

INTERNATIONAL COURT OF JUSTICE

**CASE CONCERNING SOVEREIGNTY OVER
PEDRA BRANCA / PULAU BATU PUTEH,
MIDDLE ROCKS AND SOUTH LEDGE
(MALAYSIA / SINGAPORE)**

**REPLY OF
SINGAPORE**

**VOLUME 2
(Annexes 1 to 30)**

25 NOVEMBER 2005

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Annex 1

Extracts from
Dutch-Proposed Draft of Anglo-Dutch Treaty
dated 17 Jan 1824

TRANSLATION

Second Separate and Secret Article in Draft Anglo-Dutch Treaty Proposed by the Dutch Negotiators on 17 January 1824

[Note: This draft article did not make it into the final treaty.]

French Original

2

Et afin de mieux atteindre le principal but de la dite convention les parties contractantes ont résolu de regarder leurs possessions aux Grandes Indes comme séparées par une ligne de démarcation partant de l'entrée du détroit de Malacca à la hauteur de Queda ou du 6^{me} degré de lat. Sept. et se terminant vers la mers de la Chine, à la sortie du détroit de Sincapour en laissant l'île de ce nom au nord et celles de Carimon, Battam et Bintang ou Rhio au midi.

Des ordres positifs et invariables seront donnés pour que de la part des Pays Bas on s'abstienne de toute intervention dans les affaires des peuplades et princes indigènes établis à l'est et au nord de cette ligne et pourquoi réciproquement, les officiers et agents Britanniques ne s'immiscent en rien de ce qui concerne les relations ou les arrangements intérieurs des îles situées à l'ouest et au midi

English Translation

2

And with the objective of better attaining the principal end of the said agreement, the contracting parties have resolved to regard their possessions in the Greater Indies as separated by a line of demarcation, starting at the entrance of the Straits of Malacca at the height of Kedah or at 6 degrees Northern Latitude and terminating toward the China Seas at the exit of the Strait of Singapore, leaving the island by that name to the north, and those of Carimon, Batam and Bintan or Riau to the South.

Positive and invariable orders will be given to the effect that the Netherlands on its part abstain from all intervention in the affairs of the indigenous peoples and princes established to the East and the North of this line, and for this reason, reciprocally, the British officers and agents shall not in any way interfere with what concerns the internal relations or arrangements of the islands to the West and the South

sera ratifiée & les actes
de la ratification seront
échangés à Londres dans
l'espace de trois mois, à
compter du jour de la signature.

Articles séparés et secrets

En considération du paiement
stipulé à l'art. 14 de la Con-
vention signée aujourd'hui
le Gouvernement des Pays
Bas s'oblige à fournir une
indemnité convenable au
Sultan Abdul Khamen Sa-
hi, d'après les conseils qui
lui seront donnés par le
Gouvernement, il consent à
ceder en toute propriété au
Gouvernement Britannique
non seulement l'île de
Singapour mais aussi la
partie de ces états qui est
située dans la presqu'île
de Malacca

2

Et afin de mieux atteindre
 le principal but de la dite
 convention les parties contractantes
 ont résolu de regarder
 leur possessions aux Grandes
 Indes comme séparées par une
 ligne de démarcation partant
 de l'entrée du détroit de
Malacca à la hauteur de
Queda ou du 6^{me} degré de
 lat. sept. et se terminant sur
 les mers de la Chine, à la
 sortie du détroit de Sincapour
 en laissant l'île de ce nom
 au nord et celles de Caoran
Patnam et de Pintan au
 midi. -

Des ordres positifs et énoncés
 seront donnés pour que de la
 part des Pays Bas ou d'ailleurs
 de toute intervention dans les
 affaires des peuples des
 indigènes établis à l'est et
 nord de cette ligne, et pour se
 réciproquement, les officiers
 Agens Britanniques ne s'immiscerent
 en rien de ce qui concerne
 relations ou les arrangements
 des Isles situées à l'est.

Annex 2

Extracts from
Phan Huy Chú, *Hải trình chỉ lược* (1833)
in original Sino-Vietnamese text
(with English translation by Singapore)

TRANSLATION

Extracts from Phan Huy Chú, *Hải trình chí lược* (1833)

[Translated directly from the original text, with translator's notes]

*White Rock Port (or White Rock Harbour)*¹ is surrounded by mountains. A big rock, white in colour, is visible indistinctly among the waves,² sparkling when viewed from afar, hence the name given to the port/harbour. The wooded slopes on both sides are lined with dwelling houses that extend towards the Singapore station.³ Thatched huts and bamboo houses appear amidst the greenery. It is a calming landscape. To the east, past the vicinity of Lingga Island, is the way to Malacca and Penang Island. Sailing towards the west past the heights of Saddle Mountain, one turns here, taking the winding route to reach the port/harbour of Riau, entering Dutch territory, for the onward journey to Kelapa/Batavia. This port/harbour constitutes its gateway, both on the outward and return journeys by sea.

