

5
Jilid II
Bil. 5



5
Hari Selasa
13hb Jun, 1972

LAPORAN PERSIDANGAN OFFICIAL REPORT

DEWAN UNDANGAN NEGERI PULAU PINANG
YANG KETIGA
THIRD LEGISLATIVE ASSEMBLY PENANG

PENGGAL YANG KEDUA
Second Session

MESHUARAT YANG PERTAMA
First Meeting

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PULAU PINANG

DEWAN UNDANGAN NEGERI YANG KETIGA

Laporan Persidangan

PENGGAL YANG KEDUA

MESHUARAT YANG PERTAMA

Hari Selasa, 13hb Jun, 1972

HADZIR:

Yang Berhormat Tuan Speaker (Dato' Harun bin Sirat, D.M.P.N.)

Yang Amat Berhormat Ketua Menteri (Dr Lim Chong Eu)

Yang Berhormat Penasihat Undang² Negeri (Enche' Abu Talib bin Othman)

Yang Berhormat Ahli Kawasan Tanjong Barat (Enche' Teh Ewe Lim)

"	"	Kawasan Tanjong Utara (Enche' Khoo Kay Por)
"	"	Kawasan Tanjong Tengah (Enche' Tan Gim Hwa, J.M.N.)
"	"	Kawasan Tanjong Selatan (Enche' Wong Choong Woh)
"	"	Kawasan Sungei Pinang (Enche' S. P. Chelliah)
"	"	Kawasan Bayan Lepas (Enche' Ismail bin Hashim, J.P.)
"	"	Kawasan Butterworth (Enche' Ooi Ah Bee)
"	"	Kawasan Kepala Batas (Tuan Haji Ahmad bin Haji Abdullah, A.M.N)
"	"	Kawasan Glugor (Enche' D. C. Stewart)
"	"	Kawasan Permatang Pauh (Tuan Haji Mohamad Nor bin Haji Bakar, J.P.)
"	"	Kawasan Dhoby Ghaut (Enche' Khoo Teng Chye)
"	"	Kawasan Nibong Tebal (Enche' Teoh Chung Hor <i>alias</i> Teoh Kooi Sneah)
"	"	Kawasan Muda (Tuan Haji Abdul Kadir bin Haji Hassan, J.P., P.J.K.)
"	"	Kawasan Kelawei (Enche' Yeap Ghim Guan)
"	"	Kawasan Tanjong Bungah (Enche' Khoo Soo Giap)
"	"	Kawasan Jelutong (Enche' Koay Boon Seng)
"	"	Kawasan Sungei Bakap (Enche' Veerappen a/k Veerathan)
"	"	Kawasan Ayer Itam (Enche' Tan Phock Kin)
"	"	Kawasan Balik Pulau (Enche' Abdul Rahman bin Haji Yunus)
"	"	Kawasan Tasek Glugor (Enche' Mustapha bin Hussain)
"	"	Kawasan Bagan Ajam (Enche' Ong Yi How)

TIDAK HADZIR:

Yang Berhormat Ahli Kawasan Bukit Mertajam (Enche' Ooh Chooi Cheng, J.P.).

Dewan bersidang sa-mula pada jam 9.41 pagi.

DO'A

(2) Rang Undang² Perbadanan Perpustakaan Umum, Negeri Pulau Pinang, 1972. (Sambongan).

Ketua Menteri: Tuan Yang Di-Per-tua, minta izin berchakap dalam Bahasa Inggeris.

Mr Speaker Sir. Last night when the House adjourned, I reached the point raised by the Honourable Member from Kelawei who is still not present here. However, it will be recorded in due course. When he referred to Clause 25 (1) (b) and on that point where the question of fees, collection of fees was provided for, he immediately went on to speak about the necessity of having a free library and nothing short of a free library would satisfy him.

Mr Speaker, Sir. In the course of moving the motion and also participating in a debate on the amendment moved by the Honourable Member for Ayer Itam, I clearly indicated that Government's intentions in moving this bill at this present stage is that Government will do whatever it can to assist this library and the intention in actual fact and the objective of every quarter although it first appeared in the Gerakan manifesto is the need for a free State Library; is that we should work towards having a free library. And to that extent I indicated that during discussions with the Members of the Library Committee it is evident that the annual recurrent cost of maintaining the library over and above whatever capital cost may involve may be in the region of two hundred thousand to a quarter million dollars. Of course the Honourable Member from Kelawei immediately looked up his own records and said it should be \$238,650, I mean, but that is typical of the Honourable Member from Kelawei because he sees a point of that nature but it will be a fairly large amount of money in relation to items of expenditure in public area and it is the State's intention to do this. Quite possible, however, I think we have to be practical in the

sense that the Corporation may have more elaborate programmes. The Corporation may feel that even if the State were to commit itself to a certain sum and I think it is only fair that the State Government in its annual budget should provide a particular sum for the library but that sum may not meet all the requirements of the library. The library in order to give the efficient services of the modern library might want to go further than whatever immediate funds are available and for that reason those words free library as such have not been specifically written into this bill although I have already mentioned the objective. How in actual fact Clause 25 and if Honourable Member from Kelawei had not just taken the top of a clause—reads the first (a) and (b) now after I have mentioned that we only look at clause I mean (a) the top bit of it now he has gone down a little bit and come down to (b). As an actual matter of fact he went down further the page and went down to 25 (2) to realize that any rule made under this Section which is Section 25 may from time to time be revoked, altered, amended or added to by the Corporation with the approval of the State Authority. This is one latitude in the bill which allows alteration of the rules without having to come back to this House. Similarly if the Library Corporation intends; therefore if the Library Corporation intends not to prescribe entrance fee it may at its own discretion not do so and we hope that the Library Corporation will have the same objective. If it does not prescribe entrance fees or subscriptions then in fact the library is functioning as a free library but we have as I said got to give this library this Library Corporation this flexibility that it may have to meet its problems unless by prescribing entrance fees.

Now over the question of deposits, the term deposit is not written down but 25 (1) (i) reads: "for any other purposes whether of a similar nature to the foregoing or not, necessary or expedient in or about management of the Penang Library or any branch thereof or any mobile library." And

here is a general clause which would allow the Library Corporation to make arrangement for deposits but perhaps the Library Corporation might choose to use Clause 25 (2) rather than this specific Clause 25 (1) (i). The Honourable Member for Kelawei's points therefore I think have been taken. These are about the only points he raised in the course of a very long speech. The only thing I would like to reply to is one of his asides—I cannot see how he contributed to this debate at all. And he says that when it suits him. He means me—which I had rebutted last night, that it is not a question of personally the Chief Minister but the whole of the State Government and the whole of the Government benches being involved. Then we conform; and we slavishly follow the Federal Government laws whenever we do conform. On the other hand here, because we conform to no one, he immediately says “Oh, look at them, they should conform”. So you see the Opposition likes to be right everytime—that is part of their privilege. So when we conform they say we slavishly conform; and if we don't, then they say we are doing things that could be *ultra vires*.

Mr Speaker, Sir, they have their rights. Whether or not their speeches are being vetted by their big boss in Malacca, as it is reported in the Press, I don't know. But sometimes it might be a good thing for them, especially for the Honourable Member for Tanjong Bungah, who obviously requires some of his speeches vetted by his own whip and so on.

The points anyway raised by the Honourable Member for Kelawei only serve to show the lack of experience, the need for more maturity in handling Bills of this nature; whereas I began my reply by saying that it was a pleasure to have to debate in detail Bills of this nature and I think in the Second Reading of the Bill one should debate questions that have been brought up by Honourable Members of the Opposition. And I think the Honourable Member for Ayer Itam has raised several questions which we

shall deal with and I hope that if we satisfactorily deal with them in the course of this debate then we don't have to go into Committee stage. In Committee stage we don't have to again repeat this tedious method of amendments and so on.

However, I would like to say that if Honourable Members of the Opposition do raise cogent points, we will answer them, but if they don't raise cogent points, naturally the debate falls short. The Honourable Member for Ayer Itam will agree with me that throughout the course of this debate I have not accused Honourable Members of the Opposition of being frivolous, which I did the whole of yesterday when at the Committee Stage they tried to bring in amendments after amendments which I personally thought were frivolous. But for the Honourable Member now to have learned these words ‘frivolity’ & ‘frivolous’, I would assure him that I was not being frivolous—I was just showing some pleasantry in the debate in this House. I think debate in this House conducted in its proper manner can be a pleasant, pleasurable and mutually beneficial experience.

However, the Honourable Member for Ayer Itam began his attack on the substantive Motion by saying that during the debate on his Amendment to the Motion he only raised one question, one question only—why?—and I had not replied to him. Now I waited for the whole of the speech to find out why? what?—knowing that the Honourable Member for Ayer Itam likes to keep his climax to the end. He did say during the course of moving the Amendment: “why ignore such advice?” And I think he did repeat this towards the end of his speech on the Bill itself. Now I have stated during the debate on the Amendment that Government had seriously considered the advice and Government had accepted the advice of the members of the Library Committee in all sincerity; and Government did not at any time set aside the views that had been put forward. Now I think we have debated at great length the points that were raised

during the course of the Motion of Amendment but during the debate probably the Honourable Member for Ayer Itam said that in his view the Kedah Bill which adopts almost word for word or suggestion for suggestion the Blue Print for a library is the best and nothing but the best will satisfy him.

I can assure the Honourable Member for Ayer Itam that this is a good principle for the people of Penang. We would like to serve the people of Penang with the best possible and we on this side would also like to reiterate that nothing but the best should emanate. However, what is the best? Does it mean in actual fact that we reproduce the entire recommendations of the Blue Print, then that is the best? That I think we can seriously say will be most like the Blue Print, but the Blue Print may not necessarily be the best. As a matter of fact although the Penang Library Committee adopted most of the suggestions made in the Blue Print on libraries, it did not take up all the suggestions. Most of the suggestions were accepted, most of the suggestions were transmitted. Are we then to say that the Penang Library Committee did not provide the State Government with the very best because it did not put in what the Blue Print wanted? What we can say honestly is that the Penang State Library Committee offered what it considered the best; made use of what it considered most useful in the Blue Print and made its own suggestions. So I think the word 'best' and so on need not be taken up too seriously in this debate. I think the Honourable Member for Ayer Itam will accept that this is part of the flow of speech in the course of debate and there is no real intention to say that what is being served is best or anything.

Now he asks what are the reasons for objecting. I indicated we are not objecting to any of the reasons. The reasons were put forward and I would like to take some time in the House to bring up the close similarities of the

proposals made by members of the Library Committee with the Bill itself. It may not word for word be exactly the same, but in substance, in spirit, in provision for implementation, it is. I think it covers most of the requirements that the Library Committee brought up.

Mr Speaker, Sir, the Honourable Member for Ayer Itam in referring to the proposed Amendments made by the members from the Library Committee stressed two main points—one is the objects and the other is the question of the State Library. Now what were the actual points raised by the members of the Committee. Members of the Committee in their suggestion indicated that to their mind it would be a good thing if the powers and functions of the Corporation be to establish, equip, manage and maintain the Penang State Library. Now here is the main contention. The Bill, as it reads, "to establish and manage and maintain the Penang Public Library in George Town". Now we have to read these proposed Amendments in conjunction with an earlier report made by the Penang State Library Committee for Penang State Library plans 1972 to 1976. So it is quite obvious that the Committee envisaged that to establish a Corporation to manage the Library there is a period of time which will be necessary to implement this Library, for the Library to grow and develop and to form. We say that the Clause 14 (a) does not to any large extent differ from the proposal made by the Members of the Library Committee. 14 (b) in the Bill reads "to promote and encourage reading particularly in the National Language. Now (c) in the recommendations of the Library Committee reads "to promote and encourage reading, particularly in Bahasa Malaysia". Mr Speaker, Sir, again the main objectives are as I have said. Now, the Library Committee did go further in detail; the Honourable Member for Ayer Itam did read through a long list of it right up to (i) —references, lithographic inter-Library loans service to Government industry and commerce to promote and

encourage the books in the State Library and so on. Now Government considers these objections properly belong to the purview of the running of the Library. But this Bill which we are providing for enacts a Corporation which will run the Library. And the Library Corporation when it is set up can take into consideration the views proposed by the Members of the Library Committee and if the Board of the Corporation feel that these particular points should be carried out they have every right so to do. And in order to give this right to do all that has been recommended, and perhaps even more, a general Clause was provided in 14 (c); and 14 (d) reads "to do all such other matters and things as are reasonably necessary for the exercise or performance of all or any of the purposes of this Enactment." If the Corporation agrees with the Members of the Library that the Library should be run and all these are the functions of the Library, they may add a few more, they may subtract some, they can do all such matters. So whilst none of these terms are proposed by the Library Committee have been put down word for word, the Bill does not make it impossible for the Corporation handling the Library and the Library so to act. In actual fact one could put forward the idea that perhaps if we spell all these various things out under the powers and functions of the Corporation in detail, and also taking into cognisance the fact that the Library when it is established cannot immediately fulfil all these functions, I mean in all seriousness, as I suggested, the Library may want to promote a free library service but it may not in the very first instance be able to do so and let's be practicable about it. Our objections I think are laudable, but let us go about achieving our objectives in a practical manner. For example, to act as the organising agency for the lending and exchange of books on an inter-State basis and between State Library and National Library. It may not be able to implement this immediately. Now supposing we wrote all these things down and then the Library

Corporation did not do everyone of those specific things, then what happens? Well, they will say 'the Library Corporation is not doing its work'.

Now in actual fact the Library Corporation considered that within its capabilities it will deal with what itself proposes i.e. what is proposed by the Committee—they will take item (c) or (g) before item (d) or to start off (i) before it does (e)—that is all enabled. And so this Clause which I had previously treated as an omnibus general clause—although the term 'omnibus' may not be a nice legal term but it is certainly a general enabling clause to give the Library Corporation all the functions that are required. Now with regard to the question of the Library, the same position—the Library Committee did in fact advise on the provision of a State Library. We had discussed and debated this at some length during the debate on the Amendment. Now the proposal of the Library Committee is that there should be provision for a State Librarian, officers, servants etc. Now the main point about this particular provision, as in fact the Honourable Member for Ayer Itam had raised, was that the Librarian should be specified and the Librarian functions under the administrative control of the Chairman. The recommendation of the Committee was that the Corporation shall appoint, employ, upon such terms and conditions including remuneration as it may think fit, a State Librarian, other officers and servants as it may deem necessary for the proper and efficient conduct of the functions. The Corporation laid down their duties and conditions of service. Whereas the Bill provides that the Corporation may appoint or employ such officers and servants as may be reasonably necessary for the purpose of this Enactment*. There again there is no conflict except the mention of the term 'State Librarian' has been omitted. Now the second proposal following upon this made by the Committee was that the officers and servants of the Corporation shall be under the administrative control of the State Librarian

who shall work under the general direction of the Chairman of the Corporation, but the Bill provides for that the officers and servants of the Corporation shall be under the administrative control of the Chairman or an officer appointed by the Chairman. So instead of the word 'librarian' the word 'officer' has been inserted.

Now the Honourable Member from Kelawei in fact, in the course of his speech, had stumbled upon a fact which the Honourable Member for Ayer Itam had overlooked, namely, that the present librarian of the Penang Library may not and, in fact, will not be continuing his services, and that the Public Library Corporation may not have the services of a librarian for sometime. And it could possibly be that even in the normal course of administration, a librarian may not be available, under which case the next available officer—an assistant librarian or otherwise—may be appointed and he act as an officer. It could be done. But if we were to put down the terms as proposed by the Committee, namely, that the officers and servants in the Corporation shall be under the administrative control of a State Librarian, then we will need a whole lot of draft amendments to provide for situations where a State Librarian may not be available, or a State Librarian may be absent, or anything of that kind. And we think that this Bill takes into account the spirit of the proposal and that the term—the general term—'an officer appointed by the Chairman' would in actual fact serve the purposes which were envisaged by the Committee. Mr Chairman, these are examples in detail of points which showed clearly that Government took them into serious consideration. We did not reject the advice; we did not object to any of the points that were raised; we felt that the Bill, as presented, in actual fact covered most of the points raised by Members of the Committee.

Now, as a matter of fact, as I stated during the course of the debate on the amendment—when we met the Members of the Committee to discuss the Bill as it was then published in the

Gazette—that the Honourable Members raised several points. They generally accepted that what I had stated to this House in actual fact would meet the Bill and they were convinced that we were not slighting them or putting them aside, and in actual fact the whole meeting was very cordial and I personally learned a great deal from them. I appreciated the work that they did and I reported it in the House. Thanks for all the work that they had done, but they raised two points. One was the question that, perhaps, the Bill did not provide sufficient latitude for the Corporation but accepted donations from international donors. Now we looked into this provision in Clause 18 of the Bill. 18 (a) reads: "Such sums as may from time to time be paid to the Corporation out of the General Revenue of the State or donated by the State Government or any other Government or by any other person for the purposes of the Corporation. Now that we are considering meeting the requirements provided for particularly an area where international-aid donors could come in because this provision would in actual fact allow such international-aid donors.

However, Mr Speaker Sir, as I said, we took into consideration what I personally consider to be a fundamental point raised by the Members of the Committee which I subsequently brought to the attention of the Members of the Executive Council to show that there was no breakdown in the machinery of the Members of the Executive Council except this, and as I said in Committee stage I shall be moving an amendment to provide for this specific provision by a new Clause 15 (h) which will enable the Corporation with the approval of the State Authority to establish, sell shares, or invest in and manage commercial and industrial enterprises. And during the course of the debate on the amendment, I had indicated that this was an important amendment because Members of the Library Committee suggested that if one of the difficulties was the question of funding and the objective is to provide a free library,

then perhaps if the Corporation would give us these powers to invest its funds and even to go into such enterprise related to the Library Corporation, in the running of libraries, such as printing, duplication, reproduction, making of audio-visual tapes and so on, it could probably gain an income, new sources of funds and revenue, and this has been provided for with that objective.

Mr Speaker Sir, I think that I have dealt at great length with the manner whereby the Government has accommodated and incorporated with thanks the views expressed by the Library Committee, and I have stated that when the Corporation is formed and the Board is formed from their practical experience of running the Library, they may find difficulties and if these difficulties required further subsequent amendments to the Bill or to the Act, then we shall bring these amendments up to this House, but in no way whatsoever has the Government attempted to curb the functions, and these are the terms used by the Honourable Member for Ayer Itam of the Corporation.

As a matter of fact, I think from the illustrations that I brought up in detail, the intention of the Government in actual fact is to get the thing going and give it as much flexibility as possible, and I think the Honourable Member from Ayer Itam agrees with us at least on this point that the main thing is to get the Corporation going. Our Honourable Members from Jelutong and Kelawei have said: "Why has it taken such a long time?" Now, this question of discussions, preparations, exchange of views and collating, preparation and drafting of a Bill do take time. The Bills are quite a big file and we have moved it now that the full intention and objective, if possible, is to get the library started as soon as possible. As a matter of fact, the area of the Dewan Sri Pinang which will be allocated to the library has not only been allocated. When the Dewan Sri Pinang reached its final stages of completion, special provision was made in order to provide for the kind of space

which will maximise the use of that particular space by an anticipated library.

Although I say here again we thank the Library Committee for their advice, but how the Corporation is going to find the utilisation of the space will be up to the Corporation in the future to decide. I think everybody will agree that the Members of the Library Committee deserve our thanks because they have tried in so far as possible to anticipate the running of a modern library—not an antiquated pre-historic library, but a modern library—and we hope that this library, which will be established, will spread out, radiate out, its influence from George Town to all other parts of the City. And if we come back to this original report of the Library Committee which was submitted in 1970, it does anticipate this type of radiation. But the term then used was "pressures will also be brought to bear for extension services outside George Town since the library will be more closely identified to the State Government".

Now in actual fact, even the publication of this report has got to be read in its proper context because the State Government, as I indicated, in moving this Bill provides for a Corporation with a legal entity of its own and separate functions as an autonomous body with its corporate given the blessings of this House and not of the State Government, as such. I think all Members of the House who have the interest of getting a library going will understand that not just by provision of a building, nor by putting in of books and other equipment—using the term books as defined in the Bill—and not just a question of giving some money to the Corporation, but there are many problems, human problems, problems of the society and, particularly, a growing society, which will have to be met sensibly by the Corporation. And I think we should take it in good faith that the State Government has attempted to provide the best possible framework in a successful library to be launched. I would like to say that we too reflect the same

opinion—perhaps not in the same words—that nothing but the best should be good for the people of Penang.

Soalan di-kemukakan dan di-per-setujui

Rang Undang² di-bachakan bagi kali yang kedua.

RANG UNDANG² DALAM JAWATANKUASA

Dewan bersidang sebagai Jawatankuasa.

Fasal 1 menjadi sa-bahagian daripada Rang Undang².

Fasal 2:

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Tuan Speaker dengan izin saya mahu berchakap sedikit berkenaan dengan Fasal 2. Dengan izin, saya berchakap dalam Bahasa Inggeris.

I am sure the explanation given by the Honourable the Chief Minister in the course of winding up the debate is not satisfactory. As usual—and I must give him credit for that—he is good in twisting and distorting facts and this is actually what he has been doing in the course of winding up. When I mentioned the various Bills, I merely said that the Kedah Bill is a better Bill than the Selangor one, and he went on to say, “Nothing but the best”, and all that. But I never used any of those words at all. On this question of librarian, I would like to come strictly to the point. The proposal is that we should define “librarian” under Clause 2, and in the words of the Committee it says that it was not necessary to define “State Librarian” as distinctly from other officers appointed by the Corporation in view of his role and responsibilities in the State Library service. And under Sections 9 and 10, does the Committee also propose to put forward in great detail the functions of a librarian? And here we differ and the difference is this, and it is very clear. I agree that there is nothing to prevent but it is not good enough. There is nothing to prevent, as far as the whole Bill goes, the Committee from doing this or doing that but we want specific provisions and

this is important. Here we must investigate the difference—the role of policy which will be the role of the Members of the Corporation. They should decide on policy and administration should be within the sole province of the librarian, and this is very important. Unless the librarian has the full right to dismiss, has the full right to decide everything pertaining to administration, it is impossible to run a library, and we are starting a new library as such. We cannot leave to the discretion of the Members of the Corporation to decide whether powers of administration should be left entirely to the librarian, though we have the powers to do so. And I think as Legislators, it is our duty to see to it that the librarian should be solely responsible for administration, and this is quite a fundamental proposition. The Honourable the Chief Minister took great pains to tell us that there is every possibility that the librarian may be given the power, and this is exactly the point which we are quarrelling about.

