragraph shall be disregarded for the purposes of this Schedule and the acquirer shall be deemed to have incurred qualifying expenditure in relation to the asset of an amount equal to the sum ascertained under paragraph 39 in relation to the asset; and in relation to the asset—

- (a) the date on which the acquirer shall be treated as having incurred the expenditure so deemed to have been incurred by him;
 - (b) the withdrawal of any allowance which would but for paragraph 39 and this paragraph fall to be made to the disposer;
 - (c) the amount of any allowance or charge to be made to or on the acquirer; and
 - (d) such other matters as may be considered necessary by the Minister,
- shall be determined in such manner as may be prescribed by rules to be made for the purposes of paragraphs 38, 39, and this paragraph.

41. In any case where a person has incurred qualifying expenditure in relation to an asset and any one or more of the following circumstances are found—

- (a) that expenditure was incurred for and that asset is used for the purposes of two or more businesses of his;
- (b) that expenditure was incurred and the asset was used for the purposes of one business of his and thereafter

the asset is used in that business and in another business, or two or more other businesses, of his; or

- (c) that expenditure was incurred and the asset was used for the purposes of one business of his and thereafter the asset ceases to be used in that business and is used in another business, or two or more other businesses, of his; or
- (d) after any of the circumstances referred to in the preceding subparagraphs, the asset is disposed of or, where it was used in two or more business of his, it was disposed of in relation to one or more of those businesses,

the amount of any initial or annual allowances to be made to that person from time to time in any of those circumstances and any balancing allowance or balancing charge to be made on him on the disposal of the asset, and such other matters as may be considered necessary by the Minister, shall be determined in such manner as may be prescribed by rules made for the purposes of this paragraph.

42. (1) Where an industrial building is in use in Malaysia in the basis period for a year of assessment for the purposes of a business of a person and a building in Malaysia is constructed by him and provided by him as living accommodation for an individual employed by him in that business, that last mentioned building shall be treated as an industrial building in use as an industrial building for the purposes of that business at any time that it is occupied by an individual so employed, and there shall be substituted for the amount of the initial allowance which would otherwise fall to be made to him under paragraph 12 an initial allowance equal to two-fifths of the qualifying expenditure incurred by that person on that last-mentioned building:

Provided that, where the expenditure incurred by that person on the construction of that last-mentioned building is expenditure of a kind to which paragraph 7 or 8 is applicable, that person may within three months (or within such further period as the Comptroller-General may allow) of the beginning of the year of assessment in the basis period for which that expenditure was incurred by notice in writing delivered to the Comptroller-General elect that, in lieu of having allowances made to him under paragraph 22 or 23 or under paragraph 30, as the case may be, in relation to that expenditure, allowances be made to him under this paragraph.

(2) For the purposes of this paragraph, in relation to a business of a person, "employee" does not include a director, an individual having control of that business or an individual who is a member of the management, administrative or clerical staff engaged in that business.

Interpretation

43. In this Schedule "asset", except where the context otherwise requires, means an asset in relation to which qualifying expenditure, qualifying plantation expenditure or qualifying forest expenditure, as the case may be, has been incurred.

44. Any reference in this Schedule to any asset or to any relevant interest therein shall be construed whenever necessary as including a reference to a part of any asset or of any relevant interest therein (or, in the case of an asset or any relevant interest therein held in undivided shares, the undivided share in the asset or in the relevant interest therein); and, when it is so construed, the Comptroller-General shall make such necessary apportionments as may be just and reasonable to give proper effect to this Schedule.

45. For the purposes of this Schedule, capital expenditure incurred on—

- (a) the provision of machinery or plant, includes capital expenditure incurred on the reconstruction of that machinery or plant;
- (b) the construction of a building, includes capital expenditure incurred on the reconstruction or rebuilding of that building.

46. Where a person incurs capital expenditure under a hire purchase agreement on the provision of any machinery or plant for the purposes of a business of his, he shall for the purposes of this Schedule be taken to be the owner of that machinery or plant; and the qualifying expenditure incurred by him on that machinery or plant in the basis period for a year of assessment shall be taken to be the capital portion of any instalment payment (or, where there is more than one such payment, of the aggregate of those payments) made by him under that agreement in that period.

47. For the purposes of this Schedule, where an asset consists of a building the owner thereof shall be taken to be the owner of the relevant interest in the building.