¹ “白石港” in the original text (pronounced *Bạch Thạch Cảng* in Vietnamese and *Baishi Gang* in Chinese).

² The phrase translated as “visible indistinctly among the waves” (i.e., “隱約波間” in the original text) may also be translated as “visible intermittently among the waves”. It is unlikely that Pedra Branca, a prominent feature which stands 28 feet (or 9 metres) above mean sea level, would have been described as “visible indistinctly” or “visible intermittently”.

³ According to Thomson’s *Account of the Horsburgh Lighthouse* (SM Annex 61), written in 1852, there were no villages within 20 miles of Pedra Branca. The surroundings of Pedra Branca could not have been described in 1833 as “lined with dwelling houses”.

Un émissaire vietnamien à Batavia

Một sứ giả Việt Nam thăm Batavia

Phan Huy Chú
Hải trình chí lược

潘輝注 海程誌畧

"Récit sommaire d'un voyage en mer" (1833)

traduit et présenté par

Phan Huy Lê, Claudine Salmon & Tạ Trọng Hiệp

dịch và giới thiệu

有三峯，拔直凌雲表，遙望如象牙形，俗又稱為三牙山。自此以南，群峯錯落，東望西望，將軍滑、諸母、觀音、羅漢、諸山，迤邐互峙，多翠色，繚繞雲濤間。夕陽掛帆，頓覺清暉滿眼。

⑨白石港連山，縈遶有一巨石，白色，隱約波間，遠望瑩然。港之名稱以此。旁兩林，盡皆民居，連絡至于嘉波濤津次。茅椽竹屋，雜出於蒼嶺碧樹中。景色亦覺幽爽。東邊通奄牙嶼一帶，乃向麻六甲、檳榔嶼。水程西邊，歷馬鞍山諸峯，則轉此，迤邐至于寮港，八和郎低界，以向于江流波。海程來往，此港乃其門戶也。

⑩新嘉坡，即古之閩婁，今為紅毛壘。該國設鎮，員留治。其鎮司在山上，旗臺院宇錯落菁華，兵衛效百人，旗劔戎容均屬整肅。官有兵頭

Annex 3

List entitled "Officers at the Central Administration in the Netherlands Indies in 1837 and in 1847", attached to Note for Cornets de Groot van Kraayenburg, J. P. (Dutch Minister of Colonies) dated 15 January 1847

TRANSLATION

List entitled “Officers at the Central Administration in the Netherlands Indies in 1837 and in 1847”, attached to Note for Cornets de Groot van Kraayenburg, J. P. (Dutch Minister of Colonies) dated 15 January 1847

[Taken from Cornets de Groot Family Papers, CdG 168, fol. 172, Royal Library, The Hague]

Translation of Entry on Visscher, C. (7th entry on the 1847 list)

Dutch Original

Visscher, Algemeene Secretaris sedert 1841. In 1832 in dienst getreden als lid in den Raad van Justitie, in 1834 lid in het Hoog Gerigtshof.

English Translation

Visscher, General Secretary since 1841. In 1832 he joined service as a member of the Council of Justice, in 1834 member of the High Court.

Ambtenaren bij het Hoofdbestuur in Nederlandsch Indië
in 1837 en in 1847.

1837.

Goldman, vice president

Van Sevenhoven }
Reijnd } Raden van Indië.
vrijd

Corret de Gaert, Algemeene Secretaris. In 1825 in dienst getreden.

De Ruij, Directeur der middelen.

Van Cattenburch, Directeur der producten.

De Vogel, Directeur der kulturen.

Spiering, Postreus Generaal.

Het ambt van Directeur Generaal van financiën werd door den heer
Reijnd waargenomen. De Heeren Merkes, van Scher, van der Vosse
en Hoogew waren in Nederland.

1847.

Reijnd, vice president.

Van Hogen dorp }
De Ruij } Raden van Indië.
van Ned.
Hoogew

Reuloffs, Directeur Generaal van financiën sedert 1844. In 1823 als opper-
schrijver in India gekomen en bij de Marine gebleven als
adjunct Directeur en als Hoofd administrateurs. In 1839
President der alg. R. B. en in 1843 Directeur der producten.

Viefcher, Algemeene Secretaris sedert 1841. In 1832 in dienst getreden als
lid in den Raad van Justitie; in 1834 lid in het Hoofdbestuur.

Laussij, Directeur der middelen.

Pakend, Directeur der producten.

De Kemnich, Directeur der kulturen.

Hultman, Postreus Generaal. In 1829 in dienst getreden. In 1838 vice-pres.