So as far as the Museum is concerned—I mean the State Government saw fit to appoint a curator and to define the functions of a curator. I see no reason why this very fundamental provision should not be accepted. We cannot leave it to the whims and fancies of the Library Corporation to decide on this, and to me this is a very fundamental proposition. And I think the same thing happens here. Even in our State Constitution, it is defined what are the functions of the Chief Minister. It is well known what are the functions of the State Secretary. Surely we do not want the Chief Minister to interfere with the State Secretary on matters of administration. That should be the sole prerogative of the State Secretary with regard to administration matters. The Chief Minister can decide on policy matters. And similarly, in the running of the Library, that should be the criterion. And the explanation given by the Chief Minister in this respect is, to my mind, unsatisfactory. Unless you have specific provision, the role of the position of the librarian is by no means certain.

And here again, another argument with regard to the fact that it may not be possible to have a librarian and things like that. Surely, the objective of having the Library Corporation is to run a proper library, and a library can only be run properly if you have a qualified librarian. And the argument saying that you may not have the proper people now and all that is quite immaterial. You must provide for it, and if there is provision for a librarian, it is the duty of the Corporation to look for a qualified librarian. But if there is no provision, then they can take it easy and say, "Well, there is no provision. We can make do with somebody who has some experience on library work." And that is not good enough. As the Chief Minister says, "We must have nothing but the best". We are going to run a proper library here and we must make provision—specific provision—for the proper man to run it.

Ketua Menteri: Tuan Yang Di-Pertua dengan izin berchakap dalam Bahasa Inggeris.

Mr Speaker Sir. The Honourable Member for Ayer Itam really cannot be fully satisfied by anything I say. He says I twist words but I took down the terms he used and he did use the word that the Kedah State Library Corporation Bill was the best. He didn't even use the word better and I was surprised he says it was the best and he went on as I said carried out by his own eloquence to go on. However, who twist words in the course of this (*gangguan*).

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Let us have an answer to this specific question; let us not stray around a point; let's have an answer to this.

Ketua Menteri: I am prepared to come to this because I think it is mere privilege. If I explain this now, what did the Library Committee actually recommend that the Honourable Member now says it is so important, it's fundamental issue. The Library Committee recommended that in the definition

under Clause 2 a State Librarian means the officer appointed by the Corporation under Section 9 for the purpose of its functions and to perform the duties of the State Librarian; it means the officer appointed. Now the Bill goes on to say that

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Let us have a look at Section 9. There is a reference to Section 9. Let us read Section 9.

Ketua Menteri: Clause 11 goes on to say that the officers and servants of the Corporation shall be under the administrative control of the Chairman or an officer appointed by the Chairman. As I said, the spirit is contained in it.

Fasal 2 menjadi sa-bahagian daripada Rang Undang².

Fasal 3:

Ketua Menteri: Saya memohon satu kesilapan masukkan perkataan "ini" salepas perkataan "dengan" yang terdapat di-barisan pertama Fasal 3 (1) Naskah Bahasa Malaysia muka 20.

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Boleh-kah Tuan Yang Di-Pertua beri di-dalam Bahasa Inggeris.

Ketua Menteri: Tuan Speaker, sebab kesilapan perchetakan ini ada-lah di-dalam Rang Undang² Bahasa Kebangsaan sahaja tetapi tidak di-gunakan di-dalam Bahasa Inggeris. Sebab ini saya minta di-jalankan.

Fasal 3 (terta'alok kepada pembetulan-nya) dan Fasal 4 menjadi sa-bahagian daripada Rang Undang².

Fasal 5:

Ketua Menteri: Saya memohon perubahan satu pindaan kepada Sekshen Kechil 5 (1) (f), 5 (2), 5 (6) dan 5 (7) Rang Undang² seperti berikut:

Perkataan "Universiti Pulau Pinang" telah dapat dalam Sekshen Kecil yang tersebut di-gantikan dengan perkataan "Universiti Sains Malaysia", di-dalam Bahasa Inggeris—Subsection 5 (1) (f),

5 (2), 5 (6) and 5 (7) of the Bill whenever "University of Penang" appears, be substituted by "Universiti Sains Malaysia".

Tuan Speaker: Pindaan kepada sekshen Kecil 5 (1) (f), 5 (2), 5 (6) dan 5 (7) Rang Undang² seperti berikut:

Perkataan "Universiti Pulau Pinang" telah dapat dalam Sekshen² 5 (1) (f), 5 (2), 5 (6) dan 5 (7) di-ganti dengan perkataan "Universiti Sains Malaysia".

Pindaan-nya di-benarkan.

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Tuan Speaker, dengan izin, saya bertanya kepada Ketua Menteri.

May I know the reasons as to why the original proposal actually under Section 5 (1) (c) was to have the Chief Education Officer as one of the members and I notice that now we have the legal adviser substituting for the Chief Education Officer. May we know the reason why. I would have thought that the Chief Education Officer would be a more suitable person to be in the Corporation because this is a Library Corporation—no legal matters will be discussed there. There is no requirement for legal advice whatsoever whereas the Chief Education Officer will be more well-versed in the requirements of books—will be more well-versed in this matter. The Bill, in fact the original proposal, which was put forward to the Library Committee mentioned the name of the Chief Education Officer and I am quite surprised to see why the Legal Adviser is put there in substitution for the Chief Education Officer; that is the only point which I'd like answered.

Ketua Menteri: Tuan Yang Di-Per-tua. The State has taken recognisance of the accumulation but I think there is nothing to prevent the Corporation from including the Chief Education Officer among other members but due to the fact that the Corporation is immediately established there will be a great number of rules that will be involved. We thought that the State Legal Adviser should be one of the ex-officio members.

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): If that is the view then in appointing anymore ex-officio members you will be merely depriving members of the general public from being appointed among the six other members because here again there is a recommendation that you should appoint people from cultural and literary organization and if you back the whole Corporation with ex-officio there will be very little left for appointing others and here again the proposal is to increase the number to seven and not six. If that is the intention and also the question of the University Librarian to be put in substitution for the vice-chancellor under (f) and the argument that has been put forward, there is always a possibility to appoint them under (g) but these are specific appointments, these are ex-officio appointments. An ex-officio appointment really should be spelt out very clearly and not to utilize (g) which is intended to appoint people other than ex-officio—will be appointing people under capacity under (g) so I mean if the Chief Minister thinks that he is very clever always in evading the issue by saying well it is not going to prevent me to appoint so and so and so and so. If we add the list of all these people, they will fill up the whole six posts of other members and as a result members of the cultural and literary organization will not have a chance. The Corporation will not benefit from the experience of all these people. So these are points which are very well poised and also another thing is this. We have and I think the Chief Minister also has great experience of all these things that people, ex-officio members are usually very busy people. And there is no provision whatsoever here for their representatives to attend on their behalf should they be busy and this is actually a specific proposal which should be put forward again and not accepted. Strictly speaking if the legal adviser is busy or if the State Secretary is busy there is no provision here for their representatives to attend. They must be present personally and here again is

another to me a very reasonable proposition which is being looked forward and not taken cognisance of.

Ketua Menteri: Tuan Yang Di-Per-tua. The answer to the last point first. The Honourable Member from Ayer Itam and his perfect members of Opposition laid stress that we must make this Corporation a success. It should be a major endeavour on the part of the State not a question of the State Government but of the State as a whole and that being so ex-officio members who are the top senior officials in the State will have to attend. I think it rather detracts from the purpose because I think the idea is to have the officials attending these important meetings; they should attend to put their representations; to put it down to representation of a sports club or something like that. They represent their representatives.

With regard to this question of the Chief Education Officer and advice and consultation with members of the cultural bodies, will the Honourable Member go further to Clause 6 (4). You will see the Corporation will invite one or more persons to attend any particular meeting of the Corporation for the purpose of assisting or advising the Corporation that such invited person shall have no right to vote. So the advice is there, is available but the right is that there is no right to vote.

Fasal 5 (terta'alok kapada pem-betulan-nya) menjadi sa-bahagian daripada Rang Undang².

Fasal 6:

Ketua Menteri: Tuan Speaker, meng-ikut notis pindaan saperti yang di-tunjuk dalam Kertas Satu, pohon satu pindaan dengan Sekshen Kechil I Fasal ini dengan memotong perkataan "Agong" yang terdapat di-barisan ketiga di-dalam Naskah Bahasa Malay-sia muka 21 dan perkataan "General" yang terdapat di-barisan ketiga dalam Naskah Bahasa Inggeris di-muka 35.

Dengan izin, Tuan Speaker. This amendment—one of the amendments which was adopted in consultation with the Library Committee.

Fasal 6 (terta'alok kapada pem-betulan-nya) Fasal 7, Fasal 8, Fasal 9, Fasal 10, Fasal 11. Fasal 12 dan Fasal 13 menjadi sa-bahagian daripada Rang Undang².

Fasal 14:

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Tuan Speaker, Dengan izin, saya berchakap dalam Bahasa Inggeris. We now come to this particular clause pertaining to the functions of the Library. It is clear in the course of the winding up speech of the Honourable the Chief Minister what his intentions are pertaining to the Library. He has made it very clear to us that the limitations of the functions to a mere three functions is motivated by no other reason than the fact that he may not be able or the State Government may not be able to provide sufficient funds for the Corporation. Here we have at this very late stage where a bill is being put forward to establish a library corporation. The Honourable the Chief Minister well knows the cost that is to be involved in running a corporation of this type; in running a truly modern library on a very modest scale will be in the region of a quarter million dollars. So if it is the intention of the State to establish a library corporation it must also be the responsibility of the State to provide that sum of money so that a library corporation once established will be able to carry out its objectives as enunciated as to what a library should be and it is because of that that the objectives were formulated by the Committee. There is a whole course of activities here which are accepted of a library—of a modern library in the State. The danger here is this—it will be misleading the people into believing that we are fulfilling certain objectives of the Government or certain political platforms of the Government to establish a public library by merely passing a bill of this nature. With the passage of this Bill we will have a library corporation as a legal entity but there is no guarantee whatsoever that this legal entity will have the funds to run the library as it should be run and

even up to this very moment the Honourable the Chief Minister is unable to tell us specifically in dollars and cents how much is the State Government prepared to give to this Corporation and this is very important. We don't want to mislead the people into believing—well, Penang now has already got a public library; they have a very fine building in Dewan Sri Pinang but it is an expensive business to run a library in the Dewan Sri Pinang. It is going to be a very expensive business and what the State Government at least should do is to guarantee minimum funds for this library. I mean you cannot leave the whole financial burden to the Corporation and say that because we have established a corporation you are now a legal entity it is your business to raise money in the best way you can and if you can't raise sufficient money to run a library as it should be run on modern lines then you should be content to run it merely as a place for lending books, utilize the books which you have obtained from the Penang Library and lend it out in the usual manner. You have still to collect subscription; you have still to collect entrance fee. So if you were to do that, then the Corporation will exist only in name—it will be the old, a new version of the old Penang Library. And if you do that the reading public will remain the same. You won't be able to expand though there are great scope for expansion because of the fact that you haven't got the funds you simply cannot do it. So in my mind it is unsatisfactory; we cannot simply restrict the reasons for restricting the objections of the Penang Library is dishonest to say the least. If we sincerely believe in running a public library we should run it strictly in accordance with the functions which a modern library should have and I must thank the Honourable the Chief Minister for clarifying the stand of not accepting this particular proposal for amendment. So to my mind it is unsatisfactory. We cannot simply restrict. The reasons given for restricting the objectives of the Penang Library are dishonest, to

say the least. If we sincerely believe in running a Public Library we should run it strictly in accordance with the functions which a modern library should have. And I must thank the Honourable the Chief Minister for clarifying the stand of not accepting this particular proposal for amendment. He has a point there I grant him. He has a point. But to the people of Penang it is dishonest. It will be merely fooling them into believing that at long last we are going to have a Public Library. At long last the Gerakan has kept its promise as put forward in the Manifesto. But what in actual fact do they have? They will only be having a new version of the old Penang Library. And this is very important. And here at least we have an explanation. The explanation may not be logical, though it may expose the State Government as not having stood up to its responsibility in providing an important service to the people of Penang. At least it is an honest statement of facts which I accept. But I would urge the Government if that is the attitude to be adopted towards this Library, they have their priorities all wrong. They must reassess and I hope that in the course of their reassessment they will see fit to make the necessary provision and eventually to agree to incorporate all the amendments into the functions.

We all agree that there is provision for the Library to do it, that the Library has the powers to do it, because it was later on put in as the powers that the Library may do this or may do that. And as the Chief Minister rightly pointed out, we deliberately make it so flexible so that if they have no funds to do it, they need not do it. But surely that is not the function of a Library Corporation. A Library Corporation *must* and not *may*. It is part of their functions to do all this. The people expect them to do it.

After all a quarter of a million dollars is not a very significant portion of State funds and, in view of the fact that it is going to be utilised for a very useful purpose, I see no reason why the State Government should grudge an

expenditure of this type. A little savings here and a little savings there will go a long way towards providing for a liability of this nature.

One will have to look at the Budget to see that quite a lot of unnecessary expenditure can be curbed—and particularly here at this Session when we voted ourselves pensions which will come to quite a substantial sum and which will be an annually recurrent expenditure at that. To say that we are afraid to put all these objects because it may result in the State not having the necessary funds or the Corporation not having the necessary funds to carry out the objectives which are already enunciated—that is exactly the reason we want it to be incorporated so that the State Government will be compelled to carry out those objectives.

Ketua Menteri: Tuan Yang Di-Pertua, minta izin berchakap dalam Bahasa Inggeris. Saya minta izin menjawab panjang sedikit sebab kalau mengikut Peratoran 66 (2), nampak saya perkara yang bangkit dari Yang Berhormat Ahli dari Ayer Itam ia-lah perkara yang boleh di-kira bodoh atau “frivolous”. Sebab ini boleh (gangguan).

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Tuan Speaker, saya minta izin. Standing Order saya bangkit berkenaan dengan Standing Order. Tuan Speaker boleh minta.

Tuan Speaker: Saya mahu nombor.

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): 46. Boleh-kah Ketua Menteri dudok, boleh beri saya berchakap sedikit? Perkataan “bodoh” lagi mahu pakai hari ini. Tuan Speaker sudah beri ruling berkenaan dengan “bodoh”. Saya pun ada beri keterangan berkenaan dengan “bodoh”. Saya sudah ada terjemahan betul. Itu kita sudah taroh betul. Tidak payah lagi kalau saya mahu panggil Ketua Menteri itu bodoh² pun tidak guna. Dia ada chakap. Semua orang pun tahu dia bodoh atau tidak bodoh. Chakapan itu tidak payah dalam Majlis itu. Berapa kali saya sudah chakap. Tuan Speaker

pun bersetuju. Apa sebab Ketua Menteri selalu mahu bangun? Dia tidak ada modal, tidak ada apa mahu chakap. Mahu chakap bodoh² selalu.

Tuan Speaker: Baik, Ahli Yang Berhormat, saya minta tolong-lah tarek balek chakapan itu.

Ketua Menteri: Tuan Yang Di-Pertua, jika Tuan Yang Di-Pertua criticise, sebab itu saya harap masa'alah Standing Order yang akan di-tulis dalam Bilangan², Tuan Speaker (gangguan).

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Tuan Speaker, apa ini mahu challenge Tuan Speaker lagi? Itu sudah keputusan kesilapan. Itu semua orang sudah tahu. Itu sudah kesilapan translation. Sa-bagai Ketua Menteri tidak tahu-kah perkara ini? Buat malu. Dia mesti mahu chakap dalam Bahasa Melayu. Buat apa macham ini, Bahasa Melayu tidak faham?

Tuan Speaker: Ahli Yang Berhormat, pindaan ini akan di-buat pada satu masa kelak. Kerana kita akan berbinchang berkenaan Standing Order Committee. Oleh itu pindaan ini akan di-buat pada masa hadapan. Oleh itu saya harap dari sekarang semua haraplah. Ahli² Yang Berhormat jangan-lah pakai perkataan “bodoh” lagi.

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Bagus.

Ketua Menteri: Mr Speaker, Sir, I feel that the Honourable Member for Ayer Itam has been frivolous (gangguan).

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): That is better, that is better.

Ketua Menteri: because instead of arguing I have all the time indicated that as for purposes of this House, we have to interpret the words as they appear in the Standing Orders and until they are so changed as made by the Honourable Member. But if the Honourable Member feels that this is hurting his feelings, I won't use these words—but he apparently doesn't mind

being called frivolous. That is the same purpose that he is working—wasting time on matters that should have been debated in the Second Reading of the Bill, which were debated at length, the fact that he is not satisfied is not taken up because the Honourable Member has brought up again this question of powers and functions of the Corporation which he had debated in detail and because the Honourable Speaker (gangguan).

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): If you are unable to answer (gangguan).

Tuan Speaker: Saya harap Ahli Yang Berhormat dari Ayer Itam jangan ganggu.

Ketua Menteri: Honourable Speaker you have allowed him to stray away from the subject, I hope you will also give me the same permission to answer to the points that he raised. For example, the Honourable Member said I am a dishonest person, at the same time he said I made an honest statement. Now I do not know what kind of twisting that is. On the one hand, you say a person makes an honest statement and then you say he is dishonest—that is only capable by a twister. I feel that that kind of thing is not necessary. After all the points of debate are taken. Again the Honourable Member went on to talk about the Library not coming on and went to the question of \$250,000.00 being a small sum of money.

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): How much are you going to give to the Corporation?

Ketua Menteri: Mr Speaker, Sir, if in actual fact Government is dishonest in the terms of the Honourable Member for Ayer Itam, I would say that the Honourable Member for Ayer Itam indicates precisely its degree of irresponsibility. After all neither this House—certainly not this House—has proposed, nor has it gone through this House, the allocation in the Budget of \$250,000.00, or whatever it is for the Library Corporation. And, therefore, for the Government at this

time to anticipate and make this statement to prejudge what the House would spend—although from what Honourable Members have indicated, they are prepared to spend any amount of money—I have in the course of the debate indicated that the sum of money that will be involved will be in the region of \$200,000.00 to \$250,000.00. It may be more, but obviously the guiding point has got to be taken and at the proper time in the debate on the Budget the State will allocate the funds.

The State, on the other hand, cannot be so completely irresponsible and dishonest to say that it is going to give any amount of funds. We have to know exactly what the provisions are. Now, under the circumstances, it may be possible for the Corporation to function fully as it intends to do, even within the estimated Budget made by the members of the Penang Library Committee—the estimate made in 1970. Perhaps that amount of money is not enough. Perhaps the Corporation may consider that it requires new items to be provided for the Library to make it into a modern organisation in which case the cost of running the Library will be much higher than what was anticipated by the Library Committee.

As a matter of fact, I hope personally that the Members of the Corporation will study, take into cognisance, the recommendations of what a modern library should provide and how it should function as recommended by the Library Committee or by the Blue Print; and in fact take into cognisance the views of other people who are probably even more current experts than those in 1970. And perhaps even from their own experience provide for things that are required by the State of Penang, the people in the State of Penang, which nobody else had previously thought of but in the light of practical experience will arise. Now these are matters which obviously cannot be immediately provided for.

When the Corporation is formed, the Corporation will submit its own views as to how much it requires to expend in the year and how it intends to move.

It may adopt *in toto* or adopt in part. It may reject the recommendations made by the Library Committee in its plans for the Penang Library. That is up to the Library Corporation. I do not think it is responsible for us to anticipate what the Corporation would do.

On the one hand the Honourable Member for Ayer Itam says: "Oh, we should not have any political appointees. The State Government should give this Corporation full right to function and not control it as an Agency of the State or creature of the State Government, but give this Corporation a free identity of its own". In that same spirit I think the Corporation should be allowed time to think what they want and to make consultations, preparations and calculations of what they want to spend. And until these calculations are forthcoming, I think it will be highly irresponsible for the State to commit itself to any figure. For example, if the Bill came up to say not 1/4 million but 2 1/2 million, would the Assembly then immediately take upon itself to pass that sum of money? Not this is prejudging what is going to happen. It may be likely that the Assembly will think it is important enough to expend that sum of money but that I think should be properly debated during the Budget Session and not taken on here. And just because we are responsible enough not to overstate the case, which cannot be stated at this point, the Honourable Member for Ayer Itam immediately jumps: "the State Government doesn't want to do this". "The State Government doesn't intend to have a modern library".

I think this is an unscrupulous manner of debating. He had his chance during the debate to bring up his points. His points were repeated. Now in Committee stage he takes it up and instead of dealing with any particular detail at all, he has gone off. And I hope, as I said, if you have given him the same latitude, we accept it.

Fasal 14 menjadi sa-bahagian daripada Rang Undang².

Fasal 15:

Ketua Menteri: Tuan Speaker, seperti yang tertunjak di-dalam Kertas Kenyataan yang telah di-bentangkan, saya mohon menhadangkan satu lagi pindaan seperti berikut:

Nomborkan "Perenggan (h)" Fasal ini sa-bagai Perenggan (i) dan masukkan "Perenggan (h)" baru sa-lepas Perenggan (g). Perenggan (h) baru ada-lah seperti berikut. Di-dalam Bahasa Malaysia: "dengan kelulusan Pehakberkuasa Negeri menubuhkan, menjual sher², melabor modal dalam, dan menguruskan usaha² perdagangan dan perindasterian; dan" Di-dalam Bahasa Inggeris, Tuan Yang Di-Pertua: "with the approval of the State Authority, establish, sell shares of, invest in, and manage commercial and industrial enterprises; and". Potong perkataan "dan" yang terdapat di-baris 4 Fasal 15 (g) di-dalam naskah Bahasa Malaysia, dan perkataan "and" yang terdapat di-baris 3 Fasal 15 (g) naskah Bahasa Inggeris.