48. A building in respect of which qualifying expenditure has been incurred is disposed of within the meaning of this Schedule on the occurrence of any of the following events, that is to say—

- (a) the sale, transfer or assignment of the relevant interest in the building;
- (b) where that interest depends on the duration of a concession, the coming to an end of the concession;
- (c) where that interest is a leasehold interest, the determination of that relevant interest otherwise than on the person entitled thereto acquiring the reversion;

- (d) the demolition or destruction of the building,
- or on the building ceasing to be used as an industrial building.

49. In this Schedule "relevant interest", in relation to a building on which qualifying building expenditure has been incurred, means (subject to paragraphs 50 and 51) the interest in the building to which the person who incurred that expenditure was entitled when he incurred it.

50. Where—

- (a) a person is entitled to two or more interests in a building when he incurs qualifying expenditure on it; and
- (b) one of those interests is an interest which is reversionary on all the other, that reversionary interest shall be the relevant interest for the purposes of this Schedule.

51. An interest shall not cease to be the relevant interest for the purposes of this Schedule by reason of the creation of any lease or other interest to which that first-mentioned interest is subject; and, where the relevant interest is a leasehold interest and is extinguished by the surrender thereof or on the person entitled thereto acquiring the interest which is reversionary thereon, the interest into which that leasehold interest merges shall thereupon become the relevant interest.

52. (1) An asset in relation to which qualifying plantation expenditure has been incurred by a person is disposed of within the meaning of this Schedule on the occurrence of any of the following events, that is to say—

- (a) on the sale of the relevant interest in that asset; or
- (b) where the relevant interest is a leasehold interest and the lease comes to an end, if an incoming leasee or the owner of the interest in immediate reversion makes any payment to that first-mentioned person; or
- (c) on the transfer or transmission of the asset for valuable consideration.

(2) For the purposes of this paragraph, "relevant interest" shall have the meaning which it would have if in paragraph 49 and 50 the reference to—

- (a) a building, were to land or a building,
- (b) qualifying building expenditure were to qualifying plantation expenditure;
- (c) the building, were to land or a building; and
- (d) qualifying expenditure, were to qualifying plantation expenditure.

53. (1) Any reference in this Schedule to the disposal, purchase, transfer or transmission of any asset includes a reference to the disposal, purchase, transfer or transmission, as the case may be, of that

asset together with any other asset, whether or not qualifying expenditure, qualifying plantation expenditure or qualifying forest expenditure, as the case may be, has been incurred on that last-mentioned asset, and in any such case so much of the disposal value or the purchase price, as the case may be, of those assets as, on a just apportionment, is properly attributable to the first-mentioned asset shall, for the purposes of this Schedule, be deemed to be the disposal value or the purchase price, as the case may be, of that first-mentioned asset.

(2) For the purposes of this paragraph, all the assets which are disposed of, purchased, transferred or transmitted in pursuance of one bargain shall be deemed to be disposed of, purchased, transferred, or transmitted, as the case may be, together, notwithstanding that separate prices are or purport to be agreed for each of those assets or that there are or purport to be separate disposals, purchases, transfers or transmissions, as the case may be, of those assets.

(3) Sub-paragraphs (1) and (2) of this paragraph shall apply, with any necessary modifications, to the disposal, purchase, transfer or transmission of any asset or the relevant interest in any asset together with any other asset or relevant interest in any other asset.

54. Where any person has incurred expenditure in relation to an asset which is allowed to be deducted under Chapter 4 of Part III in computing the adjusted income or adjusted loss of that person for the basis period for a year of assessment from a business of his, that expenditure shall not be treated as qualifying expenditure or qualifying plantation expenditure or qualifying forest expenditure in relation to that asset.

55. For the purposes of this Schedule—

- (a) in the case of any expenditure incurred on the construction of a building, the day on which that expenditure is incurred is the day on which the construction of the building is completed;
- (b) in any other case, the day on which the amount of any expenditure becomes payable is the day on which that amount of expenditure is incurred;

Provided that, where a person incurs expenditure for the purposes of a business of his which he is about to carry on, that expenditure shall be deemed to be incurred when he commences to carry on the business.

56. For the purposes of this Schedule, an asset which is temporarily disused in relation to a business of a person shall be deemed to be in use for the purposes of the business if it was in use for the purposes of the business immediately

before becoming disused and if during the period of disuse it is constantly maintained in readiness to be brought back into use for those purposes.