De heer Pickemaat is in 1821 in dienst getreden. In 1834 Resident van Batavia, in 1839 van Soerabaja
" G. L. Baard " " 1824 " " " " In 1834 Resident van Kediri. In 1838 Resident
van Samarang. In 1841 Directeur der kulturen.

Annex 4

Letter from British Foreign Office to Brooke J. dated 25 Jan 1847

F.O. Jan 25 1847

Sir

In my despatch No 1 of the 20th of Nov^r last I informed you that H.M. Govt. considered it expedient that the promises and professions of the Sultan of Borneo should be more formally recorded than had hitherto been done and that the interests of British Subjects in the Sultan's Territories should be placed under the guarantee of more specific engagements.

With this view I now transmit to you the Draft of a Treaty which H.M. Govt. are desirous of concluding with the Sultan. But you will understand that it is not the intention of H.M. Govt. strictly to confine you to the literal adoption of this Draft, the wording of which you may vary, if you should find it necessary to do so, provided you do not alter the substance of the stipulations, and you are also at liberty to insert any additional stipulations which your local knowledge may suggest to you as necessary or desirable provided always that such additional stipulations shall not be at variance with the general principles upon which the Draft is based.

H.M. Govt. are not desirous of obtaining for British subjects any exclusive privileges of Commerce. They merely wish that British Trade and Navigation should be placed on the footing of the most favoured Nation, and should be exempt from injurious internal regulations and imposts.

It is indisputable that any duties to be levied on the importation of Commodities should be moderate in amount; and as your local knowledge will enable you to judge what, in fairness to both parties, that

amount ought to be, it is left to you to determine it. Accordingly if you should consider an advalorem duty preferable to fixed rates, you will insert the amount of such advalorem duty in the 5th Article. ___ But if on the other hand you should think, that from local circumstances, fixed rates of importation duties on the principal Articles of import would be better than advalorem Duties, you will propose to the Sultan such fixed rates as in your Judgement shall appear reasonable and you will record and agreement which you may come to in this respect in an article to be substituted for the one now transmitted you. ___ As the Tariff agreed upon by Sir Henry Pottinger during the late negotiations with China may possibly be useful to you in determining fixed rates of duty, I enclose a copy of that Tariff. ___

All export duties are objectionable as they increase the price of all production by the amount of Duty so levied, and they thus oppose an impediment to the development of the resources of the country, H.M. Govt. therefore feel desirous that no such duty should be exacted, and a stipulation to this effect is inserted in the draft. But if you find it impossible to obtain for British Commerce an exemption from export duties you should in such case use your best endeavours to procure that those Duties shall be fixed at a low and uniform rate. ___

The Articles in this draft which relate to Duties are worded in the manner usually adopted in European Treaties; and the wording of them may perhaps not be entirely adapted to Established practices in Borneo and may not be quite intelligible to the Gov^t there: But it is desirable that those Articles should stand as they do because they will become more and more applicable in Proportion as Borneo becomes more connected with European Commerce.

It is further desirable that some arrangement should be made by which British subjects who may have obtained from the Sultan the right or permission to exercise any calling or pursuit within his territory should be secured against being arbitrarily interfered with in the exercise of their calling or pursuit, as well as against any breach of contract or agreement on the part of the Gov^t or the Natives. H.M. Gov^t trust that sufficient provision in this respect has been made by the III Article; but if you should deem it desirable to secure these objects by more specific engagements you will do so, taking care however that nothing be inserted in the Treaty which might bear an appearance of a desire on the part of H.M. Gov^t to countenance or promote monopoly, whether established for the benefit of the Sultan, of his subject, or British subjects, or of other parties.

You will observe that in the 10th Article which confirms the cession of Laboan, it is proposed that an additional district should be ceded extending to a certain distance from the Coast of that Island. The object of this cession is to prevent any Interference of any kind with Laboan. The extent to be given to such additional cession is left to be fixed by you; of course it ought to be reasonable and moderate. If however you should find it more easy to attain security for the commercial and military position of Laboan in any other way you are at liberty to make the necessary alteration in that Article.

You are of course aware how strong and universal the desire of the British Nation is that the Traffic in Slaves should be put an end to in every part of the World. H.M. Govt are not informed whether the condition of Slavery exists in Borneo, and whether any Traffic in Slaves is carried on by the inhabitants of the Country. But if any local habits or usages should oppose an insurmountable obstacle to the adoption of the XI Article as it now stands you may modify it according to

circumstances bearing however in mind that it is the object of H. M's Govt. to bring about the final and total abolition of every Kind of Slave Trade, and the Article ought to be so framed at all evens as to conduct to that end; and nothing short of an insurmountable difficulty should induce you to make any alteration in the Article as it now stands.