Fasal 15 (terta'alok kapada pembetulan-nya) menjadi sa-bahagian daripada Rang Undang².

Dewan di-tanggohkan pada jam 11.09 pagi.

Dewan bersidang sa-mula pada jam 11.23 pagi.

Fasal 16, Fasal 17, Fasal 18, Fasal 19, Fasal 20, Fasal 21, Fasal 22, Fasal 23 dan Fasal 24 menjadi sa-bahagian daripada Rang Undang².

Fasal 25:

Ketua Menteri: Tuan Speaker, saya mohon melaporkan suatu kesilapan perchetakan ia-itu perkataan 'mana²' hendak-lah digantikan bagi perkataan 'nama²' yang terdapat di-baris ketiga Fasal 25 (1) (f) naskah Bahasa Malaysia (muka 29).

Fasal 25 (terta'alok kapada pembetulan-nya) dan Fasal 26 dan Tajok penoh dan Fasal yang mengundangkan menjadi sa-bahagian daripada Rang Undang².

Bachaaan Yang Ketiga

Ketua Menteri: Tuan Speaker saya mohon melaporkan bahawa Rang Undang² Perbadanan Perpustakaan Umum Pulau Pinang, 1972 telah pun di-pertimbangkan sa-fasal demi sa-fasal di-dalam Jawatan-kuasa dan di-per-setujui terta'alok kepada pindaan. Oleh itu, saya mohon menchadangkan supaya Rang Undang² ini sekarang di-bachakan bagi kali yang ketiga serta di-luluskan.

Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim): Dato' Speaker, saya menyokong.

Soalan di-kemukakan dan di-per-setujui.

Rang Undang² di-bachakan bagi kali yang ketiga dan di-luluskan.

(3) RANG UNDANG² LEMBAGA MUZIUM NEGERI PULAU PINANG, 1972

Bachaaan Yang Pertama

Ketua Menteri: Tuan Speaker saya mohon menchadangkan supaya Rang Undang² yang bernama 'Suatu Enakmen bagi menubuhkan Lembaga Muzium Negeri Pulau Pinang dan bagi membuat peruntukan² yang berkaitan dengan-nya di-bachakan bagi kali yang pertama.

Ahli Kawasan Dhoby Ghaut (Enche' Khoo Teng Chye): Tuan Speaker saya mohon menyokong.

Rang Undang² di-bachakan bagi kali yang pertama.

Tuan Speaker: Bachaaan kali yang kedua hari apa?

Ketua Menteri Tuan Yang Di-Pertua sekarang juga.

Tuan Speaker: Baik-lah.

Bachaaan Yang Kedua

Ketua Menteri: Tuan Yang Di-Pertua saya mohon menchadang supaya Rang Undang² yang bernama 'Suatu Enakmen bagi menubuhkan Lembaga Muzium Negeri Pulau Pinang dan bagi mendapat peruntukan² yang berkaitan dengan-nya' di-bachakan bagi kali yang kedua.

Muzium Pulau Pinang telah ditubuhkan dalam tahun 1964. Tujuan Muzium itu ia-lah untuk menyimpan dan mempamerkan perkara² yang berkaitan dengan sejarah Pulau Pinang, sejarah semula jadi dan tumbuhan² dan haiwan-nya, kebudayaan-nya, adat resam-nya, seni lukis-nya, dan pembangunan-nya di-bidang pelajaran dan perusahaan. Oleh yang demikian, tujuan Muzium ini ia-lah untuk melayani kehendak² murid², penuntut² dan orang ramai yang ingin menambahkan pengetahuan mereka mengenai kehidupan dahulu dan sekarang di-Pulau Pinang.

Tuan Yang Di-Pertua, Muzium Pulau Pinang telah di-buka dengan resmi-nya dalam bulan Mei, 1964 dan sejak itu ia-nya telah menarik perhatian beribu² pelawat. Bilangan pelawat² tahunan telah bertambah sejak ia-nya di-buka kepada orang ramai.

Muzium Pulau Pinang sekarang ini di-kelolaan oleh Jawatan-kuasa yang di-Pengerusikan oleh Setia Usaha Kerajaan, Pulau Pinang dan ahli² Jawatan-kuasa ini ada-lah di-lantek oleh Kerajaan. Peruntukan wang yang perlu untuk membeli benda² pameran dan bayaran gaji² dan perbelajaan² pentadbiran ada-lah di-sediakan dalam bentuk bantuan² tahunan oleh Kerajaan Negeri.

Ada-lah di-fikirkan bahawa pentadbiran sechara ini tidak begitu memuaskan bagi sa-buah Muzium Negeri dan Kerajaan telah memutuskan bahawa muzium itu di-tadbirkan oleh satu badan berkanun yang akan termasuk ra'ayat Negeri Pulau Pinang sebagai ahli²-nya. Ini akan membolehkan muzium itu berkembang menjadi satu daripada pusat² kegiatan² kebudayaan dalam Negeri ini.

Tuan Yang Di-Pertua, Rang Undang² yang ada di-hadapan Ahli² Yang Berhormat di-Dewan pada hari ini ada-lah terbahagi kepada 7 bahagian. Bahagian pertama Rang Undang² ini ada-lah menumpukan kepada tajok Enakmen dan juga tafsiran istilah² yang di-gunakan dalam Enakmen ini. Bahagian 2 Rang Undang² itu mengandongi tugas² dan kuasa² 'am Lembaga dan juga Ahli² Lembaga.

Dalam bahagian 3 Rang Undang² ini, peruntukan telah di-buat bagi pemindahan aset dan harta benda muzium dan balai seni lukis sekarang kepada Lembaga apabila ia-nya tertuboh.

Tuan Yang Di-Pertua, Bahagian 4 mengandongi peruntukan bagi perantakan pegawai² dan penjawat² Lembaga baru yang akan di-tubuhkan itu. Pembiayaan muzium dan penubohan kumpulan wang muzium ada-lah di-peruntukkan dalam Bahagian 5 Rang Undang² itu. Bahagian ini juga menetapkan bagaimana kumpulan wang itu akan di-belanjakan.

Kuasa² lain Lembaga ini ada-lah terkandung dalam Bahagian 6 Rang Undang² ini dan bahagian 7 mengandongi peruntukan, sekira-nya perlu, bagi pembubaran Lembaga ini dan melepaskan benda² yang di-miliki oleh muzium. Bahagian ini juga mengandongi peruntukan bagi Lembaga membuat kaedah² dan peratoran² yang perlu bagi melichinkan perjalanan muzium itu.

Tuan Yang Di-Pertua, penubohan Lembaga Muzium Negeri Pulau Pinang ada-lah mustahak bagi mengawal dan menguruskan muzium dan balai seni lukis itu dengan sempurna.

Tuan Yang Di-Pertua, dengan itu saya mohon menchadangkan.

Ahli Kawasan Dhoby Ghaut (Enche' Khoo Teng Chye): Tuan Speaker saya mohon menyokong.

Tuan Speaker: Dewan di-buka untuk di-bahas.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): Tuan Speaker, dengan izin,

Sir, I certainly am quite happy to note the establishment of a museum in this State. But I would like to tell this House that a museum is a place where rare things are kept. And for that reason may I suggest to the State Authority that from time to time we exchange rare things with any and every country,—things that we cannot find in this state or country for the

purpose of exhibition. This, I say, would contribute more in terms of general knowledge to the citizens of Penang.

And another thing, Sir, I note is that the statue of Captain Francis Light in Penang has been moving from place to place. I hope, Sir, that this Statue of Captain Francis Light need not be moved so frequently and so unnecessarily. I would like this House, after the formation of this Museum, to consider carefully whether this statue should be kept within the Museum premises, or be kept elsewhere. But I think, Sir, seeing that Captain Francis Light was the founder of Penang, I would suggest that his statue be given a proper place in the State Museum seeing it is historical. Tourists coming to the State of Penang may want to visit our museum to have a chance to look at the statue of Captain Francis Light which has, as I have said, historical background. This is just about all I would like to tell this House. Thank you.

Ketua Menteri: Tuan Yang Di-Pertua, dengan izin berchakap dalam Bahasa Inggeris.

The points raised by the Honourable Member from Tanjong Bungah I am sure will be taken note of by the in-coming members of the Board. He will notice that in the Bill, under Clause 4 (2), "The Lembaga shall have power to exchange, sell or otherwise dispose of any duplicate objects belonging to the Museum which are considered unfit to be preserved", and so on, so that there is provision for this type of exchange. What the objects should be I think will be determined by the Board members.

With regard to the statue of Francis Light, I think it could be added to its history that it was moved about. And whenever the Lembaga finally finds a niche for it in the Museum probably an appropriate statement could be made to the effect to add to its historical prestige.

Soalan di-kemukakan dan di-per-setujui.

Rang Undang² di-bachakan bagi kali yang Kedua.

RANG UNDANG² DI-DALAM JAWATANKUASA

Dewan bersidang sebagai Jawatan-kuasa.

Fasal 1, Fasal 2, Fasal 3, Fasal 4, Fasal 5, Fasal 6, Fasal 7, dan Fasal 8 menjadi sa-bahagian daripada Rang Undang².

Fasal 9:

Ketua Menteri: Tuan Speaker, saya memohon melaporkan satu kesilapan perkataan "keluasan" hendak-lah digantikan bagi perkataan "kelulusan" yang terdapat di-barisan 1 Fasal 9 (2), Naskah Bahasa Malaysia muka 50.

Fasal 9 (terta'alok kepada pembetulan-nya), Fasal 10, Fasal 11, Fasal 12, Fasal 13, Fasal 14, Fasal 15, Fasal 16, Fasal 17, Fasal 18, Fasal 19, Fasal 20, Fasal 21, Fasal 22, Fasal 23, Fasal 24, Fasal 25, Fasal 26, Fasal 27, Fasal 28, Fasal 29, Fasal 30 dan Fasal 31 dan tajok penuh dan Fasal yang mengundangkan menjadi sa-bahagian daripada Rang Undang².

Dewan bersidang samula.

Bachaan Yang Ketiga

Ketua Menteri: Tuan Speaker, saya memohon melapor bahawa Rang Undang² Lembaga Musium Negeri Pulau Pinang 1972 telah pun di-pertimbangkan sa-fasal demi sa-fasal didalam Jawatan-kuasa dan di-perse-tujui terta'alok kepada pindaan.

Oleh itu saya memohon menchadangkan supaya Rang Undang² ini sekarang di-bacha bagi kali yang ke-3 serta di-luluskan.

Ahli Kawasan Dhoby Ghaut (Enche' Khoo Teng Chye): Tuan Speaker saya menyokong.

Soalan di-kemukakan dan di-per-setujui.

Rang Undang² di-bachakan bagi kali yang ketiga dan di-luluskan.

(4) RANG UNDANG² PERBEKALAN TAMBAHAN YANG PERTAMA NEGERI PULAU PINANG, 1972

Bachaan Yang Pertama

Ketua Menteri: Tuan Speaker saya memohon menchadangkan supaya Rang Undang² yang di-namakan satu Enakmen bagi menggunakan wang daripada Kumpulan Wang yang di-satukan untuk perbelanjaan tambahan bagi perkhidmatan bagi tahun 1972 di-bachakan bagi kali yang pertama.

Ahli Kawasan Permatang Pauh (Tuan Haji Mohamad Nor bin Haji Bakar): Tuan Yang Di-Pertua, saya memohon menyokong.

Rang Undang² di-bachakan bagi kali yang Pertama.

Tuan Speaker: Bachaan bagi kali yang Kedua hari apa?

Ketua Menteri: Tuan Yang Di-Pertua sekarang juga.

Tuan Speaker: Baik-lah.

Bachaan Yang Kedua

Ketua Menteri: Tuan Yang Di-Pertua, saya mohon menchadangkan supaya suatu Rang Undang² yang di-namakan Enakmen bagi menggunakan wang daripada Kumpulan Wang yang di-satukan bagi perkhidmatan tahun 1972 dan bagi menguntukkan jumlah wang itu kerana maksud² yang tertentu di-bachakan bagi kali kedua.

Tujuan Rang Undang² Perbekalan Tambahan yang Pertama ini ada-lah untuk memberi kuasa berkanun kepada Kerajaan Negeri bagi membuat perbelanjaan tambahan yang berjumlah sebanyak Ringgit Sa-ratus tiga puluh dua ribu enam ratus sembilan puluh lima sahaja (\$132,695/-) bagi perkhidmatan bagi tahun 1972. Butir² mengenai perbelanjaan ini beserta dengan keterangan²-nya ada-lah di-bentangkan dalam Dewan ini sebagai Risalah Bilangan 1 Tahun 1972.

Rang Undang² ini memperuntukkan 5 pechahan kepala bagi perbelanjaan luar jangka dan daripada ini 2 pechahan kepala ya'ani pechahan kepala 59 di-bawah Ketua Menteri dan Pejabat Setia Usaha Kerajaan dan pechahan kepala 11 di-bawah Bomba ada-lah di-wujudkan bagi menemui perbelanjaan

luar jangka, yang mana peruntokan² tidak di-masokkan dalam Enakmen Perbekalan, 1972. Perkara² perbelanjaan yang lain ada-lah peruntokan² tambahan bagi menemui perbelanjaan² yang di-buat semasa lawatan Duli Yang Maha Mulia Seri Paduka Baginda Queen Elizabeth II ka-Pulau Pinang dan semasa Perlumbaan Kereta Motor Pulau Pinang yang ke-3 yang telah di-adakan dalam bulan April, 1972.

Tuan Yang Di-Pertua, perkara perbelanjaan besar yang satu lagi sebanyak Ringgit Empat puluh ribu sahaja (\$40,000/-) di-bawah Kepala 21 adalah cbarum kepada Kumpulan Wang Pembangunan Negeri untuk menemui perbelanjaan tambahan di-bawah Anggaran Pembangunan Tambahan Yang Pertama.

Oleh itu, Rang Undang² ini hanya memohon kuasa berkanun bagi perkara² perbelanjaan yang mana peruntokan² tidak di-adakan dengan sechukup-nya dan tidak di-peruntokkan di-bawah Enakmen Perbekalan, 1972.

Tuan Speaker, saya mohon men-chadangkan.

Ahli Kawasan Permatang Pauh (Tuan Haji Mohamad Nor bin Haji Bakar): Tuan Speaker, saya mohon menyokong.

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Tuan Speaker, saya minta kebenaran chakap dalam Bahasa Inggeris.

From the Estimates we have before us of Supplementary expenditure we were told that certain items of expenditure were necessary because of various factors; but in the course of his speech, I regret to note that the Honourable the Chief Minister did not in actual fact clarify the matter to any great detail. However, I would like him to inform this House in greater detail the various Heads of expenditure, particularly of Item 1. A sum of \$24,000.00 was spent on the visit of Her Majesty Queen Elizabeth the II to Penang on the 8th March, 1972. There was an original provision of \$35,000.00. Apparently the banquet which was

planned was not held. With regard to the \$24,000.00, could the Honourable the Chief Minister enlighten us by giving us a breakdown of how this sum of money is being expended? Unless we are informed we are in no position to know exactly whether the sum of money to be voted for is justifiable or otherwise. I note that as far as decorations are concerned, quite a number of decorations are actually being done by local private bodies—the PPC and others. I for one could not see how a sum of \$24,000.00 can be incurred.

Then we come to this item of motor-racing—another sum of \$60,000.00. To my knowledge, this year there was no road paving whatsoever, because the road was already paved last year; and here again we shall be grateful if the Honourable Chief Minister can clarify as to the breakdown of this sum of \$60,000.00 for motor-racing.

And in this respect I would like to urge the Honourable Chief Minister, if it is going to be a recurrent sum of \$60,000.00 for every year to have motor-racing, to devise some ways and means whereby road signs need not be removed or street lamps need not be removed and things like that. It will be cheaper to do this, as these are quite expensive items.

And also in that respect I would like to urge the Chief Minister to see to it that this sort of motor-racing will not cause inconvenience to the general public of Georgetown. As far as the last motor-racing is concerned, the sand bags were left lying on the roads for days after the racing. I see no reason why the people concerned should not be in a position to remove the sand bags as quickly as possible. They were left lying on the sides of the road and it is an eyesore besides being a hazard to motorists.

And on this question of motor-racing, since it is going to be an annual affair, I think the Government should look into it and devise some ways and means whereby this sort of event can be held without undue expenditure of State funds.

Tuan Speaker: Ada lagi Ahli² yang hendak berchapak?

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): Tuan Speaker, dengan kebenaran. Tuan Speaker, Sir, we are indeed very distressed at the way the Government persistently raises supplementary items in this House. This has been a practice that has been going on and we have time and again impressed on the Government to avoid this kind of practice. More so particularly when we note that this Head B.I. should have been foreseen by the Government, because our Budget was presented in December 1971 and the news of the impending visit of Her Majesty the Queen was already known—in fact about one year in advance or at the very least 6 months in advance way back in 1971. And yet the Government, as it were, has not prepared itself for this item of expenditure and has had to come to this House again. This Supplementary vote will further add to create a bigger deficit in our Budget for the year 1972.

And coming to this point, Sir, of this Supplementary Vote to the Ketua Menteri and the Pejabat Setiausaha Kerajaan, we find that on matters that are of importance to this State Assembly nothing is done expeditiously; whereas frivolous things of this nature, spending money wastefully—people's money wastefully expended—the Government is very eager to expend upon. For example, we have spoken about it in the last Session and impressed that better facilities be given to this Assembly and yet up to date things of this nature have not materialised at all. And if a Supplementary Vote were to be asked for things of that nature then we in this House will be quite happy to support, if the Government having presented this Budget and having heard what was said in the last Session decided to implement some of the suggestions; but up till today no attempt has been made by the Honourable Chief Minister to come at least (*gangguan*).

Tuan Speaker: Ahli Yang Berhormat, saya harap Ahli Yang Berhormat

pandang-lah ka-hadapan. Sekarang kita chapak di-atas Perbekalan Tambahan.

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): Tuan Speaker, we are voting for B.I. But of course the Honourable the Chief Minister has presented for only this particular item in respect of Her Majesty's visit; but we are just merely impressing on the Honourable the Chief Minister that these Supplementary Votes that do come to this House must be something of substance and not—to use his favourite word—"frivolous" things. And these are obviously frivolous. I do not see why this State should expend so much money on matters of this nature.

We should not attempt to imitate other States and other countries in terms of trying to put on a show. I think dignitaries of this nature who come to visit us are not so much concerned with the type of show we can put on rather than to see what is naturally here for in terms of that of course Government benchers do not really appreciate. They think that people from abroad wish to come to Malaysia basically to see the same things that they have in their own country.

And as far as that is concerned, I feel that this kind of item first of all should have been foreseen in 1971, especially when the Government presented this Budget so late right up to December 1971 and should have foreseen it. Secondly, we feel that this kind of things do not merit such urgency when all other matters concerning this State, and concerning the very function of this Assembly, are being neglected by the State Government and particularly by the Department for which we are voting this money; and that one of which is better facilities for this House will be better than providing pensions and gratuity for people who will probably die or be of no service to this State.

Tuan Speaker: Saya harap jangan patah balek.

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): Going back on the visit of the Queen, I think that the State

Government was attempting to be too ambitious in its programme and I think that most people who were involved in one way or other simply found themselves being swept off their feet; because you are trying, Sir, to cram so many things in the visit that is basically less than a day, trying to cram so much in one visit. And I think that the Government should appreciate that when you attempt to do something like that, you do not really achieve real results. What you attempt to do is to have a sort of site-seeing tour all over the place instead of trying to emphasise on the better aspects and leave the unnecessary things aside. Anybody, as I said, who participated to any extent in that particular visit would have seen that the Government's time schedules completely went out of hand. And attempting to do so much in so little time, the Government succeeded in creating a very poor impression of what this State has to offer.

And I would say if you really wish to promote tourist publicity about Penang, that would have been a wonderful opportunity to have taken. I mean the Queen of England is visiting us, therefore by virtue of that visit alone you get a lot of publicity for this Island.

But, sad to say, the whole programme was in such a mess and notably, Sir, the lack of control—and that has been noted by members of the public when the Queen visited Dewan Sri Pinang. I do not know why the Government did not make proper preparations, and allowed the unfortunate scrambling that took place. This kind of thing just shows to a great extent the complete lack of capacity to manage things of this nature. Government can talk a lot, but when it comes to implementing a lot of things it falls far short. And in this kind of things, a visit of this nature which gets maximum publicity, it is very important to avoid this embarrassing incident.

Sir, on the question of this circuit races in Penang, we have in this House on our part time and time again stressed that the State Government should not involve itself, Sir, in financing these

events. \$60,000.00 spent on racing can be better spent on repairing the roads on this Island, providing lights for areas of this City which do not have lights and other good projects—play-ground for the children and things like that—instead of spending on races.

Sir, if the private sector wants to have races every year, let them have it. Let the commercial firms finance these races. Why should the State Government expend \$60,000.00 to allow Rothman to go and put up their advertisement? Why should we do things like that? If Rothman, Dunhill, or whoever else, wants to put up advertisement and wants to utilise the circuit races for their advertisements, let them do so. Let them finance. These are big companies which have Budgets even much bigger than the State of Penang. Why should we facilitate these things unnecessarily?