57. If an asset which is temporarily disused in relation to a business of a person ceases to be ready for use for the purposes of the business or if its disuse can no longer reasonably be regarded as temporary, it shall be deemed to have ceased at the beginning of the period of disuse to be used for the purposes of the business, and all such additional assessments shall be made as may be necessary to counteract the benefit of any allowances made to him for any year of assessment by reason of the application of paragraph 56 in relation to the asset.

58. For the purposes of this Schedule, a building is purchased by a person on the sale, transfer or assignment to him of a relevant interest in the building.

59. Any reference in this Schedule to the date of any sale, purchase, transfer or transmission shall be construed as a reference to the date of completion of the sale, purchase, transfer or transmission, as the case may be, or the date when possession of the asset the subject matter of the sale, purchase, transfer or transmission, as the case may be (or of the asset in which there is a relevant interest which is the subject matter of the sale, purchase, transfer or transmission, as the case may be) is given, whichever is the earlier.

60. Where a person who owns a building grants a lease thereof and that building is in use as an industrial building, then, in the application of this Schedule to that person in relation to that building any reference to a business of his shall be taken to be a reference to the source in respect of any income to which that person is entitled under that lease, and any reference to a basis period (in relation to any such reference to a business) shall be taken to be a reference to the basis period in relation to that source.

61. Any plant or machinery which is used for the purposes of a business and in respect of which qualifying expenditure has been incurred is disposed of within the meaning of this Schedule if it is sold, discarded or destroyed or if it ceases to be used for the purposes of that business.

62. For the purposes of this Schedule, where an asset is disposed of by a person, its disposal value shall be taken to be an amount equal to its market value at the date of its disposal or, in the case of its disposal by way of sale, transfer or assignment—

- (a) an amount equal to its market value at the date of the sale, transfer or assignment, as the case may be; or
- (b) the net proceeds of the sale, transfer or assignment as the case may be, whichever is the greater:

Provided that, where the asset is disposed of in such circumstances that insurance or compensation moneys are received by that person in respect of the asset, its disposal value shall be taken to be an amount equal to its market value at the date of its disposal or those moneys, whichever is the greater.

63. Subject to paragraphs 64 to 66, a building is an industrial building within the meaning of this Schedule if it is used for the purpose of a business and—

- (a) it is used as a factory; or
- (b) it is used as a dock, wharf, jetty or other similar building; or
- (c) it is used as a warehouse and the business consists or mainly consists of the hire of storage space to the public;
- (d) the business is that of a water or electricity undertaking supplying water or electricity for consumption by the public; or
- (e) it is used in connection with the working of a plantation and the business consists or mainly consists of the working of the plantation, with or without other plantations; or
- (f) it is used in connection with the working of a mine and the business consists or mainly consists of the working of a mine, with or without other mines.

64. In paragraph 63 (a) "factory" includes—

- (a) a building consisting of a mill, workshop (other than a workshop used for the repair or servicing of goods, if the repair or servicing is carried out in conjunction with or incidentally to the business of selling those goods) or other building for the housing of machinery or plant of any description for the manufacture of any product or the subjection of goods or materials to any process or the generating of power used for the purposes of that manufacture or process;
- (b) a building (within the same curtilage as a building which is used as a factory) used for the storage of any raw material, fuel or stores necessary for the manufacture of that product or the processing of those goods or materials, or for the storage of that product or those goods or materials when processed prior to the sale thereof.

65. (1) Where a building is an industrial building, any building provided as a canteen, rest-room, recreation room, lavatory, bathhouse, bathroom, or wash-room for persons employed in the business for the purpose of which that industrial building is used shall be treated as an industrial building.

(2) In the case of a plantation, where a building is provided for the welfare of persons, or as living accommodation for a person, employed in connection with the working of a plantation, then, if the building is likely to be of little or no value to any person except in connection with the working of another plantation, that building shall be treated as an industrial building.

(3) A building used as a dwelling house (not being for accommodation of the kind mentioned in sub-paragraph (2) or a retail shop, showroom, hotel or office is not and shall not be treated as an industrial building.