There are two additional Articles which have been suggested by the Secret Committee of the India House, the one relating to a distinguishing Flag to be borne by the Vessels belonging to the Dominions of the Sultan and engaged in lawful Trade, the other relative to certain documents which it is considered desirable that such Vessels should be furnished with.

You will adopt these articles as far as they may appear to you to be practicable and applicable and they should if agreed to be inserted after Article VIII in the Draft.

If you should succeed in inducing the Sultan of Borneo to agree to the Treaty which you will propose, you will proceed at once to its signature, and you will forward it to me for Her Majesty's Ratification. On exchanging that Ratification against the Ratification of the Sultan, you should present to that Prince on the part of Her Majesty such presents as may be considered suitable; and I wish you to inform me what sort of things would be most proper for this purpose in order that steps may be taken for procuring them and for forwarding them to you for presentation.

Draft

To Mr. Brooke

No. 2

F.O. January 25th 1847

Enclosing Treaty to be
proposed to Sultan of Borneo.

.....
[Extract from Draft Treaty]

Art : X

It being desirable that British Subjects should have some Port where they may careen and refit their vessels, and where they may deposit such stores and merchandize as shall be necessary for the carrying on of their Trade with the Dominions of Borneo, His Highness the Sultan hereby confirms the Cession already spontaneously made by him in 1845 of the Island of Labuan, situated on the North West Coast of Borneo, together with the adjacent Seas, Straits, and Islands, within the Distance of Geographical Miles all round the Coast of the said Island, to be possessed in perpetuity, and in full Sovereignty by Her Britannick Majesty, and Her Successors; and in order to avoid occasions of difference which might otherwise arise, His Highness the Sultan engages not to make any similar Cession either of an Island, or of any settlement on the Main Land in any part of his Dominion to any other Nation, or to the Subject or Citizens thereof, without the consent of Her Britannick Majesty.

17

engagements.
 guarantee of more effective
 should be placed under the
 in the Sultan's dominions
 the interests of British subjects
 interests has been and that
 generally recorded than had
 of Borneo should be more
 and professions of the Sultan
 it expected that the promises
 you that H. H. Gov. command
 the 28th of Nov. last in terms

In my despatch No 1 of
 Sir
 25 Jan 1847
 2

17

Mr Borneo
 No 2
 draft

With this view I now
transmit to you the draft
of a Treaty which H. M. Gov^t
are desirous of concluding
with the Sultan. But
you will understand that
it is not the intention of
H. M. Gov^t strictly to confine
you to the literal adoption
of this draft, the wording
of which you may vary,
if you should find it un-
necessary to do so, provided
you do not alter the substance
of

of the stipulations, and you
are also at liberty to insert⁸
any additional stipulations
which your local knowledge
may suggest to you as
necessary or desirable provided
always that such additional
stipulations shall not be
at variance with the general
principles upon which the
draft is based.

H. H. Gov^t are not desirous
of obtaining for British
subjects any exclusive
privileges

privileges of Commerce.
They merely wish that
British Trade and Navigation
should be placed on the
footing of the most favoured
Nation, and should be exempt
from injurious internal
regulations and Imposts.

It is indispen^{or}sible
that any duties to be levied
on the importation of Commodities
should be moderate in amount;
and as your local knowledge
will enable you to judge,
what

what, in fairness to both parties, that amount ought to be, it is left to you to determine. It accordingly if you should consider an ad valorem duty preferable to fixed rates, you will want the amount of such advance duty in the 5th Article. - But if on the other hand you should think that from local circumstances, fixed rates of importation duties on the principal articles of import would be better ^{than}

than ad valorem duties, you
will propose to the latter
such fixed rates as in your
judgment shall appear
reasonable and you will record
any agreement which you
may come to in this respect in
an article to be substituted
for the one now transmitted
to you. — As the Tariff
agreed upon by Sir Henry
Pottinger during the late
negotiations with China may
possibly be useful to you
in determining fixed rates
of

of duty, I enclose a copy
of that Tariff. — 18

All export duties are objectionable as they increase the price of all productions by the amount of Duty so levied, and they thus oppose an impediment to the development of the resources of the country, & I. M. Govt. therefore feel desirous that no such duty should be exacted, and a stipulation to this effect is inserted in the draft, But if you find

find it impossible to obtain

for British Commerce an

exemption from export

duties you should go back

case we use your best endeavours

to procure that those duties

shall be fixed at a low

and uniform rate.

The Articles in this draft

which relate to duties are

border in the manner

usually adopted in European

States; and the wording of

them may perhaps not be

entirely adapted to British

Practises in Borneo and
11
may not be quite intelligible
to the Gov^t there: But it is
desirable that those Articles
should stand as they do
because they will become
more and more applicable
in Proportion as Borneo
becomes more connected
with European Commerce.