And if at all this event is to be an annual event, why cannot the State Government set aside some piece of land somewhere on this Island or on the mainland so that these races can be held there? Why must it be held right in the middle of the City creating traffic congestion and preventing a lot of people, Sir, from going to their offices? Why? These are public roads. Why should these public roads be shut off to the public merely to please a minority group which wants to have circuit races? I for one am not against sports, but there must be a right place and a time for this. Not right in the City centre. We know the Chief Minister is very fond of propaganda and, of course, he likes to have these circuit races right in front of the City so that it can get maximum propaganda for the Government. "Oh! Government is doing something". Just as we find in this excessive lighting at Pasar Malam. Pasar Malams you see more lighting than people. This is the kind of political consideration that goes into everything that they do. Why should we hold this there? Are there no other places, better places, to hold these circuit races? Why must these circuit races be held right in the centre blocking the road?

And there again a great amount of expenditure is incurred in removing all these traffic islands and road signs and so forth. Why must this thing be repeated year in and year out? The public are very distressed with this kind of attitude. If we are to have this as an annual event—and this similarly applies even to the Pesta Pulau Pinang—why do you have it at the Esplanade grounds when you have to turf the thing every year? By the time we have succeeded in returfing it, the grounds are ready for another Pesta and the whole cycle starts again and again—and every year you are wasting money here \$60,000.00; every year I presume, and it may go up another \$60,000.00. Do we hear from the Honourable the Chief Minister that next year there will be no circuit races or that circuit races will be held elsewhere? We seriously ask him to reconsider this thing and to consider that these circuit races, which are in themselves quite good because they do contribute to a certain extent to publicising the State—as one of those States—parts of Selangor and Johore which have circuit races. Good, no doubt, but there is a place, Sir. The Honourable the Chief Minister likes to talk about the proper place, the proper time for moving an Amendment; well, what is proper here? This is not the proper place to hold the circuit races right in front of our this very building.

And we suggest that the Honourable the Chief Minister through his good offices, particularly now that he is Member of a Coalition, gets perhaps one of the MCA millionaires to donate a piece of land somewhere outside the City so that the circuit races can be properly run there, and other events; even Pesta can be held there, but not right in the centre causing obstruction.

And it is true we said right after the circuit races all the sandbags were left where they were—no attempt was made to clean them up. And at Weld Quay, and in fact by the side of Bangunan, for that morning, the Monday after, buses couldn't go through that area—there was a hell of a traffic obstruction. This is the kind of thing

that is being promoted, encouraged. And what do these sandbags which are littered along the road constitute? Are they not litter? We have forgotten about our litter campaign now—Penang City in fact has gone back to being just as dirty as before.

De facto if, in fact, *de jure* than it has always been also dirty, but in spite of the propaganda we hear that excuse. So, for this kind of expenditure, we really would like to stress here to the Chief Minister that it is high time to consider that it is not of priority. If you wish to let us use this money profitably in some other projects—building roads or repairing roads, street lamps, improving the lighting—because it is so sickening, Sir, to the public to read the newspapers time and again that some Local Authority refuses to repair a road because it says it is not a public road. And yet, \$60,000.00 is thrown away to support some minority group which wants to utilise the City area for this purpose. And would the Honourable the Chief Minister wish to promote other things? Why, Sir, under what basis, on what principle, do you decide to support an event like that?

Now, we in this House have pressed, for example, a simple thing like a Road Safety Council. The Honourable the Chief Minister insists that \$750 is the biggest bid you can make. But here, Road Safety Council is an institution of the nation and the State. And yet here, \$60,000 you are prepared to spend. Where do you stop? Would you like to expend money for, well, the Aviarist Society, for their exhibition, or what other society would you be prepared to, but under what basis? We would like to have an explanation from the Chief Minister. Under what basis do you justify this kind of contribution—under what basis? Why particularly this? Would you like to finance the top-spinning competition in Penang? Would you like to do that? On what basis is this done? To a great extent, as I said, it helps to promote the interests of the cigarette manufacturers, the interests of the motor companies. Let them promote; let them

finance this. When we ask for a reasonable vote—a reasonable expenditure—for a thing like the Road Safety Council, we draw a blank with the Honourable the Chief Minister, in spite of the fact that he talks of conformity. Whereas other States contribute \$10,000, he is not even contributing \$5,000. So we would stress that \$60,000 for this, Sir. Out of this \$60,000 you can't even draw out \$5,000 for Road Safety Council. Is that the attitude. So I think that all along, what we have said it true—the State Government has no sense of priority, no sense of responsibility to this State. On items like this, they come out.

As I say, we are against—very adverse to—supplementary budgets because it is an indication, Sir, very clearly that the State Government is not budgeting properly. It has no idea what it is doing. Probably year to year it just copies its budget and then adjusts a few percentages here and there. These are the items that they know will recur.

So on our part, we cannot support this motion.

Ketua Menteri: Tuan Yang Di-Pertua, saya ingat apa² perkara yang dibangkitkan oleh Ahli Yang Berhormat dari Parti Pembangkang baru² tadi kita dengar dari Yang Berhormat Ahli dari Kawasan Kelawei itu bukan-lah gramophone record, tetapi cracked gramophone record yang sudah pecah. Sebab sekarang bukan Anggaran tahunan tetapi sahaja satu Rang Undang-undang² untuk wang tambahan—Supplementary Budget. Saya minta izin, Tuan Yang Di-Pertua, berchakap dalam Bahasa Inggeris.

The Honourable Member for Kelawei asked why the provision for the increase to the proposed provision for the Budget for the visit of Queen Elizabeth was made. As shown in Paper One, the statement is given that this provision requires expenses. The Honourable Member asked for a detailed breakdown of this \$24,000. It will not be possible for me to give a complete breakdown of this \$24,000 because the general expenditure was

when we had this provision of \$35,000 on the debate on the Budget itself there had been an approach—indication—that Her Majesty Queen Elizabeth II would be visiting Penang, and at that time it was considered that \$35,000 would be the sum that would be necessary. However, the actual visit was planned in conjunction with representatives from Her Majesty's entourage, with representatives also from the British High Commission in Kuala Lumpur and also from the Protocol Office of the Ministry of Foreign Affairs. And it was in conjunction with these preparations that the programme was drawn up and in conjunction with the proposed programme, the Government decided that we should accede to what was proposed and that entailed more expenditure such as the repair and cleaning up of His Excellency's residence up the Hill—Bel Reterio—and preparing generally additional items, such as a visit to the shore at Batu Ferringhi. Now these were items which we did not anticipate in view of the fact that it was requested by the representatives and we felt that this was not a frivolous action as was brought up by the Honourable Member from Kelawei but a gracious visit by a Head of State with which we have very close and friendly ties and which we thought we should promote and uphold. Under the circumstances, there was more expenditure than originally provided for.

Now, exactly the details of where the \$24,000 is going to come into, I think Honourable Members can accept that it will not be easy to say that \$2,200 or \$120 was spent for putting up a special stage and so on and that contributed to the extra \$24,000, because the total amount spent will now be in excess of the \$35,000 and will be in the region of \$59,000 to \$69,000, and it will be difficult to say where the extra expenditure took place because when the Budget was passed and provision was made for \$35,000, no detailed breakdown was then made. That brings me to a smaller point brought up by the Honourable Member from Kelawei. He

is entitled as usual to his own comments and he says: "The visit of the Queen was too ambitious—crammed too much on the visit. It was a sight-seeing tour; the time schedule went completely out of hand; created bad impression and was such a mess." Well, those are his views. He is entitled to them.

So far as the Government is aware, the visit by a dignitary like or the stature of Her Majesty Queen Elizabeth naturally entails more than one would expect. And we shouldn't try to measure this from the experience of the proverbial "katak di-bawah tempurong". We should have a little bit more experience of these matters to examine what actually happens elsewhere. And we ourselves have little experience in organising programmes of this nature, but from all reports that I managed to get and which the Government has obtained, the visit to Penang was, in actual fact, in terms of preparations made by other countries and other parts in our own country, Penang did extremely well. That is to put it very mildly, but if the Honourable Member feels that it was a mess and the programme went hay-wire, I must say that the programme, which lasted for slightly more than 12 hours, was out only by 5 minutes. Let's say from the time the Royal Entourage left the Royal Boat to the time it went back, the time schedule spent over 12 hours was only late by 5 minutes. I think this is an example of how this schedule was worked out. Now, if that was called a mess by the Honourable Member from Kelawei, well he is entitled to his own pleasantries and frivolities. And since you, Mr Speaker, has enjoined us not to use terms like "bodoh", and this is obviously not frivolous, but "changok" on the part of the Honourable Member from Kelawei.

On the question of circuit races, the important point he raised is: "Under what basis did we spend this money?". The Government spent this money on the basis that provision was made in the Budget. The Budget was debated in this House; it was passed in this

House; and on that basis Government spent this money. The Honourable Member from Ayer Itam asked whether in future Government will not present token votes and give the State the sum of \$60,000. Well, Government will seriously consider this and I think we shall be able to give this figure. Now, it is wrong to suggest, however, that \$60,000 is being thrown away, when during the debate on the Budget itself, Members of this House had an opportunity to discuss whether or not it was proper for us to have circuit races, and it was agreed that for the purposes of tourist promotion that circuit races should be promoted. As a matter of fact, the Honourable Member from Kelawei himself admits that it is a good thing—admits that it was quite good. His words: "It is quite good and contributes to publicising the State", and then, of course, he has got to go on, but on the exact utilisation and provision he admits it is quite good. So there was a proper provision. Now, \$60,000 is the amount of money that we have in our fund to be required from the State to initiate with helping of these circuit races, but there is a recovery from the circuit races which will offset this amount of \$60,000 and become a rotating fund which will lead to, we hope, a permanent establishment of circuit races in Penang as a permanent feature.

There are many pros and cons as to whether the present circuit is the best circuit, but the choice of the present circuit was due to the fact that it would be very much more expensive in terms of capital expenditure for the State to acquire a piece of land outside the City for circuit races. And although many suggestions have been brought up, it is considered that whereas if we organise these circuit races outside the town, we may have to incur, probably, higher expenditure and expect lesser return because people attending the races would be less. Whatever it is, these considerations are constantly under review by the Government and the Government itself had noted that unlike the previous years, this year the provision for cleaning up

after the circuit races was not as effective as it was in previous years. But to suggest that Government organised this for the purpose of big companies like Rothmans and Dunhill is, I think, unfair because I think the detailed organizing of the circuit races is run by the Committee.

On matters that the Honourable Member from Kelawei brought up, things like Pasar Malam, the lighting and so on, propaganda—I think that is only debating. They are completely irrelevant to the issues at hand and they do not merit my reply. But again, coming to his statement that the Government should not be frivolous, I think the provision to make a memorable visit an occasion for a visit by Her Majesty Queen Elizabeth is not a frivolous matter. The business of tourist promotion is not a frivolous matter. The provision of legal consultation fees, I think he will agree, is not a frivolous matter and the provision for a portable pump for the fire station is not a frivolous matter. These are essential matters and have to be considered in the light of total expenditure and the total supplementary. Government is carrying out these tasks in an effective manner and in the words of the Honourable Member from Ayer Itam: “Government should find ways and means to make expenditure, such as expenditure for motor-racing, a recoverable and not just a waste of State funds.” As I have indicated, the revenue collected from the circuit races is a substantial one. The amounts in the first circuit races more than covered the provision and initial figures of returns on revenue for the last circuit races is in the region of \$33,000—nearly \$34,000—but when the final returns come in, we can balance the actual provision of the supplementary supply of provision as against the revenue collected. Under the circumstances, it will be seen that the amount actually spent is a much smaller sum than what we would otherwise have to spend for tourist promotion in this particular direction. The needs of the general public are taken care of, the legal provisions for the closure of roads

are met, but as I said, the matter is constantly under review whether or not these circuit races can be held at some other place.

Whatever it is, so far the Circuit Races that we have had have been very successful; and surprisingly successful. As a matter of fact few people considered that Penang could ever organize Circuit Races. That, however, is not a credit which the State Government likes to claim. It is a credit for the people who organized the Circuit Races. Credit goes to them. Similarly, I hope that the points that have been brought up in criticism by Honourable Members will be in due course transmitted to the Committee and the organizers; and I hope they will bear that in mind. I personally do not know whether Dunhill or Rothmans were involved. If they assisted in the organizing of the Circuit Races, and the organizers of the Circuit Races thought it fair to allow them to have their advertising, it has become quite a commonplace relationship throughout the world that Companies who are interested in that type of sport associate themselves with the organization of the sport. But to say that the Government is just promoting this for the benefit of these Companies, I think, is really putting things in the wrong perspective. The Honourable Member for Kelawei, I think, appreciates it. He really was not prepared to debate this, but he had to say something. He can of course go on dragging in this way. But I think he will accept that those other items are irrelevant.

Soalan di-kemukakan dan di-per-setujui.

Rang Undang² di-bachakan bagi kali yang kedua.

RANG UNDANG² DI-DALAM JAWATANKUASA PERBEKALAN

Wang sa-banyak \$86,900 untuk Kepala B. 1, \$5,795 untuk Kepala B. 6, dan \$40,000 untuk Kepala B. 21 menjadi sa-bahagian daripada Jadual.

Jadual menjadi sa-bahagian daripada Rang Undang².

Fasal 1 dan Fasal 2 dan tajok penuh dan fasal yang mengundang menjadi sa-bahagian daripada Rang Undang².

Dewan bersidang sa-mula.

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): Tuan Speaker, on a point of order. You have agreed to adjourn the House at 12.30. Can we please abide by your ruling? It is already past 12.30. I think we should go according to what is stated in this Assembly.

Ketua Menteri: Tuan Speaker, dengan izin, saya ingat tidak berapa lama, sungguh pun Tuan Speaker ada kuasa kepada Ahli² Yang Berhormat dari Kelawei dan lain beringat kita semalam Clerk orang mesti rebut 12.30 ting, ting—keluar. Saya ingat kalau ikut ini tidak berapa lama lagi.

Tuan Speaker: Sila jalan.

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): Sir, I take objection to that. I am merely saying that if we have agreed to adjourn at a certain time, if we don't follow that then we must give proper reasons. It is not a matter of "ting, ting, ting" and "clerk", and all that. We like things to go according to a certain schedule in this House.

Tuan Speaker: Ahli Yang Berhormat, sila duduk. Sila berchakap Ketua Menteri.

Bachaaan Yang Ketiga

Ketua Menteri: Tuan Speaker, saya memohon melaporkan bahawa Rang Undang² Perbekalan Tambahan Yang Pertama Negeri Pulau Pinang 1972 telah pun di-pertimbangkan sa-fasal demi sa-fasal dalam Jawatankuasa dan di-persetujui tanpa pindaan.

Oleh itu saya memohon menandatangani supaya Rang Undang² ini di-bachakan bagi kali yang ketiga serta di-luluskan.

Soalan di-kemukakan dan di-persetujui.

Rang Undang² di-bachakan bagi kali yang ketiga dan di-luluskan.

Dewan di-tanggohkan pada jam 12.35 tengah-hari.

Dewan bersidang sa-mula pada jam 2.30 petang.

(5) RANG UNDANG² PERBADANAN PEMBANGUNAN PULAU PINANG (PINDAAN), 1972

Bachaaan Yang Pertama

Ketua Menteri: Tuan Speaker, saya mohon menandatangani supaya Rang Undang² Perbadanan Pembangunan Pulau Pinang (Pindaan), 1972—Tuan Speaker, Rang Undang² ini pun ada satu kesilapan, saya pun ada bagi notis pindaan. Tetapi dalam notis pindaan ini, drafting error atau kesilapan drafting yang sudah pun ada di-chadang dibawa bila Dewan ini bersidang didalam Jawatankuasa. Tuan Speaker, berkaitan itu saya mohon menandatangani supaya Rang Undang² bernama "Suatu Enakmen bagi meminda Enakmen Perbadanan Pembangunan Pulau Pinang, 1971 (Bil. 10 tahun 1971)" di-bachakan bagi kali yang pertama.

Ahli Kawasan Nibong Tebal (Enche' Teoh Kooi Sneah): Tuan Speaker, saya mohon menyokong.

Rang Undang² di-bachakan bagi kali yang pertama.

Tuan Speaker: Bachaan kali yang kedua hari apa?

Ketua Menteri: Tuan Yang Di-Pertua, sekarang juga.

Tuan Speaker: Baik-lah.

Bachaaan Yang Kedua

Ketua Menteri: Tuan Yang Di-Pertua, sa-rupa seperti apa saya katakan tadi, yang bila saya menandatangani di-bacha bagi kali yang pertama. Sekarang Tuan Yang Di-Pertua, saya mohon menandatangani supaya Rang Undang² bernama "Suatu Enakmen bagi meminda Enakmen Perbadanan Pembangunan Pulau Pinang, 1971 (Bil. 10 tahun 1971)" di-bachakan bagi kali yang kedua.

Tuan Yang Di-Pertua, Rang Undang² ini bertujuan meminda Enakmen Perbadanan Pembangunan Pulau Pinang, 1971 yang telah di-luluskan

oleh Dewan ini pada 26hb April, 1971. Sejak Enakmen ini telah di-kuat kuasa-kan, ada-lah di-dapati bahawa beberapa pindaan² dan pengubah-suaian² perlu di-buat kapada-nya untuk mengukuhkan lagi tugas² dan kegiatan² Perbadanan Pembangunan Pulau Pinang sa-bagai sa-buah agensi terbesar bagi pembangunan dalam Negeri Pulau Pinang.

Tuan Yang Di-Pertua, pindaan yang di-chadangkan itu ada-lah saperti berikut:

Fasal 2 Rang Undang² ini bertujuan meminda ta'arif "ahli² atas jawatan".

Fasal 3 Rang Undang² ini bertujuan mengeluarkan Penasihat Undang² Negeri menjadi sa-orang ahli atas jawatan bagi Perbadanan Pembangunan Pulau Pinang, supaya bilangan ahli² atas jawatan dalam Lembaga Perbadanan dapat di-hadkan kapada bilangan yang sa-kurang²-nya.

Fasal 3 Rang Undang² ini juga bertujuan meminda perenggan (d) sekshen-kecil (1) sekshen 5 bagi maksud menambahkan bilangan ahli² ka-dalam Perbadanan yang boleh di-lantek oleh Pahak Yang Berkuasa Negeri daripada sa-puluh kapada enam belas orang. Ada-lah sangat mustahak bagi menambahkan lagi bilangan perlantekan² oleh kerana dengan bertambah-nya lingkongan tugas² yang ia-nya perlu menjalankan, Perbadanan Pembangunan Pulau Pinang hendak-lah di-beri perkhidmatan oleh lebih ramai lagi orang yang chekap dan berpengetahuan dalam berbagai-bagai bidang pembangunan.

Fasal 4 Tuan Yang Di-Pertua, bertujuan memperuntokan kehilangan ke-layakan ahli².

Fasal 5 bertujuan meminda sekshen 10 (4)—berbangkit.

Fasal 6 bermaksud hendak meminda sekshen 14 Enakmen utama dengan tujuan meluaskan lingkungan tugas² Perbadanan supaya meliputi kemajuan, pengurusan dan pentadbiran kawasan² perusahaan dan kawasan² perdagangan bebas.

Fasal 7 Tuan Yang Di-Pertua, bermaksud hendak mengadakan satu sekshen baru yang memperuntokkan

bahawa apabila apa² harta tak-aleh yang bukan tanah Kerajaan perlu di-perolehi oleh Perbadanan bagi maksud² Enakmen ini dan tidak dapat di-perolehi dengan chara persetujuan, maka harta itu boleh di-perolehi mengikut peruntokan mana² undang² bertulis berhubung dengan pengambilan tanah bagi sa-suatu maksud awam yang pada masa itu berkuatkuasa di-dalam Negeri, dan apa² akuan yang di-kehendaki oleh mana² undang² bertulis itu bahawa tanah itu di-perlukan sa-demikian boleh di-buat walau pun pampasan akan di-bayar oleh Perbadanan; dan akuan itu hendak-lah berkuatkuasa sa-olah² ia ada-lah suatu akuan bahawa tanah itu ada-lah di-perlukan bagi sa-suatu maksud awam mengikut undang² bertulis itu. Pindaan yang di-chadangkan ini ada-lah perlu oleh kerana dalam menjalankan tugas²-nya, mungkin perlu bagi Perbadanan mendapatkan tanah² untok di-gunakan bagi tujuan² perdagangan dan pertanian sa-laras dengan matlamat² yang di-tentukan dalam Enakmen Utama. Akta Pengambilan Tanah, 1960, dalam keadaan-nya sekarang tidak mengandongi peruntokan bagi pengambilan tanah untok tujuan² perdagangan atau pertanian.

Tuan Yang Di-Pertua, yang saya tadi menyebut dalam masa Dewan ini bersidang dalam Jawatan-kuasa, saya menhadangkan lagi satu pindaan tambahan fasal yang memperundangkan. Itu pun Tuan Yang Di-Pertua, saya sudah bagi satu notis.

Tuan Yang Di-Pertua, saya mohon menhadangkan.

Ahli Kawasan Nibong Tebal (Enche' Teoh Kooi Sneah): Tuan Yang Di-Pertua, saya menyokong.

Tuan Speaker: Dewan di-buka untok di-bahatikan.

Ahli Kawasan Sungei Bakap (Enche' V. Veerappen): Tuan Yang Di-Pertua, saya suka chakap sedikit atas undang² ini, dan saya mohon izin berchakap dalam Bahasa Inggeris.