66. Where part of a building or of an extension of a building is used as an industrial building and the other part of the building or extension, as the case may be, is not so used, then, if the capital expenditure incurred on the construction of the part which is not so used is not more than one-tenth of the capital expenditure incurred on the construction of the whole building or extension, as the case may be, the building or extension, as the case may be, shall be treated as an industrial building for the purposes of this Schedule; and, where the whole or some of the capital expenditure incurred on the construction of the part not so used is not identifiable as the capital expenditure incurred on the whole building or extension, as the case may be, that last mentioned expenditure or the part thereof not identifiable as incurred on the respective parts of the building or extension, as the case may be, shall be apportioned by reference to the respective floor areas of those respective parts or in such other manner as the Comptroller-General may direct.

67. Where capital expenditure is incurred on preparing, cutting, tunnelling or levelling land in order to prepare a site for the installation of machinery or plant to be used for the purposes of a business, then, if that expenditure amounts to more than fifty per cent of the aggregate of that expenditure and the capital expenditure incurred on that machinery or plant, the machinery or plant shall as regards that aggregate expenditure be treated for the purposes of this Schedule as an industrial building so long as that machinery or plant is used for the purposes of that business; and that aggregate expenditure shall be treated as the amount of the qualifying expenditure incurred on that industrial building, which shall be treated as disposed of if that plant or machinery is disposed of.

68. A reference in this Schedule to residual expenditure at any date in relation to an asset in respect of which qualifying expenditure has been incurred by a person is to be construed as a reference to the total qualifying expenditure incurred by him on the provision, construction or

purchase of the asset before that date, reduced by—

- (a) the amount of any initial allowance made to that person in relation to that asset for any year of assessment;
- (b) any annual allowance made to that person in relation to that asset for any year of assessment before that date;
- (c) any annual allowance which, if it had been claimed (or could have been claimed, if the asset had been in use for the purposes of a business of his) by that person in relation to that asset, would have been made to him for a year of assessment before that date; and
- (d) any annual allowance which could have been claimed by that person in relation to that asset and made to him for a year of assessment before that date if he had been ordinarily resident for the basis year for that year of assessment.

69. Any reference in this Schedule to an allowance made to a person for a year of assessment or to an allowance to which a person is entitled under this Schedule for a year of assessment is a reference to—

- (a) an allowance which is claimed for a year of assessment and is made or is due to be made for that year (any such allowance being treated as having been made at the end of the basis period for the appropriate source consisting of a business for that year); and
- (b) an allowance which would have been made or to which that person would have been entitled in relation to a source consisting of a business of his for a year of assessment but for an insufficiency or absence of adjusted income or the existence of an adjusted loss for the basis period for that year.

70. In this Schedule "purchase price", in relation to the purchase of an industrial building, includes any legal fee, stamp duty or other incidental expenditure incurred by the purchaser in connection with the purchase, but does not include so much of the purchase price of the building and of any land or an interest therein purchased with the building as is attributable to the land or that interest; and, for the purposes of paragraph 53, the building and that land or the interest therein, as the case may be, shall be treated as being separate assets.

Supplemental provisions

71. Where a person has incurred qualifying expenditure in relation to an asset which is owned by that person for a period of less than two years (except by reason of the death of that person), the Comptroller-General may direct that any allowance which but for this paragraph would fall

to be made to him in relation to that asset shall not be made; and, where any such allowance has been made, a balancing charge in an amount equal to any such allowance shall be made on him for the year of assessment in the basis period for which the asset was disposed of by him (being the basis period appropriate to the source consisting of the business for the purpose of which the expenditure was incurred).

72. Where a person is not ordinarily resident for the basis year for assessment, then, in the application of the provisions of this Schedule to him for that year of assessment regard shall only be had to qualifying expenditure incurred by him in relation to an asset which is in use in Malaysia for the purposes of a business of his.

73. Where qualifying expenditure has been incurred by a person in relation to an asset used for the purposes of a business of his, then, if—

- (a) the asset is used only partly for the purposes of the business; or
- (b) paragraph 72 applies to the asset and the business and—
 - (i) the asset is not used wholly in Malaysia for the purposes of the business; or
 - (ii) the business is carried on partly in Malaysia and partly elsewhere, and the asset is not used wholly for the purposes of the part of the business carried on in Malaysia,

any allowance to be made to that person under this Schedule for a year of assessment in relation to the asset shall consist of so much of what would have been the amount of the allowance claimed and due for that year if the asset had been used in the basis period for that year wholly for the purposes of the business, or wholly in Malaysia for the purposes of the business, or wholly for the purposes of that part of the business carried on in Malaysia, as the case may be, as shall be determined by the Comptroller-General having regard to all the circumstances of the case:

Provided that in ascertaining the residual expenditure at any date in relation to the asset regard shall be had, with respect to any allowance claimed in relation to that asset for any year of assessment, to the full amount of the allowance which but for this paragraph would then have been made to him for that year in relation to that asset.