It is further desirable
that some arrangement
should be made by which
British subjects who may
have obtained from the
Sultan the right or permission
to

to exercise any calling or
pursuit within his territory
should be secured against
being arbitrarily interfered
with both in the exercise of their
calling or pursuit, as well
as against any breach of
contract or agreement on the
part of the Gov^t or the Nation.

A. N. Gov^t trust that sufficient
provision in this respect
has been made by the III
Article; but if you should
deem it advisable to secure
these

~~more~~ ^{by} more specific
 engagements you will do so,
 taking care however that
 nothing be inserted in the
 Treaty which might bear
 an appearance of a desire
 on the part of H. M. Gov^t
 to countenance or promote
 monopoly, whether established
 for the benefit of the Sultan,
 of his subjects, of British
 subjects, or of other parties.

You will observe that in
 the 10th Article which confirms
 the

the cession of Laboon, it
is proposed that an additional
district should be ceded
extending to a certain
distance from the coast
of that Island. The

object of this cession is to
prevent any interference
of any kind with Laboon.

The extent to be given to
such additional cession
is left to be fixed by

you; of course it ought

to be reasonable & moderate.

Yr

If however you should
 find it more easy to attain¹³
 security for the commercial
 and Military position of
 Labour in any other way
 you are at liberty to make
 the necessary alteration
 in that Article.

You are of course
 aware how strong and
 universal the desire of the
 British Nation is that the
 Traffic in Slaves should
 be put an end to in every
 part of the World. At this
 yours

Govt are not informed
whether the condition of
Slavery exists in Borneo,
and whether any Traffic
in Slaves is carried on by
the inhabitants of that
Country, But if any
Local habits or usages
should oppose an insurmountable
obstacle to the adoption
of the XI Article as it now
stands you may modify
it according to circumstances
bearing however in mind
that

that it is the object of
H. M.'s Gov^t to bring about¹⁴
the final and total abolition
of every kind of Slave
Trade, and the Article ought
to be so framed at all words
as to conduce to that end;
and nothing short of an
insurmountable Difficulty
should induce you to make
any alteration in the Article
as it now stands.

There are two additional
Articles which have been
suggested

suggested by the secret
Committee of the India
House, the one relating
to a distinguishing flag
to be borne by the vessels
belonging to the Commissions
of the Sultan and engaged
in lawful Trade, the other
relative to certain documents
which it is considered
desirable that such vessels
should be furnished
with.

You will adopt
these

these articles as far as they
may appear to you to be¹⁵
practicable and applicable
and they should if agreed
to be inserted after Article
VIII in the Draft.

If you should succeed
in inducing the Sultan of
Borneo to agree to the Treaty
which you will propose,
you will proceed at once
to its signature, and you
will forward it to me
for Her Majesty's ratification.

ON

On exchanging that Ratification
against the Ratification of
the Sultan, you should
present to that Prince on
the part of Her Majesty such
presents as may be considered
suitable; and I wish you
to inform me what sort
of things would be most
proper for this purpose in
order that steps may be
taken for procuring them
and for forwarding them
to

to you for presentation.

16

Draft

To Mr. Brooke

102

Jan. 25 1867

Enclosed hereto is a
proposal to fill out of
Domes. -

Art: X

It being desirable that British Subjects should have some Port where they may careen and refit their Vessels, and where they may deposit such Stores and Merchandize as shall be necessary for the carrying on of their Trade with the Dominions of Borneo, His Highness the Sultan hereby confirms the Decision already spontaneously made by him in 1845 of the Island
of

of Labuan, situated on
 the North West Coast of
 Borneo, together with
 the adjacent Seas, Straits,
 and Islands, within the
^{Distance}
 Circumference of
 Geographical Miles
^{all round}
 from the Coast of the
 said Island, to be possessed
 in perpetuity, and in
 full sovereignty by
 Her Britannick Majesty,
 and Her Successors; and
 in order to avoid occasions
 of difference which might
 otherwise arise, His
 Highness the Sultan
 engages not to make
 any

any similar Cession,
either of an Island, or
of any settlement on
the main Land in any
part of his Dominions
to any other Nation, or
to the Subjects, ^{or Citizens} thereof,
without the consent
of Her Britannick Majesty.

Art: XI.

Annex 5

Letter from Brooke J to Viscount Palmerston
(British Foreign Secretary) dated 30 June 1847

Singapore, 30th June 1847

My Lord

I have the honour to enclose the Treaty with Brune [*sic*], which was concluded by the Sultan on the 27th of May last.

The Sultan, and the Pangerans generally, expressed gratification at being able to evince anew their friendly disposition towards Her Majesty's Government, and professed themselves satisfied with the different articles of the Treaty.

In accordance with the discretionary power granted to me by your Lordship, I ventured to make some slight alterations on the articles, which need no explanation excepting in the following particulars.