Mr Speaker, Sir, although some of the clauses that are intended to amend the Penang Development Corporation Enactment, may be desirable, like

numbers 4 and 7 where provisions are made for the disqualification of members, and provisions for the acquisition of land—the method by which it can be acquired—I am doubtful about the necessity to have these amendments, like 2 and 3 where in one case the Government wants to take away the Legal Adviser from the group of ex-officio members. I hope it is not embarrassing to the Legal Adviser. I hope I had heard correctly. I might have misunderstood. Perhaps it was to reduce the number of ex-officio members. But this intention is not reflected in the various Bills which were passed this morning creating other Authorities. For example, in the case of Library Bill the Legal Adviser is there. I think in the case of the Museum also the Legal Adviser is there. And in the case of the Water Enactment I think the Legal Adviser is there. And therefore I do not think it was out of sympathy for him to reduce his work, although if it was so to lessen his burden by one, and increase it by three. Then I think that his right of presence in the State Development Corporation would be of greater benefit to the Corporation. He would play a better and bigger role in the Corporation than in the Library or the Museum. And, on the other hand, while it deletes ex-officio members, and removes the Legal Adviser, the amendment in Section 3 increases the number of persons who can be appointed by the State from 10 to 16. Mr Speaker, Sir, as you would see in the original Enactment, there is provision for the Chairman, the Deputy Chairman, not exceeding 10 persons to be appointed by the State, and I think, the representatives of the Federal Government. But now this thing will be reduced by one; and the total will be increased by 8.

Now, Mr Speaker, Sir
(*gangguan*).

Ketua Menteri: Increase by 7.

Ahli Kawasan Sungei Bakap (Enche' V. Veerappen): Increase by 7, thank you.

Mr Speaker, Sir, this would increase the overall number on the Board to 22.

Ketua Menteri: 16.

Ahli Kawasan Sungei Bakap (Enche' V. Veerappen): I know, Mr Speaker. With due respect to the Chief Minister, I think my arithmetic is right. His mathematics must be wrong because Clause (c) says "10 to 16". That is only one aspect. But the overall—if you take the Chairman, the Deputy Chairman, the 2 ex-officios, the 2 representatives of the Federal Government—total must be 22.

Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim): You are not sure, that's why.

Ahli Kawasan Sungei Bakap (Enche' V. Veerappen): Now, because he has been correcting me, I must finally correct him. So, 22, Mr Speaker, is unwieldy. I think it is an unnecessary group because, Mr Speaker, I don't think it would increase efficiency either, because you will see from the Report of the Board of the Corporation itself that it has not. And the whole State of Penang has got only a maximum of 8 and a minimum of 4 under the Constitution of the State of Penang to manage its affairs. Of course, we have such an efficient, able Chief Minister who does nothing but thinking all the time. Even then he now has a maximum of 8 only to run the whole State of Penang; that is, including libraries, including museum, including Water Department, including State Development authorities. So the burden on the State will be less. And then, Mr Speaker, you would know that a big body like the City Council has been there for a long, long time. I am just bringing the comparison: why there are 22 for the Development Corporation whereas there are bigger bodies with much more assets which only had for some time one man in the person of the officer administering the Government; that is, the Chief Minister who administers the City Council. And now we have a Committee of 3. So if a body like that can have only 3 persons I don't see why you need such a large number as 16. As I said, it is unwieldy. And I don't know how it could function. And this may lead

to much more waste of money because from the Auditor's Report I see that on the Development Corporation he says that there were bills for \$28,888.57—and also these represent more than 10%—not supported by vouchers; which was spent, but was only certified by the officers concerned. And if you say "officers" I wonder how many officers the State Development Corporation had at that time. But if these officers had spent this sum without vouchers I cannot see how efficient that can be. And if you increase the number on the Board such practices or mal-practices would be multiplied because, Mr Speaker, Sir, I can understand—we all know; we can understand—that if you travel by taxi you don't get a voucher from the taximan. If you give a tip to somebody you know you can't get a voucher. But, of course, if you have to entertain people—I know big Corporations and Companies have entertainment accounts. And the Development Corporation is trying to behave as if it is a Corporation like that—you surely get a bill from that restaurant. I am not sure. You are not eating nasi kandar somewhere. No. I hope the Chief Minister will not take me to task and say I have been wandering from nasi kandar to restaurants, like a rambling rogue, or something like that; or the rambling rose, or whatever it is. I am not rambling. I am just bringing in comparisons.

Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim): Why you worry?

Ahli Kawasan Sungei Bakap (Enche' V. Veerappen): I am not worried. He loves to do it. Without it he cannot live. He must live by insinuation, insulting, and showing he is the biggest man on earth. Well, we hope that one day slowly, slowly we can bring in a fact or two; and that is that he is just one among us in this House. Of course, he is not a superman. He has only one vote. When the Speaker sits there, there is one thing: when the Chief Minister speaks he has to stand to speak. So he must respect the Speaker. Therefore in this House he is one

man with one vote. Nothing more, although he is the Chief Minister of the State. Thank you for interrupting. Thank you for giving me this opportunity.

Now, Mr Speaker, one straight thing is that from the report I wonder—I may be wrong here—whether he (gangguan).

Tuan Speaker: Ahli Yang Berhormat, jangan-lah pergi ka-lain, jauh sangat, berchakap-lah berkenaan dengan pindaan.

Ahli Kawasan Sungei Bakap (Enche' V. Veerappen): Ya, pindaan-lah itu.

Tuan Speaker: Jangan-lah pergi jauh sangat. Saya ta'benarkan jauh sangat pergi jalan.

Ahli Kawasan Sungei Bakap (Enche' V. Veerappen): Tidak ada Dato'. Ini atas pindaan fasal mahu tambah 10 orang ahli kapada 16 orang.

Tuan Speaker: Jangan pergi jauh sangat.

Ahli Kawasan Sungei Bakap (Enche' V. Veerappen): Ada ahli saya nampak ada tetapi tidak ada dalam Negeri ini. Ahli itu ia-lah Deputy Chairman, saya ingat sudah keluar—barangkali tidak betul.

Now I see in the Report ada itu Enche' Yaacob Hitam. There is nothing to show in the Report that he has been replaced. Anyway I may be wrong there. If it is wrong then I accept it. If it is right I would like to know why Enche' Yaacob Hitam is still on the Board. Mr Speaker said I should not take very much time in this House. Thank you very much.

Ahli Kawasan Jelutong (Enche' Koay Boon Seng): Dato' Speaker, dengan izin berchakap dalam Bahasa Inggeris. The fact that the Government has come to this House to make further amendments to the Enactment is clear proof that the Government plunges into legislation without careful consideration. And more so when the Government in the last few days has shown a total lack of responsibility

towards amendments moved by the Opposition. It is highly unsatisfactory for a Bill to be amended time and again. I dare venture to say that this Bill is not the last of the amendments from the Government; and we will see more amendments in time to come if the present Coalition Government managed to survive its full term of office. If we look at the amendments it can be clearly seen that these amendments indicate a total lack of planning and experience on the part of the Government when it went into this matter—Amendments like in Clause 3 (a) substituting “two” for “three”; in Clause 3 (c) substituting “sixteen” for “ten”, and so on.

The Government also now seeks to expand on its power of acquisition. And this is very strange because in the last Session when this matter was brought up it was strenuously opposed by the Government, and even denied. We in this part of the House are very reluctant that the Corporation should be given such wide powers of acquisition. And this extension and consolidation of the powers of the Development Corporation will be widely abused at the rate things are going. It is better that the powers of acquisition be vested in the Government where any abuse can be checked. We are well acquainted with the obstacles and obstructions that may be put in the way of accounting for the activities of the Corporation. And we strongly urge the Government to justify this if it can; and, if not, to explain fully to us and the people the reasons for such provisions when the same power may be exercised by the Government on behalf of the Corporation. Thank you.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): Tuan Speaker, dengan izin, Sir, we actually need not have to come to this House today to face this amendment to the Penang Development Corporation Enactment if we from the very beginning, had planned more carefully in relation to the Corporation's administration, functions, etc. But here today, Sir, we find that we have to come back again for these unnecessary amendments, etc.

We could have saved the time of this House. For example there was one instance when the Honourable the Chief Minister saw that the spelling was wrong yesterday; but he refused to make any amendments. Sir, this Development Corporation: I need not have to speak about the Accounts. The Member for Sungei Bakap has already quoted the Auditor-General's Report regarding the findings on the Accounts. I think the Report itself has painted a very poor picture of the Corporation. So it is my hope that with the amendment—increasing the 10 people to 16 people for the Corporation—added efficiency would be there. And while there is added efficiency it is hoped that this amount of \$170,000.00, where no vouchers are shown, will not be multiplied simply because the number of persons who are now going to manage the Corporation is increased.

Tuan Speaker: Ahli Yang Berhormat, saya beri ingat. Ahli Yang Berhormat dari Sungei Bakap sudah sebut perkara itu. Ada lain² point? Itu baru sahaja sudah sebut.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): I am just illustrating the increase in the number of people in relation to its Accounts. It is a different angle.

Tuan Speaker: Ya, saya faham, tetapi Ahli Yang Berhormat dari Sungei Bakap telah berchakap berkenaan dengan perkara itu. Saya ingat tidak payah-lah di-lanjutkan lagi, berchakap lain-lah.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): And again, Sir, we are now in the month of June, 1972; and we are here only, you know, equipped with the Accounts up to December, 1970. We should have been able to receive a Report and Accounts for a period which ended on the 31st of December, 1971. I just cannot understand this delay. Why should there be such a delay. And again, where the functions of this Corporation are concerned, as I said earlier, I hope there will be increased efficiency. This Corporation is supposed to be involved

with the Free Trade Zones, etc. And at the pace the Free Trade Zones are developing, Sir, I think it will take us many, many more years to see the Free Trade Zones materialize. This is a question of efficiency, Sir, where the Corporation is concerned. What we see today: Free Trade Zone in Bayan Lepas, Free Trade Zones in Prai and Pulau Jerejak (*gangguan*).

Tuan Speaker: Saya harap jangan-lah Ahli Yang Berhormat sentoh berkenaan dengan Free Trade Zone, chuma kita berbinchang di-atas pindaan, kalau ada, kalau tidak ada apa² (*gangguan*).

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): This is under Clause 6. We find there is an amendment to develop and manage industrial estates and sites in the State, Sir. And we also read in this Report that the Corporation commenced negotiations on behalf of the State Government for the transfer of the Prai Wharf area of about 60 acres from the Penang Port Commission to the State. It is in this Report, Sir. I believe that the Free Trade Zone area in Prai has hit a snag where the Penang Port Commission is concerned.

Tuan Speaker: Ahli Yang Berhormat, itu tidak bersangkutan dengan pindaan ini. Ahli Yang Berhormat saya tidak benarkan kerana kita berchakap atas pindaan ini tetapi Ahli Yang Berhormat sudah pergi ka-lain perkara. Sudah sentoh lain perkara.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): Dato' Speaker, ini principles involved in relation to industrial areas.

Tuan Speaker: Saya mahu berkenaan dengan pindaan. Kalau ada apa² lain point (*gangguan*).

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): Ini pindaan, Dato' Speaker.

Tuan Speaker: Ahli Yang Berhormat, bila saya berchakap saya minta Ahli Yang Berhormat sila duduk. Kita berchakap di-atas pindaan ini. Apa yang

pergi berkenaan dengan Perai, Free Trade Zone, itu tidak ada bersangkutan. Kita berchakap di-atas pindaan. Saya tidak benarkan Ahli Yang Berhormat berchakap lagi berkenaan dengan itu. Kita mahu atas pindaan ini. Yang apa di-atas pindaan di-sini Ahli Yang Berhormat tidak bersetuju, Ahli Yang Berhormat boleh berchakap. Sila sambong.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): Dato' Speaker, I see what you are trying to tell me; but I would like to read to you Clause 6.

Tuan Speaker: Ahli Yang Berhormat jangan-lah berkata begitu. Saya tidak suka. Saya harap Ahli Yang Berhormat tarek balek apa Ahli Yang Berhormat kata pada saya.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): I said (*gangguan*).

Tuan Speaker: Sila tarek balek.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): Tarek what Dato'?

Tuan Speaker: Berma'ana saya hendak ajar kapada Ahli Yang Berhormat walau saya berkuasa di-sini dan saya buat keputusan itu.

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): Tuan Speaker, I think there is a misunderstanding. I don't think you heard properly. He said: "I see what you are trying to tell me." Is there anything wrong with "I see what you are trying to tell me"? Or shall he say: "I don't see what you are trying to tell me"?

Tuan Speaker: Ya, saya sudah beritahu kapada dia. Ahli Yang Berhormat, sila duduk. Sudah bagi berchakap dan kita berbahas di-atas pindaan ini. Saya tidak benarkan di-sebut Free Trade Zone, berkenaan dengan Prai Industrial Estate, tidak ada kena inengena pun atas pindaan ini. Chuma saya harap confine kapada pindaan ini sahaja apa yang (*gangguan*).

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): Dato' Speaker, with your permission, may I read this Clause 6—this amendment—to you? "Section 14 of the principal Enactment is hereby amended by inserting the following new paragraph (bb) immediately after paragraph (b) thereof." And (bb) "to develop and manage industrial estates and sites in the State". Free Trade Zones are part of the industrial estates which this Corporation is looking after. And this according to Clause 6—an amendment. Sir, I say that the area has hit a snag with the Penang Port Commission because there is at least one factory in the Prai Free Trade Zone area.

Tuan Speaker: Apa bersangkutan dengan Penang Port Commission pula? Penang Port Commission tidak ada bersangkutan dengan Perai, Ahli Yang Berhormat. Saya beri ingat dua kali sudah, ini tidak ada sangkut berkenaan dengan ini.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): Sir, I am trying to illustrate, because according to the Report here it is also stated that negotiation has commenced with the Penang Port Commission. And here we have this amendment. And this factory in this Free Trade Zone in P r a i (gangguan).

Tuan Speaker: Ahli Yang Berhormat saya bagi ingat lagi sekali kalau Ahli Yang Berhormat tidak ada point lagi, saya jemput dudok-lah ta'usah buang masa sahaja. Saya jemput Ahli Yang Berhormat dudok.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): Dato' Speaker, I have (gangguan).

Tuan Speaker: Saya jemput, kalau Ahli Yang Berhormat tidak ada lain point, Ahli Yang Berhormat dudok—chuma buang masa sā hāpā.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): I am not trying to buang masa, Dato' Speaker. But I hope you will be more reasonable in seeing that this is an amendment.

Tuan Speaker: Ahli Yang Berhormat ada lain point lagi-kah hendak chakap? Kalau tidak saya minta dudok.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): I have other points. But you are interrupting me unnecessarily when there is an amendment here. Industrial estate: Free Trade Zone is part of it, Dato'.

Tuan Speaker: Bagi point apa yang ada. Kalau tidak ada point kali ini saya beri amaran dan sā dudok.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): Sir, this amendment to develop and manage industrial estates and sites in the State is an added function to the Corporation. And it is hoped that now with this added function to the Corporation whatever this Corporation has in relation to management of industrial estates can be speeded up without any snag. And it is the responsibility of the Corporation to see that no Authority will try and hinder the progress of any industrial estate which is under the management of this Corporation. It could be the Penang Port Commission, or it could be anybody. But the Corporation must be able with this power to develop and manage industrial estates and sites in the State and to be firm about it. I personally know that the progress under management of industrial estates in relation to the Free Trade Zone in Prai is hitting a snag because the Penang Port Commission is trying to control the area, and not allowing this Corporation to do it. And if any other Authority is going to come and hinder the progress of any management of industrial estates then there is not much headway this Corporation can make. We naturally now need a lot of efficiency in creating more industrial estates, etc; but not the kind of efficiency that we have with reference to management of industrial estates.

What is already stated in the Report—labour intensive industry: Yes, there are eighteen factories being set up, producing 1,200 jobs. But if you take the average you find that one factory produced only 66 jobs. That is the average. And that definitely is

not labour intensive. How could this Corporation tie up the words "labour intensive" with 66 jobs in one factory? One would have expected that if it is labour intensive it would be no less than 600 jobs. Even during the past we have heard that the Penang Electronics Factory would employ as many as 8,000 workers. So under these circumstances this Corporation must definitely pull up its socks, unless we are going to face economic stagnation for another five or ten years. The idea of this Corporation, and the idea of having this amendment here today, no doubt, is to inject efficiency into the Corporation. Increasing the number of people, and giving added power to this Corporation, for instance, to develop and manage industrial estates and sites in the area, one would naturally expect more efficiency to be there in relation to this Corporation. But we would expect that, apart from factories, etc., more things like—already indicated in this Corporation here—trade and everything would have improved substantially by now. But, as I said earlier, there is an obvious lack of efficiency. Land reclamation work is not done. Nothing is done.

And it is also stated that the electronics factory is a non-profit-making factory. If it is non-profit-making, why initially has there even been an idea of employing as many as 8,000 people? 8,000 people would naturally be employed to increase productivity with the hope of making profit. If this is the attitude that the Corporation is going to adopt to initiate anything with the idea that there should be no profit then I would say that the \$3.8 million granted to this Corporation by the State Authority before long will be exhausted. I would certainly hope, Sir, that this Corporation, under the functions that have already been outlined, carries out its functions rather than only confine itself to factories, etc. There are more things to do: mining land, reclamation, etc. And I know that if any intention of land reclamation is going to be put into practice there is a lot of land that can be reclaimed. Thank you.

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): The Bill which is before us today, to my mind, contains a number of matters which are of paramount importance. And in particular I refer to the amendment which seeks to eliminate the Legal Adviser as one of the members of the Corporation. Earlier we have heard from the Honourable the Chief Minister as to why the Legal Adviser has been put into the various statutory bodies; and the importance of having the Legal Adviser in statutory bodies like this. And why is it that in this particular instance, where the Legal Adviser is already in it, there should be an amendment moved to remove the Legal Adviser? In the absence of any cogent reasons being given by the Honourable the Chief Minister, I for one can only put forward my views as to why the Legal Adviser is to be removed from the Corporation. And my conjecture is not merely based on speculation, and is not merely based on opinion or guesses, but is supported by the history of the Corporation itself. The fact is that there is no justification whatsoever. It runs contrary to the often-repeated statement of the Honourable the Chief Minister that it is important to have ex-officio members in statutory bodies. So, particularly in a Development Corporation, the duty or the assistance of the Legal Adviser is very important. And yet it is thought fit after nearly a year of existence to eliminate the Legal Adviser.

I have in the course of the last few Meetings of this House put forward certain questions, very penetrating questions, with regard to the activities of the State Development Corporation. And I have received answers, very revealing answers, not only as to what has been done, but as to what has been done contrary to the law. We had instances of loans being given before even the first Meeting of the Corporation had been called. I asked the Honourable the Chief Minister as to the various loans—the date of such loans given by the Government to the Corporation. And we had the opportunity of receiving answers to the effect

that in fact such loans were made before the Corporation was properly formed. And before the Corporation was able to call its first Meeting they had already received the money. Such are the irregularities which were revealed to us in this House. And one can only conclude that perhaps the reason for eliminating the Legal Adviser is to eliminate any possible objection on legal grounds as to the activities of the State Development Corporation. This is very important. The public can only guess what is wrong with it. What are the reasons? Why do you want to eliminate the Legal Adviser? And particularly so when we turn to Section 10 (4) of the principal Enactment which reads thus: "No resolution to delegate any duty, power or function under this section shall be valid unless at least five members of the Corporation vote in favour thereof. The State Secretary and the State Legal Adviser shall be present when such resolution is taken". So when we formulated this particular Enactment we took great pains to see to it that on matters of importance where there is delegation of power, and where legal matters are involved, there is specific provision that in order for such resolution to be valid the State Secretary and the Legal Adviser must be present. And now without any rhyme or reason we are moving a resolution to remove the Legal Adviser. Is it because of the constant objections on points of law raised by the Legal Adviser in the last two or three years that prompted the Government to make such a move? One can only conclude that that must be the reason, in view of the fact that there are so many instances of action being taken which are contrary to the provisions of the law. And this is very important. The people of Penang will be very interested; and particularly more so when this particular action to remove the Legal Adviser runs contrary to all the other legislation. If there is any statutory body where the services of the Legal Adviser are essential it is this Development Corporation. The Development Corporation will have to enter into

agreements. And now particularly so when we have another amendment to give the Development Corporation added powers, and these added powers pertain to land acquisition. And it is stated here again in the Bill itself that it may be necessary for the Corporation to acquire lands to be used for agricultural and commercial purposes in line with the objectives laid down in the principal Enactment. So Honourable Members will appreciate that as far as land acquisition is concerned there is a separate law for land acquisition. And land acquisition is only possible for a public purpose, and for no other purpose. The Development Corporation is not merely concerned with public purposes. They are concerned with commercial purposes. They can go into partnership with other commercial interests. So here again is another matter in which the interests of the people of this State must be safeguarded. They want to acquire land purely by a declaration that it is for a public purpose in accordance with the Land Acquisition Act. We have seen many a time the abuse of such power by the State, the declaration being done in quite a leisurely manner without considering whether the land is actually to be utilised for a public purpose. And here there can be an abuse. And particularly so when you don't have a legal man in the Corporation to advise them as to whether this constitutes a public purpose or not. And who is going to suffer. There may be acquisition of land for various purposes which are declared to be public, but on closer examination is found not to be so. Well, a very rich landowner can afford to take up the fight in the High Court for a declaration that this land is being acquired wrongfully. But if it happens to be one acre of land belonging to Ahmad from Kampong Dodol, or another half an acre of land belonging to Ah Kow from Val Dor Estate, or another quarter acre belonging to Ramasamy from Bertam Estate, they don't have the money to fight it out in Court. So here you have this position of abuse of power. And to me this

amendment to remove the Legal Adviser to my mind carries a very sinister motive on the part of the author of this particular amendment. It is a dangerous move in that it will allow whoever it is that runs the show a free hand. From the very short experience I had with the Honourable the Chief Minister the only way to put a stop to him is to tell him that this is contrary to the law; this will be *ultra vires* the law; if you do it then you will have to face the consequences. Other than that nobody can frighten him; and he will sweep all opposition away and run the Corporation in the manner he deems fit. There are examples galore—examples which we on this side of the House have exposed in the course of debate in this House. You have examples of money being spent on the Penang Electronics Sendirian Berhad even before the formation of the Corporation itself. You have instances where expenditure of all types has been incurred without proper sanction as required by the legislation. So as a result of this we can see in the Accounts of the Penang Electronics Sendirian Berhad that in the course of the year 1970 it has made a loss, and earns no income whatsoever. And in addition to all that you have the spectacle of seeing money being advanced to a subsidiary which is not a fully-owned subsidiary of the State Development Corporation; a sum of money which far exceeds the capital which is not proportionate to the capital of that particular Company—a matter which no private Company will do; which no sane businessman will ever do.