74. Where a person has a source within the meaning of sections 55 to 58, any allowance or charge to be made to or on him for a year of assessment in relation

to a source and to an asset for a year of assessment shall be determined in such manner as may be prescribed by rules made for the purposes of this paragraph.

75. Where, by reason of an insufficiency or absence of adjusted income of a person from a business of his for the basis period for a year of assessment or by reason of the existence of an adjusted loss from the business for that period, effect cannot be given or cannot be given in full to any allowance or to the aggregate amount of any allowances falling to be made to him for that year in relation to the source consisting of that business, the allowance or that aggregate amount, as the case may be, which has not been so made (or so much thereof as has not been so made to him for that year) shall be deemed to be an allowance to be made to him for the first subsequent year of assessment for the basis period for which there is adjusted income from that business, and so on for subsequent years of assessment until the whole amount of the allowance or that aggregate amount to be made to him has been made to him.

76. A person shall not be entitled to an allowance under this Schedule for a year of assessment unless he makes a claim for the allowance for that year in accordance with paragraph 77.

77. (1) Any claim by a person for an allowance under this Schedule for a year of assessment shall be made in a written statement containing such particulars as may be requisite to show that the claimant is entitled to the allowance and a certificate signed by the claimant verifying those particulars.

(2) Any claim to be made by a person for a year of assessment in accordance with this paragraph shall be delivered with a return of his income made under section 77 for that year.

78. Where in the case of a business of a person the basis periods for two years of assessment overlap, the period common to those periods shall be deemed for the purposes of this Schedule to fall into the earlier of those periods and not into the later of those periods.

79. Where as regards a business of a person the Comptroller-General has exercised the power conferred upon him by section 21 (3) to direct that the basis period for a year of assessment shall consist of a specified period, any allowance or charge to be made on or to that person under this Schedule in relation to the source consisting of that business for that year shall be ascertained by reference to such a period as shall be determined by the Comptroller-General, and that last-mentioned period shall be taken to be the basis period for that year in the application of this paragraph with this Schedule".

Amendment put, and agreed to.

Schedule 3, as amended, ordered to stand part of the Bill.

Schedule 4 ordered to stand part of the Bill.

Schedule 5—

Dr Tan Chee Khoon: Mr Chairman, Sir, I rise to withdraw my amendment to paragraph 1 in respect of the word “two” and my amendment to paragraph 23 to delete all words after the words “deciding order”, but I wish to have my amendment to paragraph 14 (b) considered: the amendment reads! “Schedule 5, paragraph 14 (b) add the word “and” between the words “advocate or”. Paragraph 14 (b)—I have merely inserted the word “and” after the word “advocate” to give a greater degree of freedom or elbow room to the appellant.

Tun Tan Siew Sin: Mr Chairman, Sir, I am told by the Comptroller-General that, even at the moment, appellants or taxpayers are allowed to be represented by both an advocate and an accountant; and although this sub-paragraph as drafted now may give the impression that the taxpayer may only be represented by one, in point of fact it means that he can be represented by two. I am told by the Comptroller-General that this is already the practice in spite of the present wording.

Dr Tan Chee Khoon: Mr Chairman, Sir, I am sure that we in this House agree that the Minister may be a very reasonable man, the Comptroller of Income Tax may be a very reasonable man, but the word as it stands is “or”. If tomorrow, he does not like the face of the Member for Batu, and the Member for Batu has the unfortunate occasion to visit the Comptroller of Income Tax, he can say, “No, either your advocate or your accountant.” Now, the amendment that I have put in merely legalises, shall we say, the existing practice.

Tun Tan Siew Sin: If it is necessary, Mr Chairman, Sir, the appellant may be represented by an advocate or an accountant or by both an advocate and an accountant: Does he accept adding the words “or by both an advocate and an accountant” after the word “accountant”?

Dr Tan Chee Khoon: I accept that.

Amendment put, and agreed to.

Schedule 5, as amended, ordered to stand part of the Bill.

Schedules 6 to 9 inclusive ordered to stand part of the Bill.

Bill reported with amendments: read the third time and passed.

House adjourned at 10.00 p.m.