In article V a fixed duty of one dollar per ton on all British exports, has been substituted in lieu of the ad valorem duty – as it appeared to me advisable that all our transactions with so decayed a Government, should be of as simple a nature as possible.

In article IX that portion relating to the seizure of Brunè vessels sailing without a Port clearance, and Register, has been omitted, because no executive Government exists in Brunè to carry out the measure, and because partially applied, it might become an engine of oppression, and restriction on Commerce. As another consideration for the omission, it may be stated that a considerable extent of the Coasts, though nominally included within the dominions of the Sultan of Brune, has long been virtually independent of his authority, and the Traders having neither the will, or the means, of obtaining the requisite registers would

consider themselves liable to seizure by Her Majesty's vessels of war whilst peaceably engaged in their normal activities.

For the same reasons the additional articles – however desirable – have not been embodied in the Treaty, although I entertain no doubts that the natives of the coast (with the exception of the two Piratical Dyak tribes) would gladly avail themselves of the privilege of a distinguishing Flag, if gracilly recommended by Her Majesty's Government and such enforced by the orders of their own Sultan.

In article X in defining the limits of our possession, I have used Captain Bethune's chart for the purpose, as some confusion exists as to the names of the islands ceded to Her Majesty.

Article XII has been omitted as it might have raised suspicion in the native mind, and the clause for granting powers to the Consul General, has been framed into an additional article having arrived too late to form one of the original articles of the Treaty.

I trust that these alterations will meet with your Lordship's approbation, and that the Treaty itself may at some future time prove of use, in developing the commerce, and resources, of the Coast of Borneo, by removing the many restrictions imposed on them by a semi barbarous Government.

I have the honor to be

My Lord

Your Lordship's obedient servant

Brooke

Commissioner and Consul General

To the Right Honourable
The Viscount Palmerston
&c &c &c

Singapore - 30th June 1847

My Lord /

I have the honor to enclose the Treaty with Burma, which was concluded by the Sultan on the 27th of May last.

The Sultan, and the Bungeans generally, expressed gratification at being able to receive news from your Majesty's Government, and professed themselves satisfied with the different articles of the Treaty.

In accordance with the discretionary power granted to me by your Majesty, I ventured to make some slight alterations in the articles, which need no explanation excepting in the following particulars

The Right Honorable
The Viscount Palmerston

2 - 2 - 2

In article V a provision relating to
 her ton on all British vessels, has
 been substituted in lieu of the old
 duty - as it appeared to be advisable
 that all our transactions with so many
 a Government, should be of as simple
 a nature as possible.

In article 18 that portion relating
 to the seizure of British vessels sailing
 without a Port clearance, and Register
 has been omitted, because an executive
 Government cannot be supposed to carry
 into the measure, and because partially
 suppressed, it may be become an engine of
 oppression, and destruction, or violence.
 As another consideration for the omission,
 it may be stated that a considerable
 portion of the Coast, though nominally
 included within the dominions of the
 Nation of Borneo, has long been virtually
 independent of his authority, and the
 Princes having neither the will, or the
 means, of obtaining the requisite registers,
 would render themselves liable to seizure

To His Highness the
 the Princes of Borneo

by Her Majesty's refusal of our proposals
 I personally engaged in their removal
 In the same manner the additional
 articles - however desirable - have
 been embodied in the Treaty, although
 I entertain no doubt that the nations
 of the coast (with the exception of the
 two Principal Dyak tribes) would gladly
 avail themselves of the privilege of
 a distinguishing Flag, if gradually
 recommended by Her Majesty's Government
 and well enforced by the aid of their
 own Sultans.

In article X in defining the limit
 of our possessions, I have used Captain
 Balthazar's chart for the purpose, as
 some express doubts as to the accuracy
 of the whole, which to Her Majesty.
 Article XII has been omitted as it might
 have raised suspicion in the native
 mind, and the clause for granting power
 to the Consul General, has been joined
 to an additional article being
 arranged too late to form one of the
 regular articles of the Treaty.

The Right Honorable
 The Treasurer of the Admiralty

that that these alterations will meet
 with your kind & happy approbation, and
 that the Treaty itself may at some
 future time prove of use & advantage
 to the Commerce, and Resources, of the
 Coast of Barro, by removing the
 any restrictions imposed on them
 by a former British Government.