These are the things we have before us. And with this legislation I must say that it has raised a great deal of doubt as to what is in store for the people of Penang. And I would like to urge upon the Honourable the Chief Minister that it is still not too late. Perhaps he may reconsider this particular point. And as far as this particular amendment is concerned—with regard to eliminating the State Legal Adviser—we can still amend it further by deleting that particular portion.

Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim): Tuan Speaker, saya suka mengambil bahagian dalam perbahathan kita ia-itu dalam masa'alah meminda Undang² Perbadanan Pembangunan Pulau Pinang yang ada didalam Dewan kita pada hari ini. Saya bangun ini menyokong chadangan pindaan yang di-bawa oleh Yang Amat Berhormat Ketua Menteri, sebab saya rasa pindaan ini satu pindaan yang berterus terang dan pindaan yang saya rasa sangat logik pada masa ini. Saya rasa dalam masa Yang Amat Berhormat Ketua Menteri membawa usul pindaan ini, ada empat perkara yang besar. Ada empat perkara yang di-chadangkan untuk di-pin'fa.

Yang pertama ia-lah tentang keahlian ia-itu satu hendak memansokhkan keahlian State Legal Adviser atau Penasihat Undang² yang ada sekarang di-dalam Pembangunan dan lagi satu ia-lah menambahkan ahli yang ada sekarang daripada sa-puluh orang menjadi enam belas orang. Ahli Yang Berhormat daripada Jelutong dan juga daripada Ayer Itam ada berchakap dan juga Sungei Bakap ada menyentoh berkenaan mengapa Kerajaan men-chadangkan supaya hendak meminda Penasihat Undang² supaya keluar daripada Perbadanan ini. Saya rasa untuk menjawab ini ia-lah Penasihat Undang² Negeri ada-lah sa-orang Pegawai Kerajaan yang di-hantar terus daripada Federal daripada Attorney-General Office. Jadi kita telah pun mendapat arahan daripada Attorney-General Office supaya meminda Penasihat² Undang² dalam semua Negeri² jangan dudok di-dalam Perbadanan² Kemajuan Negeri². Jadi dengan alasan itu-lah sahaja maka kita terpaksa meminda Undang² Perbadanan ini supaya Penasihat Undang² di-keluarkan daripada menjadi anggota dalam Perbadanan Negeri Pulau Pinang.

Perkara yang kedua ia-lah berkenaan dengan chadangan yang kita hendak pinda ia-lah keahlian hak² ahli bagaimana yang telah pun di-chatetkan di-dalam chadangan pindaan kita,

Dan yang ketiga ia-lah tugas² Perbadanan yang mana Perbadanan ini akan memasoki perusahaan dan menambahkan aktibiti²-nya dalam kawasan² perusahaan. Ini satu perkara yang sangat bagus yang saya fikir akan membawa faedah kepada ra'ayat di-Negeri ini. Jadi kita harap dengan pindaan ini ra'ayat dalam Negeri Pulau Pinang akan dapat perolehi faedah daripada hasil pindaan undang² yang di-cha-dangkan ini.

Lagi satu ia-lah berkenaan dengan harta tak-aleh atau pun memberi kuasa kepada Perbadanan supaya dapat mengambil tanah² supaya Perbadanan ini boleh berusaha untuk memajukan. Saya perchaya Perbadanan ini ada banyak ranchangan². Bagaimana yang di-minta oleh Ahli daripada Kawasan Tanjong Bungah, meminta supaya diadakan ranchangan reclamation of land, mining dan sa-bagai-nya, dan satu daripada-nya ada-lah saya perchaya Perbadanan ini akan mengadakan projek² perumahan. Jadi dengan ada-nya kuasa² yang akan di-beri dalam pindaan berhubung dengan perkara yang nombor empat yang saya kata tadi, saya perchaya Perbadanan ini dapat mengadakan ranchangan² perumahan bagi penduduk² dalam Negeri ini.

Ahli daripada Kawasan Ayer Itam ada menyebut bahawa Perbadanan ini ada-lah satu Badan, yang boleh kata Badan Perniagaan. Dan kita perchaya kata itu-lah hasrat Perbadanan ini di-tubuhkan dengan tujuan hendak menjalankan perniagaan. Jadi beliau telah pun membawa pandangan dan telah pun menerangkan kepada Dewan ini berkenaan dengan Perbadanan ini dalam report Juru Odit. Pada tahun yang lepas, Perbadanan menanggung kerugian, saya rasa dalam satu sharikat yang besar, manakala sharikat ini menjalankan permodalan-nya ada yang menanggung kerugian. Tetapi bukan sahaja kerugian ini kerana kehilangan atau pun kerana tidak pandai-nya pegawai² itu mengurus perjalanan sharikat itu. Saya boleh menyebut dan tunjok contoh satu sharikat yang besar yang ada di-Pulau Pinang yang telah pun di-tubuhkan beberapa tahun dahulu

ia-itu Sharikat Malayawata. Beberapa tahun yang lepas di-dapati Malayawata rugi, tetapi hari ini Malayawata telah pun dapat keuntungan dan dapat mengembalikan balek kerugian² yang lepas itu. Jadi saya rasa dalam masa'alah ini, Perbadanan baru, satu atau dua tahun di-tubuhkan, kita beri peluang supaya dapat Perbadanan ini menunjukkan usaha² dan akan mendapat keuntungan.

Ahli Yang Berhormat daripada Jelutong dan juga Ahli Yang Berhormat daripada Tanjong Bungah ada menyebut bahawa Kerajaan masa merangka undang² Perbadanan ini pada masa itu pada tahun 1971 tidak memikirkan dengan sa-halus²-nya. Jadi dengan sebab itu-lah pada hari ini kita dapati Kerajaan terpaksa membawa satu pindaan kepada Rang Undang² Perbadanan ini. Saya rasa dalam masa'alah ini sa-bagai manusia biasa, beberapa kali pehak Kerajaan ada mengatakan bahawa kalau sa-kira-nya undang² yang kita buat ini tidak dapat kita jalankan pada satu masa, kita sedia dan rela akan membawakan kepada Majlis ini atau kepada Dewan ini untuk kita pinda supaya menyesuaikan dengan keadaan masa. Jadi perkara yang macham ini saya rasa tidak-lah payah di-bangkit² dan kita akan dapat dari satu masa ka-satu masa membetulkan masa'alah² yang macham ini.

Ada lagi satu masa'alah yang telah di-bangkitkan oleh Ahli daripada Tanjong Bungah ia-lah masa'alah pekerja² yang ada dalam kilang² khas-nya dalam Kawasan Perdagangan Bebas di-Bayan Lepas. Beliau menyebut hanya ada 60 orang lebeh kurang yang bekerja dalam satu kilang. Di-sini saya suka-lah bagi tahu kepada Yang Berhormat khas-nya Ahli Yang Berhormat daripada Kawasan Tanjong Bungah bahawa kilang² yang ada sekarang di-Kawasan Perusahaan Bebas di-Bayan Lepas ada 5 buah dan pekerja²-nya di-situ ada 1,180 orang. Jadi saya rasa kalau 60 orang bagaimana yang telah pun di-terangkan oleh Yang Berhormat tadi ada 300 orang, tetapi yang sa-benar-nya sekarang ada 1,180 orang yang bekerja di-situ. Jadi saya rasa ini satu tuduhan atau satu kenyataan yang

saya fikir Yang Berhormat Ahli dari Kawasan Tanjong Bungah sendiri tidak menyiasat perkara ini dengan sa-benar-nya.

Sekian, terima kasih.

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): Tuan Speaker, dengan kebenaran berchakap dalam Bahasa Inggeris.

We would have thought that the Government Member in his attempt to reply for the Government would at least give us some interesting answers. From what I can observe—although we are too courteous to do that—even the back-benchers are falling asleep.

Sir, this amendment that has been introduced demonstrates, again and again, the total lack of consideration that is taken by the Government towards the Bills that are being pushed through this House. That's why, Sir, they have to come to this House to move this amendment. And yet when we on this side of the House suggest amendments for the Government the only kind of reaction that we get is the type that we have had since the whole of yesterday. And that is; I would say, to the loss of this State. Although the Member for Bayan Lepas may take the attitude that we can make mistakes, and then come back to this House and correct these mistakes, I think if you continue at this rate we on this side of the House will be quite tired with the kind of amendments that you can bring forward, because definitely you have a lot of mistakes to amend.

Sir, this question of the deletion of the Legal Adviser from the Penang Development Corporation Enactment is something that cannot just be merely brought about by the Government, saying that it is in line with A.G.'s directive. I would like to see what sort of directive that is, to begin with. And even if there were a directive, are we constitutionally bound to accept the directive of the A.G.? I agree that any Legal Adviser will say he is a Federal Officer. But the Legal Adviser is there to help the State. And so, why should we be bound by the directive of the

A.G.? If we feel that the Legal Adviser is necessary to our State Corporation—in any event whether this directive comes from the Federal Government or even the A.G. himself—we should do what we think is fit. Is this one more case of conformity? I would like the Honourable Member from the Government to show us the Constitution where it is stated that we must conform here. At the rate things are going in this House—the way we conform—I think that we might as well adjourn this House, and let Parliament legislate for us. Why go on with the State Assembly if the State Assembly is just a rubber-stamp? If you think that you, the gentlemen of the Government, are unable to represent this State then don't represent this State. But don't tell us every time that the State Government is going to conform with what the Federal Government has decided. Even constitutionally you don't have to conform. I know the Honourable the Chief Minister may well, as part of his tactics of drawing a red herring all the time, say, "Oh, the Member of Kelawei waxed anger over such a minor diversion." Yes, it appears to be a minor diversion; and would be that minor if you agree with what the Member for Ayer Itam said. But, where the principle is involved, do we need the Legal Adviser? That is the question. Not a directive has come from Kuala Lumpur. Are we subservient to the Federal Government? Do we just have to follow the other States? I think that this is not the manner in which we should conduct ourselves. As has been said, there have been Bills that we have passed: Library Bills, Museum Bills. And in these Bills we put the Legal Adviser. And this is an important Enactment. Why do we eliminate the Legal Adviser? Well, the Member for Bayan Lepas would like to clarify. But he certainly hasn't clarified that point. I clearly say that this House is not concerned with the A.G.'s directive. This House is not subservient to the Attorney-General. And I hope that Members of the Government will at least conduct themselves with dignity to uphold the sovereignty of the State of

Penang, instead of coming here and telling us that we are abiding by some rules or some directives from the Attorney-General. It is disgusting, to say the least.

Sir, I would not like to go over the point that has been raised by the Honourable Member for Ayer Itam as to, shall we say, the pros and cons for having the Legal Adviser there. But I think any sensible person would agree that a Legal Adviser is necessary, especially in a Corporation like this where you are going to deal with the sum total of human activities in this State. You are legislating yourselves, and have already legislated yourselves tremendous powers to involve yourselves with business interest and activities in this State. And therefore, you must have a Legal Adviser to advise you whether you are doing right or whether you are doing wrong. We are told here that of course, the Honourable the Chief Minister would not like the Legal Adviser to be around telling him or carping legal points to him. That we do not know. On this side of the House, of course, the experiences of the Gerakan would be more telling than anything else. But, Sir, let us look at the objectives of the Penang Development Corporation at clause 14—to promote and develop agricultural, industrial, commercial, trading, residential areas, and so on and so forth; undertake land reclamation, initiate partnerships, and even to act as Local Authorities in areas outside Local Authority—such wide powers. Sir, even all the Local Authorities now have taken on Legal Advisers; or, shall we say, Secretaries who have to be legally qualified. And here we are attempting to eliminate the Legal Adviser. Is it because he is an extra burden financially on this State? He is paid for by the Federal Government. So, why worry? You make use of his services. Here is a Government which has the Legal Adviser available; and a big Corporation which is not prepared to use the services of the Legal Adviser. Now the Member for Ayer Itam says that there could be sinister motives. He hasn't

really gone further to explain what sinister motives. But I agree that there may be sinister motives. I venture to, shall we say, put forward one or two motives that the State Government, or particularly the Ketua Menteri, may have in mind. And that also is based on the history of the State Development Corporation.

We have seen the irregular activities whereby they have brought an external commercial firm, Intan Utara, into the State Development Corporation's activities. And we have seen, Sir, that a Member of this House can act as an Accountant—the Member for Tanjong Tengah—for Penang Electronics, and help in the Corporation. Now, that is the kind of activity that this State does not want. A Member of this House should not use his position to act for the State Development Corporation in any capacity—whether for its subsidiary or otherwise. And that has happened in respect of a person who is an Accountant. What would happen, Sir, now that you have eliminated the Legal Adviser? Are you proposing to obtain your own Legal adviser, your own retainer? And would this retainer go to one of your Gerakan lawyers? This House would like to know that; and the people would like to know that. If the practice in terms of your own Accountant is something to go by then we have a lot to fear, because by eliminating the Legal Adviser—you do need legal adviser, I presume—the door is opened for you to go and retain your own solicitors. Is that what the Honourable the Chief Minister wants? He has got absolute powers under this Corporation Enactment. And I venture to say that these could be some of the motives that work behind this kind of thing. Yes, very conveniently or very coincidentally it may be a directive; or an opinion is expressed by the Attorney-General. But there are people who are opportunistic enough to grab the idea, and grab the occasion to exploit. And this is a thing which this State must watch carefully, Sir—that what we have seen in terms of the Member for Tanjong Tengah being able to act

for Penang Electronics and Intan Utara will not be repeated in the State Corporation. And I warn the Chief Minister that he cannot continue like this. We are highly dissatisfied with the Penang Development Corporation and Penang Electronics. And we are highly dissatisfied with the way he has refused to answer questions here. And I would repeat my earlier warning that we are conducting very strenuous investigations into Penang Electronics and the State Development Corporation. And we will expose the activities when the right time comes. It is sufficient to say at this juncture that even a cursory examination of the State Development Corporation has revealed, from what has been said by other Members, that out of the total \$200,000 that had been used for industrial promotion only \$2,000 has been supported by vouchers. What has happened to the rest? We would like the Chief Minister to tell us that. Over \$200,000 unaccounted for; that is what it means. Sir, the State Development Corporation is one of the biggest ventures of this State. And we cannot afford to allow this kind of thing to go on. I know the Chief Minister from his long background of experience in his Kuomintang days would like to carry on like a Kuomintang General. But not here!

Tuan Speaker: Ahli Yang Berhormat, sila tarek balek chakapan "Kuomintang" itu. Chakapan "Koumintang" itu saya tidak benarkan.

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): Well, if the Chief Minister is unhappy about his association with the K.M.T. (*gan g u a n*).

Tuan Speaker: Ahli Yang Berhormat, sila tarek balek chakapan itu.

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): Alright, I take it back. That is "nationalist association"—very clear. It is very clear that he would like to adapt those methods. But then if he wishes to adapt those methods, don't use our island, Sir. Go

back to "that" island and do that. Do those things there. Don't do it here. Do not try and establish cartels. Do not try and establish pressure groups in this State. In the last Session of the Assembly, Sir, I raised this point about acquisition; and this is in the records of the House. So I hope I will not be interrupted when I read a record of this House. These are the words, Sir, of the Honourable the Chief Minister; and I would read from this point: "Here is complete evidence of why I sometimes, in spite of very patiently listening to the arguments put forward by the Honourable Member for Kelawei, cannot entirely accept his arguments because he referred, in the course of his speech, to the enormous powers that we have given to the Development Corporation because the Corporation can have the power to acquire land. And in this he referred to clause 16. Now, this is completely untrue," he says. "If he had studied the clause, or the Bill, carefully then he would not come to this kind of conclusion. And I do suggest that it is because of this incomplete study of the words of the legislation that the Honourable Member for Kelawei and his colleagues continue to have doubts in their own minds. I do not mind if they have doubts. But to create doubts in the minds of the general public, I think, is a terrible thing. And this is a completely untrue situation because if we refer to clause 16 it says that "the Corporation may from time to time borrow; and clause 16 (1), (2) and (3). And (3) reads:

(3) For purposes of this section, "capital expenditure" means:

(a) compensation payable by the Corporation for acquisition of land;

It says further: "This is not tied up to the Land Acquisition Act which is the power of the State. If the Corporation wants to buy land"—now, this is very important—"or acquire land—if this is how you term it—then it must pay for this land. So clause 16 refers to the power of borrowing. And from this the Honourable Member started saying: Oh, this is a terrible thing

We are giving the Corporation enormous powers to even acquire land; Land acquisition is very unfair."

Well, I said in the last Session that I am not afraid of this being cited. I said that because I noted that that clause would lead in the days to come—even if the Honourable the Chief Minister denied at that stage that they had the right to acquire land—to this appetite, Sir, to acquire land. And here today we have this amendment to add on to the powers which already had been implied, Sir, in the original Enactment. Now the powers come out. I do not need to read the whole of the clause that has been proposed. I just need to read the heading that is given to our Bill: "acquisition of land for purposes of the Corporation" and here we have the Chief Minister saying: "No, no, there is no power for acquisition; the State Government can do it." Now he comes to this house and says "I would like to acquire land through the State Development Corporation". Well, where do we go from here? Who is telling the truth or who is telling a pack of lies in this House? Obviously the Honourable the Chief Minister does not remember what he says, doesn't recall what he says one day and what he says another day. But we, Sir, on this part of the House do scrutinize very carefully what goes on in this House and outside it and we are appalled, Sir, by the Chief Minister who can stand up in this House and tell us that no there are no powers of acquisition and now come and consolidate, Sir, that is the word I use, not add, consolidate these powers by giving these powers of acquisition further powers of acquisition to consolidate these powers with the written law for acquisition. That is what has come about today. And Sir we must realize that these powers if given to the State Development Corporation for acquisition are very dangerous powers. I have already averted these dangers in the last session. I would like to repeat again these are very dangerous powers. These powers indicate that you can acquire land. Now what is the definition of land?

Land is not just land—the common layman's meaning of the word, soil, earth. Land can mean houses, office blocks and so on, shophouses. Now does the State Development Corporation intend to use this power to acquire a row of houses, a row of shophouses along Penang Road. Now the people of Penang would like to know that. You are giving yourselves these powers, will you do that? And that I consider is a very dangerous thing. The Chief Minister in the debate on the original Bill had indicated that it is only fair that the State Development Corporation should only acquire land and he ridiculed my bringing this word "acquire land" out to say that it only means to buy land when I said that "acquire land" could mean acquisition in the context of acquisition. He said no. Now would it be fair for the State Development Corporation to go and acquire land, shophouses, lots on Penang Road when the owners are reluctant to sell. You will have this kind of powers. Now what would come of that later on? Sir, these are the kind of powers that we in this State cannot allow to go by because the Chief Minister laughs but when he goes around Penang Road, Bishop Street and Campbell Street acquiring shophouses from owners who are not prepared to sell, you will not hear much of the laughter. This is the kind of Legislation, Sir, that we cannot accept. Yes, the State Development Corporation of this nature should have a lot of powers but if we had been, shall we say, encouraged and had been fortified in our conception of this State Development Corporation then I would not raise this matter to this extent. But what do we see from the State Development Corporation? What sort of things do we see, Sir? Any attempt he made to try and hide these activities? Look at the report Sir. Under the law the Honourable the Chief Minister should submit a report to us yearly and look at the 1970 report. And this is an order paper laid on the table of this House. When did he submit it? Late last year, 1971, at the eleventh hour, he submitted what he called a report and he purported to comply

with the statutory provisions. I said purported because the law, Sir, requires you to submit a report and a report means a full report not half a report and tell us to wait for the translator. He got away with murder the last time. That's what he did. What is the point of a lot of lovely word which have been read outside this House long before and when you are unable to give us the accounts, expenditure and the auditor's report. And that was not done last year. And what is going to happen this year now. What about the 1971 report; this is already June, 1972; we hear nothing about it. Mind you, we are giving the State Government a lot of money to play around with. Two hundred thousand dollars played around without any accounting for. Are these kind of activities examples upon which we can draw so that we can pay to the Government if it is running of the State Development Corporation. I say certainly not. If this is the way the Honourable gentlemen of the Government are going to conduct themselves then I say that when we give them these powers of acquisition and especially when we take away the legal adviser, hell will break out inside the State Development Corporation. Already bad enough we know from the ex-members of their Party that a lot of hanky-panky has been going on in the State Development Corporation even before it was incorporated. God alone knows. What has happened now when all members who have even any legal qualification have already left their ranks and now they take away the legal adviser. What will happen? Obviously there are people in the Government who are prepared to do anything outside the law so long as they think they have the majority. Sir, we feel that we cannot support this amendment. This amendment is not in the interest of the State. Particularly I refer to amendment under Clause 7 because this Government has shown itself as an irresponsible Government unable to truly and justly satisfy to the people of this State the manner in which it is using the State funds for its so called development purposes

and the manner in which it brings into partnership private individuals and private individuals who are particularly members of the Gerakan also, who may not belong to this State but still members of the Gerakan. This kind of practice, Sir, is dirty and unthinkable and the State Government can do such a thing and keep a poker-face to press call it is something that the people must note that this Government is highly irresponsible.

Sir, as regards the amendment as set out in Clause 6, well, we are amenable to that sort of amendment but we just wonder why a thing like that to develop and manage industrial estates and sites in the State has escaped the mind and the consideration of our wonderful Members of the Government. Why it has escaped them all along, suddenly they discover that they must develop and manage industrial estates and sites in the State but on this point, Sir, I would like to, of course, entreat our Members of the Government that it is not a lot of fun going around opening industrial estates all over this State. We had the spectacle and I call it a spectacle last year of the State Government rushing into Bayan Lepas to build four factories purportedly for the Penang Electronics. Now after Penang Electronics failed they very cleverly fence up that first factory that they took up and pretended and tried to disclaim any responsibility for the other three factories. Now that is only by way of illustration that the Honourable Members of the Government do not know anything about business. This is unnecessary capitalisation. You are not going to bog down this State by your unnecessary capitalisation and this is going to happen. Now we have industrial estates on the mainland—in Butterworth—Mak Mandin Prai Complex. Don't shake your head. The Member for Tanjong Barat must have his head screwed properly. You are always shaking it. If you want to say something, feel free to stand up and speak. You should express yourself but don't shake your head—it means nothing. It could mean that you have got an irritating head. Sir, you have got Mak

Mandin, you have got Prai Industrial Complex. Now these places have hardly been taken up. Prai Industrial Complex is not even taken up 10% and here you are going into Bagan Serai—another industrial complex. I hear people say, they call it Bandar Ooh Chooi Cheng—I don't know how true but the point is this. If you wish to open a new industrial estate, just make sure that this industrial estate will serve a purpose; that it serves a need. Don't open industrial estates for political motivations and I say political motivations because I am very much afraid that if we have a Coalition Government it is a marriage of convenience or as some of our Muslim friends may say: "kahwin buta china"—(*gangguan*)—Don't you worry, "kahwin buta china" I think, for the Chief Minister, for that matter, who has politically married three times, four times at least and that is what is happening at this stage of Coalition Government. And I think this is a marriage of convenience or even you may say a marriage of inconvenience because I have a feeling, Sir, that the Honourable the Chief Minister must know that we have more than enough industrial estates in this State which are vacant and yet why does he go on and on to open more estates. Why? Why with Prai Industrial Complex there you still insist on opening Bagan Serai? Why? I have a feeling that is why I say it is marriage of inconvenience. The Honourable the Chief Minister is such an egoist that he will never accept what is being done by other people. This was an Alliance project. The industrial project is a failure obviously and he does not want to pursue the matter, he wants to have his own industrial complex and we can say that the Bagan Serai Industrial Complex can be called the Chief Minister's own industrial complex. The rest is the Alliance Industrial Complex. I do not know what the Coalition partners have to say about that. But that I think may be the kind of thinking that goes behind the thoughts of Chairman Lim. Sir, in this State we cannot afford to play politics with our industrial complexes. If we have industrial complex let's use

it. Let us not spend hundreds of thousands of dollars paying contractors, earth removers, filling up land with red earth and then leaving the land to wallow in the sun. And that is what is happening now in Prai. I would like to invite the Honourable the Chief Minister to have a look. Except for a few solitary factories which have opened up, the vast majority of the factory, the industrial area is vacant and yet he has opened up Bagan Serai and he is giving himself these powers. I say these powers are good if you know how to use these powers and now you are going forward, gone to Bayan Lepas and opened industrial complex they say and everybody knows, Sir, that the Industrial Complex so near the airport is going to create enormous problems, in time to come. In fact it has already been said by experts that the present row of factories in Bayan Lepas along that road is wrongly sited and it is a matter of time before these factories will have to be torn down to make way for expansion for the airport. So this, Sir, is a kind of rash manner in which Government does things. We give them more powers—these powers will be abused. I do not want to refer to other matters which I shall bring up later in the course of the debate although I am entitled to do but I will also add that the Honourable Members of the Government should also consider that in their enthusiasm to try and create a Gerakan industrial estate they will not at the same time take over and acquire land that belong, to use their words, to squatters. I said belong to squatters, the contradiction of terms, yes, belongs to squatters, because let us be fair. Let us in opening industrial estates look to I hope the Honourable the Chief Minister need not waste his time to put on a gold-fish look because he gives the signal, I think. But, Sir, I hope that we will look for places where the land is being left to wallow, where the land is not being used by the poor people, by the farmers and the peasants and if you want to develop estates and sites let us find places where there are nobody staying there. Let us go for those places (*gangguan*).

Ahli Kawasan Tanjong Utara (Enche' Khoo Kay Por): Penang Hill?

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): What do you say? Penang Hill? It is a good idea if you can build the road first. It is your suggestion not mine. You put to the Chief Minister and see whether it gets any reception.

Sir, that is the point. Let us find places where people are not staying. In other words what I am trying to say—let us cause as little social upheaval as possible when we develop industrial estates. This is something that any sensible government must do. I do not attempt to say at this stage that the Government is deliberately causing hardship but then you have a stupid Government. It is better that you should curb this kind of activities and it is a sort of stupidity, Sir, that goes and antagonize for no reason when Penang is known to have a lot of land where you can find industrial sites. And one of the mistakes, Sir, at the present moment is to site these industrial sites in Bayan Lepas but that is another debate which perhaps we have time to do later. But, Sir, on the basis of the kind of things that we have been used to in this House, from the kind of behaviour, the lack of responsibility the auditor speaks for himself and the lack of reasoning that goes on in Government benchers and it is basically, Sir, a one-man show at the present moment. It is very sad for us in this House because we feel that at the juncture after 1969 where the other States are trying to run really run, Sir, at a high speed this State of Penang is really crawling. It is no point opening up a few factories along the airport route to impress the public or to impress foreigners. It is no point, Sir, coming in, in that airplane of theirs, they can see that a vast area of your land is underdeveloped and undeveloped whereas we are only having plots of factories and factories which do not contribute an iota, Sir, to the skill and development of skill in this State. It is only exploitation of labour and underpaid workers and we can do

without this kind of things. Tell the Americans to go home. This is the time to tell them to go home if they cannot bring us proper skills.

Ahli Kawasan Tanjong Barat (Enche' Teh Ewe Lim): Go to Vietnam?

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): Well, you can go to Vietnam with them but the thing is this. If they cannot bring us proper skills, Sir, let us not bluff the population. Let us not tell the population "Oh, we are assembling integrated circuits."

Tuan Speaker, I hope that Tuan Speaker having sat there all this time you have not gone off to sleep, because I certainly know that you haven't told me about ulang² in this Sitting. So it is not the second time you have told me. If at all it is the first time. But anyway I am not repeating myself. It is a matter of stressing a point. And there is the other matter of giving another angle. I know this kind of tactics can help the Honourable the Chief Minister. But I would say that as a professional politician, as he calls himself, and as a person of vast experience he should know how to handle things on his own like a man.

Sir, rounding up this debate on this side here, we feel that we certainly cannot support this amendment. No. 1, because we cannot support the amendment to remove the Legal Adviser. There are no grounds put forward by the Government. No. 2: We certainly cannot accept the amendment that the powers of acquisition should be given to the State Development Corporation, particularly as it is presently constituted, because it has shown itself in nearly two years of its existence as a most incompetent organisation—incompetent and highly irresponsible in terms of its use of State funds. And thirdly, we do not accept the principle that the Government has a right, as claimed by the Member for Bayan Lepas, to come every time, just because the last time we did not think about it, and ask for amendment. That is the most negligent attitude of the

Government. And for a Coalition Government that is surprising because two heads are supposed to be better than one. And in this case it is certainly not.

And lastly—just in case I am accused of ulang², which I am not—I am going to the last point here. That is the amendment under clause 4; and that is disqualification. I think these disqualifications are quite necessary. I am surprised that they were not put in earlier. But what surprises me more is: If these disqualifications have come to the mind of the State Government, why are these disqualification not also incorporated in the—if I am not wrong—Library Corporation Bill and the Museum Bill? I hope it is there. I wasn't here to debate the Bill.

Ketua Menteri: You should have read it.

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): Thank you very much.

Well, I am sure that the Honourable Members of Government are always very careful in their work. But I just bring this point up just in case they have overlooked the things. They may like in the next Session to bring further amendments, But I just say that you know. We in the course of this debate, and in this House, would be very much guided by the Members of the Government who, actually I presume, originated this Bill. But from what I can gather from private conversation half the Members do not know what the hell it is all about. But the point is this: If the Government is so satisfied that it has discharged its duties I would just like to raise a little matter which just goes to show the manner in which the State Government goes around doing things—pure state of euphoria, you know; a feeling that they have about things. Perhaps one year ago we had naked power; and now we have a naked Coalition. But this is the kind of thing in which they are very careless, Sir. We have picked a few mistakes in the last few days. And here is another mistake. You know, that is the kind of thing. But of course it does not go

to the root. I hope the Chief Minister will not get up, Sir, and say, "Oh, the Member for Kelawei waxed enthusiasm"; and the rest of the nonsense, you know; "frivolous", "frivolity", and the rest of his usual words.

Here is another one that shows how they misled the House, and did not help in intelligent debate, if you look at our Bill at page 78. Sometimes it is very hard to follow the Honourable the Chief Minister because he has got all sorts of ideas. And I know your good-self, Sir, have rebutted me yesterday and said, "As a lawyer you should know what is "3" and what is "9"—a lot of difference". Well I stand corrected. I ought to know, not as a lawyer but even as a person. At least with a primary education I ought to know "3" and "9". But there are things called typographical errors, Sir. Here on page 78 there is a subject heading there—a note to the section. It says, "Amendment to Section 14". But I look at it. It says, "The principal Enactment is hereby amended by inserting immediately after Section 15" The whole of clause 7 refers to Section 15, whereas the side-note there says, "Amendment to Section 14". I do not know whether this is deliberate to mislead the House, or it is carelessness on the part of the Government. But I hope it is mere carelessness. For myself I hope it is carelessness. But if it is carelessness then I feel that a careless Government should not be allowed to continue in this State. A simple mistake like this. Of course, I know the Chief Minister will say I wax, that I get political capital, and all that. But it is an example for the Member of Bayan Lepas—chontoh; an example of the negligence of the Government who can't even do things properly.

Dewan di-tanggohkan pada jam 4.15 petang.

Dewan bersidang sa-mula pada jam 4.37 petang.

Penasihat Undang²: Tuan Speaker, saya minta izin berchakap dalam Bahasa Inggeris.

Mr Speaker, Sir, I would like to refer to the last bit of the speech of the Honourable Member from Kelawei with respect to the marginal note supposed to be for Section 6, and the amendment. He has alleged, with respect to him, that this is an attempt on the part of Government to mislead this House. I would like to clarify that that suggestion is unfounded. This is indeed a mere printing error. This could clearly be seen if Section 6 is read with reasonable consideration. Section 6 says "Section 14 of the principal Enactment".

Now, the marginal note referred to, my learned friend and Honourable Member, amendment to Section 14. Surely my learned friend, with his knowledge and experience, is well able to understand and appreciate this printing error. In any case, Mr Speaker, Sir, my learned friend will surely agree with me that the marginal note does not form part of the Bill, and can easily be corrected under Standing Order 85. I hope that will clarify the position.

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): Tuan Speaker, I would like just to note that I said, "may be trying to mislead the House". I did not say that. I said it could be carelessness. I said that, you know. And I am glad that the Legal Adviser has explained the thing. But the thing is that I may well be able to understand. I do not even need the marginal notes perhaps. But there are other Honourable Members of the House who are just laymen, you know. If you put a mistake there it may mislead them. They read it, and then they say something is wrong. Either the marginal note is wrong, or the Section is very wrong. That is what I am trying to say. I know it can be amended. But this is a draft Bill to help Members to understand what is going on, or what is going to go on. But if you have this kind of thing they may not understand. I understand. But I may say that I never said the Government was attempting to mislead the House.

I said "may be". Or it could be carelessness. That's all. I think it is carelessness.

Ketua Menteri: Tuan Yang Di-Per-tua, saya ucap terima kasih kepada rakan saya, Ahli Yang Berhormat dari Kawasan Bayan Lepas sebab saya ingat dalam ucapan beliau, beliau sudah menjawab beberapa perkara yang di-bangkitkan di-dalam per-bahasan oleh Yang Berhormat Ahli² dari Parti² Pembangkang. Tetapi, nampaknya apa² perkara, apa² jawapan yang Ahli² Kerajaan buat Ahli² Yang Berhormat dari Parti² Pembangkang tidak puas hati walau pun satu perkara yang senang dan terang. Tetapi, mereka tidak boleh terima sebab ingatan Yang Berhormat Ahli² Pembangkang ia-lah mesti bangkang sahaja kerana hendak mendengar suara sendiri. Macham mana pun hendak berchakap lebeh panjang.

Tuan Speaker, saya minta izin berchakap dalam Bahasa Inggeris.

Mr Speaker, Sir, even on the explanation given by the Honourable the Legal Adviser the Honourable Member from Kelawei must immediately stand up to show how clever he is. He says he as a member of the learned profession understands. Naturally he understands. One has to assume his cleverness was accepted. In actual fact he never understood it. He just saw it. And as soon as he saw it he took it up. That is the usual tactic that he has.

Mr Speaker, Sir, I have listened very patiently to the debate in the course of the session. Honourable Members on the Opposition have constantly referred to how honourable they are. And they try to say we on this side are disreputable. They refer to Standing Order 46 (xiii) in particular—A Member must not: impute improper motives to any other Member: make a personal charge; use offensive expressions; indulge in personalities. That, Mr Speaker, is your prerogative to judge. And we have accepted what you have permitted. On the other hand I think, Mr Speaker, having permitted this

wide latitude of expression I hope you will permit me a certain degree of straying away from the subject because Honourable Members on the Opposition had not stuck to the subject. They have talked a lot of rubbish I think—hot air. And in following their arguments, and rebutting some of them I have to stray somewhat.

For example, throughout the debate the Honourable Member for Ayer Itam has said that he speculates; and imputes straightaway that this is a sinister motive on the part of the Chief Minister. He even enjoined honourable colleagues of mine in the Executive Council that the only way they should try to curb me is to employ the rule of law against me. The Honourable Member for Kelawei is even much more dramatic. He has referred to my Kuo-mintang days. Now, if the Honourable Member for Kelawei can produce any evidence at all, either here, outside or anywhere, whether at any time I was a member of the Kuo-mintang then he should do so. If not, why make stupid remarks of this nature? He had even said, "Look at the goldfish look of the Chief Minister". Mr Speaker, Sir, we accept this as part and parcel of the thrust in debate. For example, you yourself have told us not to correlate "frivolous" with "bodoh", and we accept your statement. But supposing now I were to say, "Look at the Honourable Member for Kelawei, and look at the janggut jagong." (*ketawa*) This is not the appropriate way of debating, Mr Speaker. But it is a style which we accept because the Honourable Member for Kelawei uses this style; and we are getting used to it. But it is not a forceful style; not a meaningful style. And in many ways he always gives me the honour. Previously in another session of this House he read what I said in previous years. And naturally an author sometimes feels somewhat happy when he is read in full. And this time again he read in full a statement I made at some other Meeting. I think such a consistent disciple of mine must not let me down (*ketawa*) and behave in such a—he used the word—disgusting

manner. Mr Speaker, Sir, I hope the Honourable Member for Kelawei will grow, I hope, from this unnecessary style of his, because he has a lot of points if he were to really study the Bill. In actual fact he has not studied the Bill. And he has just come in here to maintain a supposed reputation of being a very great speaker. And I say he has not studied the Bill because he immediately took up a suggestion made by the Honourable Member for Ayer Itam that Clause 2 of the Bill refers to—what they say—the removal of the State Legal Adviser from membership of the Board. And this was brought up by the Honourable Member from Ayer Itam. He imputed that there were sinister motives. Now, this was repeated. Of course, the Honourable Member from Kelawei had nothing to take on. But it was an apparently good point to beat a drum on. And in fact the Honourable Member from Ayer Itam had answered himself because he referred to Clause 10 (4) of the substantive Bill which says that in taking a Resolution to delegate any duty or power or function the presence of the Legal Adviser is required. Now, if Honourable Members had studied this Bill carefully, which is a very simple, short Bill, they would clearly understand that the proposed amendment deals only with the term "ex-officio member". And because the State Legal Adviser will no longer be an ex-officio member of the Corporation obviously it requires a consequential amendment in the drafting so that Clause 3 (a) is necessary. So instead of three officers there are now two officers who are ex-officio.

Now, what the Honourable Member from Bayan Lepas had indicated was that at the discussion with the Attorney-General it became very important for us to establish what were the priorities of the functions of the Legal Adviser. And this matter was raised not only by ourselves from the State of Penang but also by other Government of other States because they had similar problems with the establishment of the Development Corporations in the various States. And on this one point

immediately the Honourable Member for Kelawei went on to say, "Why conform? Why be subservient? If you cannot uphold the sovereignty of the State then resign. It is disgusting." Mr Speaker, Sir, we accept it.

Now, what in actual fact is the Honourable Member for Kelawei imputing? And what is the actual reasoning of Government in so presenting the Bill? Now, if we argue this one point we will show clearly that the Honourable Member from Kelawei is in actual fact beating an empty drum, because in our deliberations it was clear that the Legal Adviser's main or primary function is to advise the State Executive Council, and therefore Government. If he served in the Development Corporation as an ex-officio member then he could prejudice his position in the sense that if he took or gave certain legal views in the Development Corporation later on it may have a conflict where the interest of the State and the interest of the Development Corporation are dissimilar.

However, the Development Corporation must be considered to be an Agency of the State, and not above the State. And that is why in the original provisions of Enactment the Government insisted that principal officers should be ex-officio members of the Development Corporation. Now, Government also had provided in the original Bill that the Corporation can in actual fact employ and pay agents and technical advisers—whether solicitors, bankers, and so on—under Clause 24 of the subsequent Enactment, which should mean that matters involving the Development Corporation may bring in legal opinions put forward by officers of the State Corporation which the State may not necessarily agree with. In consequence it is absolutely essential that we uphold the sovereignty of this State. But in this case the whole sovereignty of the State as against the position of the Development Corporation. Under the circumstances it was considered that it would be best if the Legal Adviser were not an ex-officio member of the Penang Development Corporation. The

State Government, for obvious reasons, will appoint the State Legal Adviser to be a member of the Board. In which case he is free from his official capacity serving as a member of the Board. That is necessary because, as I said, the Clause 10 (4) referred to has not been amended.

Mr Speaker, Sir, I must say that the Honourable Member for Kelawei makes me wonder. He says I am supposed to think. "I think he may be thinking"—that is the phrase he used. But he mentioned that because of what had happened in the Gerakan we have lost members with legal qualifications on the other side of the House. Now, with no malice intended, and certainly no slur intended to extremely important members in the learned profession, I sometimes wonder whether the Honourable Member for Kelawei really implied that these special qualifications put him where he is, or whether he can take it and measure it as nothing very much more. He has repeated in the argument because in his reply to the Honourable Legal Adviser he says, "Well, I am a member of the legal profession; I know. But there are other Members who are laymen; they don't know. These poor laymen: they just don't know." But here we are. We are all here elected to be legislators. But he knows. What does he know? Strangely now the Member for Sungei Bakap did not agree. He accepted Clause 7. But the Honourable Member for Ayer Itam and the Honourable Member for Kelawei consider this to be sinister and dangerous. And they implied that the Development Corporation will be given powers to acquire land.

Mr Speaker, Sir, it was at that point that the Honourable Member for Kelawei looked up the record of our Proceedings and repeated my statements. I wish that in repeating my statement he will read it a bit carefully, and think of it carefully. If I may digress somewhat offhand, probably with no absolute accuracy, with an old quotation from Shakespeare which I haven't quoted for a long, long time.

Listening to the very tedious argument put forward by the Honourable Member for Kelawei, I thought of "Tomorrow, tomorrow, and tomorrow clips on this petty pace. And all our yesterdays have lighted fools the way to dusty death."

Mr Speaker, Sir, if we examine carefully what in actual fact the Honourable Member is trying to say, he hasn't read this Bill. He hasn't bothered to read this Bill. And on the strength of his reputation, which I hope will get better and not worse, I implore the Honourable Member for Kelawei to improve his stand. After all, be a good disciple when you talk about this. And please read the Bill carefully. The marginal note I wouldn't bother to refer to. But obviously that was what he desired—the amendment to Section 14. And he read "7" in the sentence immediately. Section 14: if he will just read one bit of it. Perhaps sometimes we have to use goldfish eyes. We have to read everything in one time; that is, to see that and Clause 6 is referring to Section 14. And immediately he infers that there has been a printing error. But if he were to read the amendment, how does it read? What is the proposed amendment? "When any immovable property, not being State land, is needed to be acquired by the Corporation for the purposes of this Enactment and cannot be acquired by agreement,"—it means that the process of agreement has got to be gone through—"such property may be acquired in accordance with the provisions of any written law relating to the acquisition of land for a public purpose for the time being in force in the State." This in fact referred to the Land Acquisition Act in which the only instrument for acquisition is the State Authority. But if the State Authority refuses to accede to this need to acquire land, as put up by the Development Corporation, the Development Corporation cannot proceed. Is this something so abnormal? Is this something so terribly heinous? The same powers are given to the Local Authorities. If Local Authorities so want to acquire land

they have to go through the same process of law. This same power exists. Honourable Members of the learned profession like the Member for Kelawei should know that it has existed. There is nothing heinous, nothing despicable, nothing sinister about this provision. But, of course, now that he has also a maestro in debate his side using the word "sinister" he must follow it.

The Honourable Member for Ayer Itam has just come in. I indicated your imputation of sinister motives do not arise because the Government intends to appoint the Legal Adviser, not as an ex-officio member but in his personal capacity, to be a member of the Board. So that answers all the imputation and all the allegations on which they try to pull out a terrific case as if this were a thing for the law Court. The longer you talk the more you make.

Mr Speaker, the Honourable Member for Kelawei was even trying to beguile this House. He said, "Oh, you do not have to look through the Bill. We just read the marginal note—acquisition of land. Acquisition: How terrible. The Development Corporation is going to buy up your land; buy up all your houses in Penang Road, in Cambell Street, in Kimberley Street," and all this. And what he is trying to say: If that happen I am not likely to get re-elected again. Mr Speaker, Sir, I assure the Honourable Member for Kelawei that if there was a justifiable public need for the Development Corporation to acquire such land, and if after negotiations agreement cannot be reached, the Development Corporation will acquire if it is truly in the public interest. But I will not be deterred by counting my votes—whether I am going to get elected or not. If it is for the good of the people of Penang I shall do it.