I have the honor to be

Very Dear

Your kind & happy acknowledgements

Brother

Companion and Acquaintance

To the Right Honorable

The Viscount Palmerston

London

Singapore June 30 1867

Wm. Brooke

1 Enclosure

Rec^d Sept 25/67

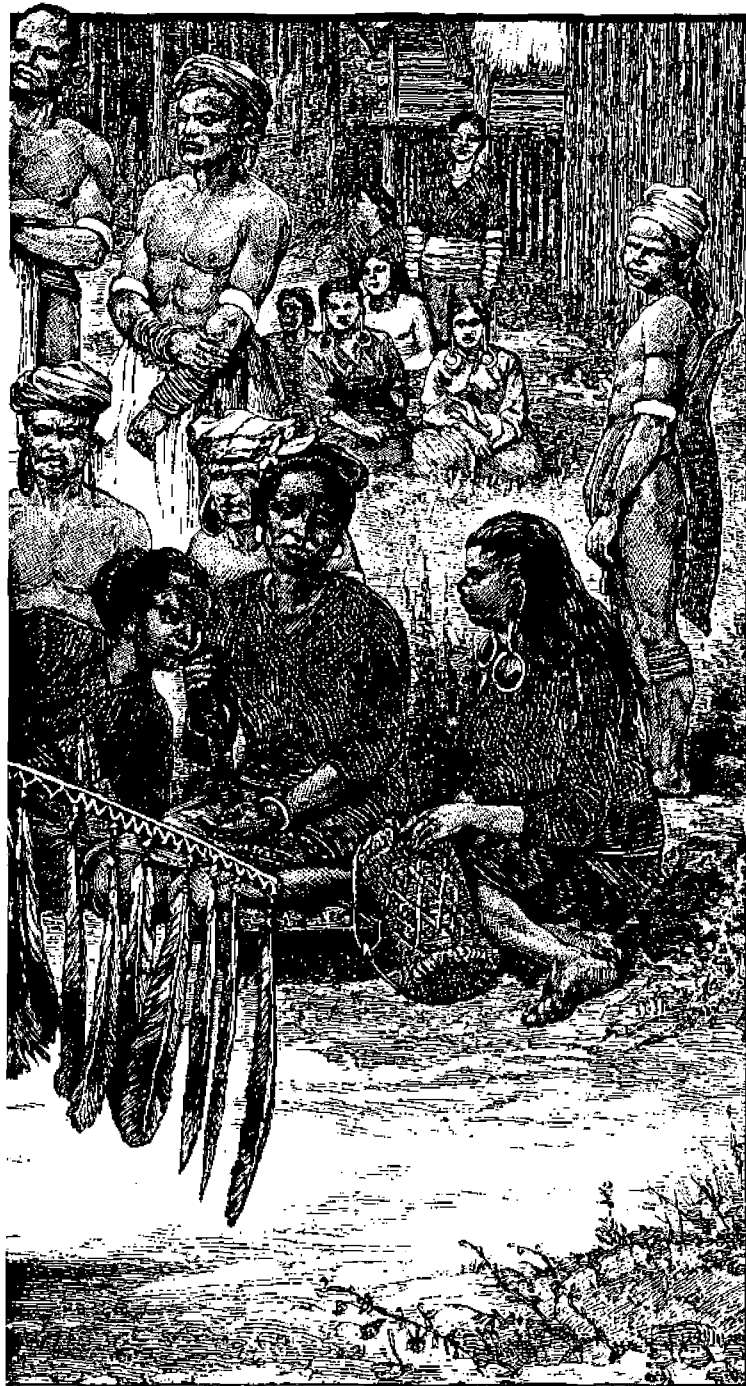
Encloses Treaty signed with
the Sultan of Poornoo on the
27th of May. Alterations
which he made in the
draft sent from England
previous to signature of
the Treaty.

Wm. Brooke
sent Jan. 29/67 - 109

184

Annex 6

Article "The New Colony of Labuan" from Illustrated London News
dated 9 Oct 1847



RAJAH BROOKE'S BORNEO

The Nineteenth Century World of Pirates
and Head-hunters, Orang Utan and Hornbills,
and Other Such Rarities as Seen Through
the Illustrated London News
and Other Contemporary Sources

COMPILED BY
D.J.M. TATE

1988
JOHN NICHOLSON LTD.
HONG KONG

Brooke, the Great Lord Rajah, as the natives call him."

ILN, 3 APRIL 1847

THE NEW COLONY OF LABUAN

This Sketch of the New Colony of Labuan, founded by our enterprising countryman, Sir James Brooke, was made in the month of August last, by the medical officer (Dr. Startin) of the honourable East India Company's war steamer *Phlegethon*, lately on a cruise in the Indian Archipelago, in search of pirates, thirty of whom she succeeded in capturing, and carrying to Singapore; these men forming the residue of the crew who seized and destroyed the *General Wood*, and murdered several hands and passengers on board, about a year and a half ago.