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): Those are your own words.

Ketua Menteri: Mr Speaker, Sir, the Honourable Member for Kelawei had a long time (*gangguan*).

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): Those are your own words—"Whether you get elected or not".

Ketua Menter: Yes. And they will be taken out and twisted for political propaganda. But I say so because I know the electorate in my constituency. I know the people in Penang. They want to move ahead. In anything for the good of Penang, for the general interests of the people of Penang, I am sure they are prepared to co-operate, inspite of the Members of D.A.P. trying to fish in troubled water.

Mr Speaker, Sir, that is what we have in argument—argument with no substance. There was absolutely no substance at all. And without substance straight on to so far as even make statements which cannot be substantiated. He even used the word 'hell' in the course of a simple matter of speech—"I do not know what the hell it is." That I presume is the kind of speech we expect from learned Members. I do not know. Certainly I would say that with a little more care and choice of another words he could easily show a certain degree of character and a certain degree of training.

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Using the word "bodoh" as an example.

Ketua Menter: Oh, I have.

Mr Speaker, I have before that at least indicated that I accepted your ruling on this. I only try to correlate the word "bodoh" in relation to the word "frivolous." You can say "bodoh" atau "frivolous." berikut Peratoran 66 (2). The Honourable Member for Ayer Itam was the one who is very sensitive to this, so I discovered a new word for him—"nyanyok." So if he wants to take it he can.

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): You are very funny. Very funny.

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): Bravo!

Ketua Menter: Tuan Speaker, Sir, the Honourable Member for Ayer Itam is trying to interjet. That is what they are reduced to when it actually comes to debate. They can't take debate. They can't take debate on points. And when they have no points they try to bluff their way through. What's the example of bluff? A typical example of bluff (gangguan).

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): At least we don't twist.

Ketua Menter: You don't even twist. You don't even know what to do. (Ketawa).

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): How can we beat the master twister?

Tuan Speaker: Saya harap jangan di-ganggu.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): Ketua Menteri wants to be a professional twister.

Ketua Menter: Mr Speaker, Sir, the Honourable Members of the Opposition brought up this question of the Report from the Auditor-General. The Member for Tanjong Bungah brought it up; and this was followed up by the Honourable Member for Ayer Itam. And this is an appropriate time to show who are twisters. Mr Speaker, Sir, he says the Auditor's Report painted a poor picture. What is the Auditor's Report? One, two, three. That is all it indicated—a short succinct Report. And on this very succinct, straightforward Report the Honourable Member for Tanjong Bungah says it is a poor eyesore (gangguan).

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): Read the Report. Read loudly; loud enough for everybody to hear.

Tuan Speaker: Saya harap Ahli Yang Berhormat jangan ganggu.

Ketua Menteri: because I try to read on the total of \$200,012.92 spent on industrial promotions; a sum of \$28,888.57 was supported only by certificates of officers to the effect that the expenditure was incurred by them on official duties. This is precisely what is contained in this Auditor's Report. But some Members who have not even read it took it up. Because their Honourable friends took it up they must take it up. They have to be cleverer than their friends. After all they cannot lose their backing order. How can the Leader of the Opposition loose the Honourable Member for Ayer Itam? He is only number 4 or 5 on the list there. So this was taken up. Some of them imputed that the only accurate accounts, or the fully-documented accounts, was \$28,000; all the remaining hundred over thousand dollars was not accounted for. That's what he imputed. In actual fact the words are clear enough. Now, what does it mean? Is the Auditor-General painting a poor picture of the Accounts in Penang, or was the Auditor-General making a statement of fact? Mr Speaker, Sir, this is a statement of fact. He does not impute malpractices on the part of the Government. The Honourable Member for Tanjong Bungah indicated that this was a malpractice. And this was taken up also by the Honourable Member for Ayer Itam.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): Tell us how the \$172,000 were spent.

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Let us be more specific. What did the Member for Ayer Itam say with regard to the Auditor-General's Report? Let us be specific. You are unable to answer.

Ketua Menteri: Mr Speaker, Sir, the claim amounting to this 28 thousand over dollars was made in accordance with accepted financial procedures. In making claims, when receipted sub-vouchers cannot be obtained the officer presenting such claims should certify that the expenditure had been actually incurred and paid by him. And this is in paragraph 99 (c) of the Treasury

Instructions. There is no malpractice. Now unfortunately the Honourable Member now says I have taken them to Federal Treasury Instruction 99 (c)—so far away.

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): You are enjoying the trip already.

Ketua Menteri: Mr Speaker, Sir, this is actually what the Auditor-General's Report implied. He made a statement of fact. And on this statement of fact with no criticism; no further comment. The Honourable Member for Tanjong Bungah, as I understand, is a new man. The Honourable Member for Ayer Itam, I really cannot understand. He imputes a lot of sinister motives,

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Let us be more specific.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): Tell us about the \$172,000.

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): A plain case of payment without vouchers.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): That's right.

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Inability to produce vouchers. That's what we have to verify.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): Shame, shame.

Tuan Speaker: Ahli Yang Berhormat dari Ayer Itam, jangan ganggu.

Ketua Menteri: Mr Speaker, Sir, when the Honourable Member for Ayer Itam sitting on his bottom (gangguan).

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Where do you expect me to sit? On the head? (Ketawa).

Ketua Menteri: cannot accept the fact that this procedure is an accepted Treasury procedure. We have no further comments to make against him or for him. If a person cannot

understand what's stated, how in the world can we expect him to change his fixed attitude of mind?

Mr Speaker, Sir, the Honourable Member for Tanjong Bungah referred to what he called a fact—that the Penang Port Commission is trying to take control of the area in Prai. Mr Speaker, Sir, in our Standing Orders we don't insist that the Honourable Members should substantiate their statements. In actual fact the relationship between the State Government and the Penang Port Commission is very good. And I think the statement made by the Honourable Member is completely untrue.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): What is the relationship like? Cordial?

Ketua Menteri: The relationship is cordial.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): To the extent that they land goods in Butterworth, and not Prai.

Tuan Speaker: Ahli Yang Berhormat jangan ganggu.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): Don't shake your head. Ask him to screw his head.

Ketua Menteri: There are other places that you can screw yourself, I am sure. (*Ketawa*).

Mr Speaker, Sir, the Honourable Member for Tanjong Bungah mentioned labour intensive factories; and he quoted a figure of 1 to 66 being not labour intensive. He does not even know what the term labour intensive means. And he throws it about as though he is an expert. And he talks about economic stagnation.

Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap): You tell us about "labour intensive".

Ketua Menteri: Mr Speaker, Sir, I had at another time of the House read at full length the projections and the actual achievements of the State with regard to job creation in relation to

capitalisation. It is the content of employment in relation to the cost of the capitalisation that determines labour intensiveness. It is not just the number of people coming into a factory. You can have a highly-capital-intensive industry with a large number of people working in the factory. But that does not mean that it is a labour-intensive industry. However, it is clear that the Honourable Member for Tanjong Bungah doesn't really know what he is talking about.

Mr Speaker, Sir, the Honourable Member from Sungei Bakap referred to this question of having to take away the Legal Adviser. That I think I have referred to in full. But he referred to the subject of the membership of the Corporation. Why increase it to 22? It will become unwieldy. Mr Speaker, Sir, we have indicated that we shall bring legislation to this House where necessary to carry out the functions that are required to be done in the State in order to advance the economic development of the State. And when such legislation requires amendment we shall bring about amendment as practical experience so requires. Now, if the Honourable Member for Kelawei feels too tired to do his work of going through legislation, which is one of the primary functions of this House, I do not know what he thinks this House should do. He can, of course, take whatever recourse he likes if he is too tired about it. But such legislation is necessary. The amendments are necessary. And it was the experience of the Development Corporation in the last two years that it was found that the membership should be enlarged. The present membership of the Corporation is restricted; but it is anticipated that the functions of the Development Corporation will enlarge greatly because in the past two years the Development Corporation has obviously established an area of electronics industrial development. It has also identified and established an agro-horticultural industrial sector. It is engaged actively now in the tourist industrial sector. It will move into development in the housing sector. And with all this development taking

place in the different sectors of industrial advancement in the State we will require more members to sit upon this Board.

Mr Speaker, Sir, the Honourable Member from Ayer Itam did refer to one point which I think should be rebutted; and that is that the amount spent on Penang Electronics Sendirian Berhad which he said far exceeds what no sane businessman will do. I think his observation in this respect is correct. But its implication, I think, is incorrect. We honestly believe that no sane businessmen would incur this type of expenditure which involves primary provision of fundamental development of manpower infrastructure in a totally new industry. No businessmen would put their investment into an area which will enable our young people to obtain basic training in electronics which will lead them to serve an electronics industry. To that extent the initial functions of the Penang Development Corporation with regard to the setting up of Penang Electronics Sendirian Berhad carried with it also these promotional and training facilities which businessmen do not normally undertake on the hard-headed basis of profit making. However, from the point of view of the State the establishment of the electronics industry is clearly proven. In 1969 no one thought that there was a potential for electronics to be established in Penang. And when the first buildings were put up, and efforts were made to train our manpower, and to attract foreign investors to Penang, the Honourable Members from Kelawei and Tanjong Bungah naturally decried it. And even now they go on shouting, "Go away, Go home American. Go away Japan. What can Indonesia do for us?" This type of attitude in actual fact is not conducive to promoting industries where we are asking foreign investors to come to the State. Now I do not know what the motivations of the Honourable Member from Kelawei are when he said "Go home American." I do not know whether he is just trying to jump on a different type of bandwagon; trying to put himself

more in line of a Chairman of "DAP's Intelligence". There is I believe a leadership problem in the Party.

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): What has that got to do with this?

Ketua Menter: Mr Speaker, Sir, be it true that the expectation cannot be justified purely in terms of profit making, I think every one will agree that from the point of view of promotion, and from the point of view of job creation the establishment of a labour-intensive electronic industry, the establishment of a complex starting with one small factory, now enlarging to four, soon enlarging to nine, and very soon to more, has clearly indicated the policy of the Government and the implementation on the part of Development Corporation. No one can deny that the coming into the State of Penang by international organisations such as National Semi-Conductors, the I.T.T., the Bosch and one or two others which I am not at present at liberty to reveal—but we shall reveal that information soon—clearly indicate that Penang is considered by those who hold responsible office in the electronics industry and who are well-known figures in the electronics industry, as a place worth investing in. The Honourable Member from Kelawei also brought up the fact that an expert—I do not know who this expert is—has told him that these factories will have to be torn down because of the expansion of the airport. Mr Speaker, Sir, that is his opinion. Our opinions are advised totally differently. And the provision for close relationship of an industry which deals with light-weight material and proximity to an airport has been one of the substantial reasons why the choice of Bayan Lepas as an investment centre for the electronics industry has been not only viable, but dramatically viable one.

Mr Speaker, Sir, the Honourable Member from Jelutong, whom I always say has been the most succinct and straightforward Member from the

D.A.P. side, has put his case clearly. I assure him that the amendments have been brought after careful consideration. The applications of the various points of amendment contained in Bill indicate, even in the words of some Honourable Members of the Opposition, are capable of bringing greater benefit to the Corporation, and will enable the Corporation to play a bigger role. So, as a matter of fact the Honourable Member of Sungei Bakap even conceded that clauses 4 and 7 were alright. But the Honourable Member from Ayer Itam says, "No, it is not alright." So, Mr Speaker, Sir, we have always told the Honourable Member for Ayer Itam during the short time when we had close association with one another that it is a difficult thing for a layman like myself to be advised by one lawyer. But when I have the privilege of being advised by two lawyers, then I require a third opinion. And when I have three lawyers beside me I have to call in the services of the judge. (*Ketawa*). Mr Speaker, Sir, so you see the difference of the opinion brought up by the Honourable Member for Kelawei. Perhaps both Members of the Opposition will realise that the Bill is brought forward with a good intention, and after careful planning. The typographical errors do not carry any sinister motives behind them. The other amendments are clear-cut and straightforward. In actual fact the one point which I wish to repeat again before I resume my seat is on this question of land acquisition. I hope that the misleading arguments brought up by the Honourable Member for Kelawei are not taken too seriously because the power of acquisition still comes under the provisions of the National Land Codes. And the only Authority for proceeding under that law will be the State Government.

Soalan di-kemukakan dan di-per-setuju.

Rang Undang² di-bachakan bagi kali yang kedua.

RANG UNDANG² DI-DALAM JAWATANKUASA

Dewan bersidang sebagai Jawatankuasa.

Fasal 1 dan Fasal 2 menjadi bahagian daripada Rang Undang².

Fasal 3:

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Tuan Speaker, saya minta keterangan berkenaan Fasal 3.

Dengan izin, we were informed by the Honourable Chief Minister in the course of his reply that it is not his intention to eliminate the Legal Adviser; but the Legal Adviser will be appointed in his personal capacity. I for one cannot see the logic of that sort of argument. Why should I not the Legal Adviser remain as Legal Adviser? Why should the Legal Adviser be appointed in his personal capacity? I can't see the logic of this sort of argument, because he was trying to tell us that after all it is not a case of eliminating him. He will be appointed in his private capacity. Why is it that in all the other statutory bodies the appointment is the Legal Adviser ex-officio; not the Legal Adviser by name in his personal capacity? What has that got to do with it? Can he kindly clarify?

Ketua Menteri: Tuan Speaker, if the Honourable Member for Ayer Itam chooses to be absent from the House when I was replying to his question that is his privilege. But for us to waste our time further when the question has been debated, when he chooses to be elsewhere, I think, is frivolous.

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): I am fully aware that this is an explanation which was given to this House—that the Legal Adviser will be there in his personal capacity. It is an assurance which I heard. It is not the question of being absent from the House. I know exactly what has happened. That is exactly what he told this House. If he is unable to answer let him say so in no certain words; and tell us, "I am not going to justify. I simply want to appoint the

Legal Adviser in his private capacity." And that is all to it. He is at liberty to do so. That I am not questioning. But let that be said in this House. And I still say that there is no justification whatsoever in this sort of thing. He is very shrewd in as far as this sort of thing is concerned.

Tuan Speaker: Ahli Yang Berhormat, perkara itu Yang Amat Berhormat Ketua Menteri sudah menjawab sebab² yang Penasihat Undang² di-keluarkan dari menjadi.... (*gangguan*).

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Itu betul, Ketua Menteri sudah menjawab, tetapi jawapan (*gangguan*).

Tuan Speaker: Tetapi pada masa itu, masa Yang Amat Berhormat Ketua Menteri memberi jawapan, Ahli Yang Berhormat dari Ayer Itam tidak berada di-sini.

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Saya tidak ada di-sini, saya berada di-luar, saya ada dengar debate ini. Tetapi masa yang masa minta keterangan berkenaan dengan soal ini sekarang-lah sesuai fasal sekarang kita membincangkan Bab 3 dan Bab 3 sini membuang Penasihat Undang². Sebab itu, saya fikir sekarang-lah sesuai tetapi jikalau Ketua Menteri tidak boleh memberi jawapan yang betul, satu jawapan yang boleh memberi keterangan berkenaan dengan soal ini biar-lah.

Tuan Speaker: Ahli Yang Berhormat, perkara ini saya memberi ingat kepada Ahli Yang Berhormat, masa Yang Amat Berhormat Ketua Menteri memberi jawapan kepada soalan daripada Ahli Yang Berhormat dari Ayer Itam sudah di-jawap dengan panjang lebar dan Ahli² Yang Berhormat sekalian sudah mendengar dan sekarang saya tidak benar di-soal perkara ini.

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): Tuan Speaker, dengan kebenaran.

Tuan Speaker, I think we are at the Committee Stage. So we are considering this Bill in detail, if I am not

mistaken in my understanding of the Standing Orders. Therefore the time for details has come. I understand the Honourable the Chief Minister as saying that the Legal Adviser is being eliminated on the one hand by way of statute; and then on the other is substituted by way of being appointed in his personal capacity. Now, the question asked further is: "Why do that?" How do you justify that? That is a simple question which every one of us would like to have an answer to. I am sure a brilliant person like the Honourable the Chief Minister can give a perfectly good explanation if only he were given the opportunity to do so.

Ketua Menteri: Tuan Yang Di-Per-tua, dengan izin berchaka p dalam Bahasa Inggeris.

When I replied to Honourable Members I explained this at great length. Now the Honourable Member for Ayer Itam was physically away. The Honourable Member for Kelawei was physically here, but apparently not entirely here. I explained at great length. If the Honourable Member for Ayer Itam chooses only to hear outside through the communications system a part of what I said I think he can read the text.

Fasal 3, Fasal 4, Fasal 5, Fasal 6 dan Fasal 7 menjadi sa-bahagian daripada Rang Undang².

Tajok penoh dan fasal yang mengundangkan:

Ketua Menteri: Tuan Speaker, saya mohon melaporkan satu kesilapan penchetakan ia-itu fasal yang mengundangkan telah pun di-tinggalkan dari naskhah Bahasa Malaysia Rang Undang². Fasal yang mengundangkan hendak-lah berbunyi:

"Maka dengan ini ada-lah di-perbuat Undang² oleh Badan Perundangan Negeri Pulau Pinang seperti berikut: ". Pindaan ini, Tuan Yang Di-Pertua, sudah pun di-bentangkan dalam Dewan ini. Ia-nya hendak-lah di-masokkan sa-lepas tajok penoh Rang Undang².

Tajok penuh dan fasal yang mengundangkan (terta'alok kepada pembetulan-nya) menjadi sa-bahagian daripada Rang Undang².

Dewan Bersidang Sa-mula.

Bachaan Kali Yang Ketiga

Ketua Menteri: Tuan Yang Di-Per-tua, saya mohon melaporkan bahawa Rang Undang² Perbadanan Pembangunan Pulau Pinang (Pindaan), 1972 telah pun di-pertimbangkan sa-fasal demi sa-fasal di-dalam Jawatan-kuasa dan di-persetujui terta'alok kepada pindaan. Oleh itu, saya mohon menhadangkan supaya Rang Undang² ini sekarang di-bachakan bagi kali yang ketiga serta di-luluskan.

Ahli Kawasan Nibong Tebal (Enche' Teoh Kooi Sneah): Saya menyokong.

Soalan di-kemukakan dan di-perse-tujui.

Rang Undang² di-bachakan bagi kali yang ketiga dan di-luluskan.

USUL DI-BAWAH PERATORAN MESHUARAT 9.

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): Tuan Speaker, dengan izin: I like to move that the House adjourn until 9.30 tomorrow morning. We have covered quite a great deal of ground; and there is no necessity for a Sitting at this particular stage because we have been sitting only for two days, and we have covered quite a fair deal of ground. And it will be exhausting not only the Members of this House but also the staff and the Press, and even the general public. Members of this Assembly are expected to do a good job; and we must discuss every item vigorously; and we must be fresh. And I know that it is the tactics of the Government side to tire Members of the Opposition by sitting late at night. (*Ketawa*) Not that we are unable to do so. But there is no necessity whatsoever to adopt this sort of tactics. And I think that it is only fair that we should conduct affairs of this House in a business-like manner during proper hours. And it is only by so doing

that legislation that is before this House can be discussed very objectively and very seriously, with all the Members not being overtaxed. I hope that the Members of the Government will support this proposition.

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): Tuan Speaker, dengan kebenaran: I support the Motion because it is true that unless we are given proper time it is very difficult to deliberate all this legislation. I am sure the Honourable the Chief Minister is not for a moment suggesting that all these things that have taken him months to prepare and present to this House—and even then with mistakes—we can deal with in the course of one night.

Tuan Speaker: Ahli Yang Berhormat, itu tidak bersangkutan. Biar-lah, Ahli Yang Berhormat, saya yang buat ruling itu. Jangan bersangkutan dengan Yang Amat Berhormat Ketua Menteri.

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): I support this Motion. And particularly more so, Sir, in view of the fact that we have heard in this House the necessity for conformity. And in Parliament the procedure is that they start at 2.30; and they end at about the same time that we are proposing now. But here we start at 9.30 in the morning; and we have gone through half a day this afternoon. And therefore it is right that in spite of the shaking of the head of the Honourable Chief Minister we should adjourn. And it is only reasonable. This is if the House seriously takes on itself—if we are here to be rubber stamps, and just to go to Fasal 1, Fasal 2, Fasal 3, alright we go on—to consider these Bills properly, item by item, and strictly debate the issues before us. And I presume that because these things are brought up, and they are important for consideration, then we should adjourn and start afresh tomorrow. There is no necessity for this indecent haste. And I feel that the Honourable the Chief Minister may be fortified by the elements to continue. I think there are others whose feelings

in the matter should be taken into consideration. And this should not be something partisan that there should be a stand taken in order to attempt to pressure people in their work. And everybody should try to accommodate. And I support this Motion; and I hope that the Members of the Government, and particularly the Honourable Chief Minister, will take this time to consider and support it also so that this House will be maintained in its proper perspective, and not a glorified boxing arena. Let us do the hours properly.

Ketua Menteri: Tuan Yang Di-Per-tua, saya minta izin berchakap dalam Bahasa Inggeris.

Mr Speaker, Sir, you yourself fixed the time for the meeting of this House. We shall abide by what you so fixed. The Honourable Member for Kelawei earlier on this morning became a ting-tung-ting when it was 12.30; and he

asked you to abide by your ruling. We on this side of this House will abstain from this Motion, and leave it entirely to your good judgement and the feelings of tiredness on the other side.

Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan): Put it to the vote.

Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin): I think the Speaker is at liberty to decide on this issue. According to Standing Order 9 a Meeting of the Assembly may be adjourned at any time by the Speaker or by a majority. So it is up to Mr Speaker to give a decision. And we will stick to your verdict.

Soalan di-kemukakan dan di-per-setujui.

Dewan di-tanggohkan pada jam 5.40 petang hingga 14hb Jun, 1972, jam 9.30 pagi.