In the Sketch, the buildings shown upon the banks are the Government bungalows and guard-

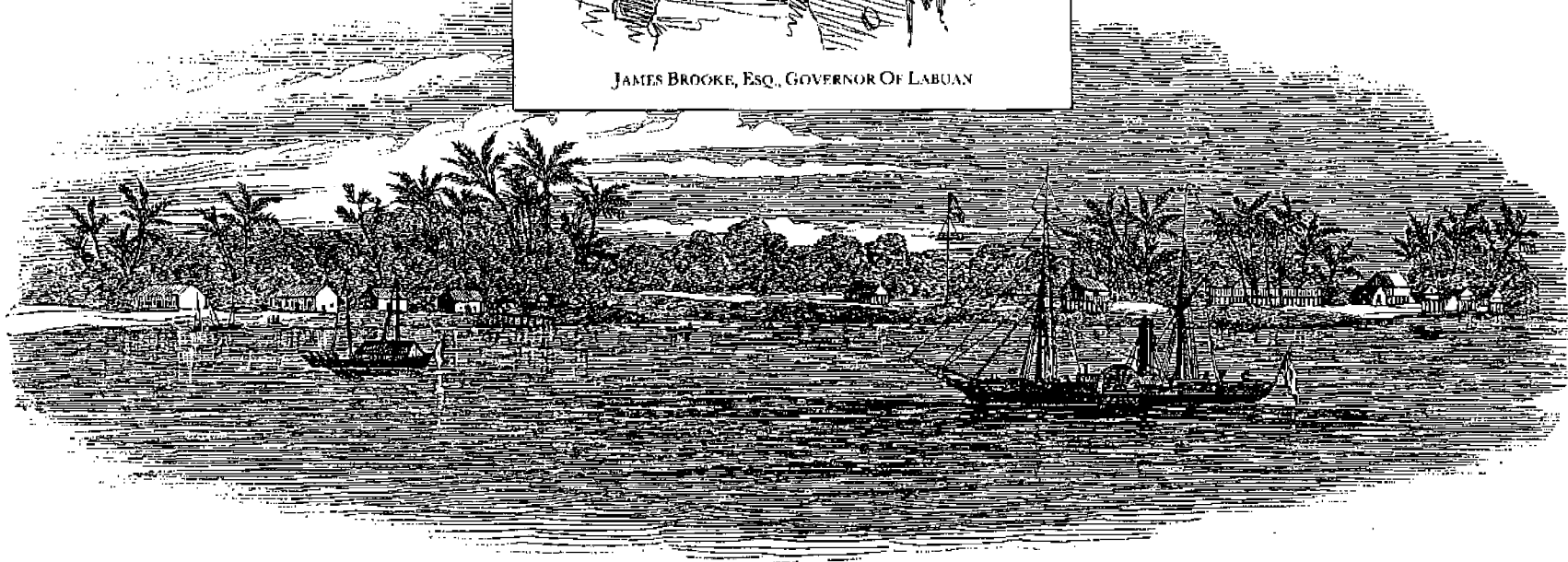


JAMES BROOKE, ESQ., GOVERNOR OF LABUAN

house; the navy well, left of the flag-staff; and, further left, the bath-house and other offices of the *Phlegethon* steamer, in front of the picture.

ILN, 9 DECEMBER 1848.

A few days since, Mr. Brooke, the Rajah of Sarawak, arrived by the mail steamer, the *Indus*, at Southampton, which port he left nine years back, in his yacht, the *Royalist*, to explore the Indian Archipelago. His researches and exploits in that quarter are familiar to the public through the book of his friend and fellow navigator, the Hon. Captain Keppel. "Mr. Brooke's history," says the *Singapore Free Press*, "affords us a remarkable union of romantic adventure and of usefulness such as has been the lot of few private individuals to work. It is impossible to read the personal history while in Borneo, and not be struck with the total absence of



VIEW IN THE NEW COLONY OF LABUAN

selfishness by which all his actions have been distinguished, and yet his is a degree of enterprise and of energy that would have secured to an ambitious man the gratification of no moderate longings after fame or power. As it is, Mr. Brooke goes home heralded by no trumpet of his own; his noble character, his upright and useful life, would have been unknown to fame, but for the spontaneous eulogy bestowed on them by Keppel."

It may, however, be briefly explained that several Englishmen, among whom by far the most distinguished is Mr. Brooke, of Sarawak, sharing the views and inheriting the enterprising spirit of Sir Stamford Raffles, have settled in the Indian Archipelago, and begun to instruct the natives in the means of developing the resources of their country. From 1842 to 1846, the question was incessantly kept before the British Government, until they despatched an order to Borneo for the emancipation of Insular Asia from piracy and barbarism; and, as a commencement, it was resolved to take possession of Pulo Labuan. The accomplishment of this object was detailed in our *Journal of April 3*; and, by aid of a beautifully illustrated work, just published, we are enabled to present our readers with an accurate view of the ceremony of taking possession; two specimens of the natives of Borneo, as well as of their arms of defence. The following description of the scene is from the pen of Mr. J.A. St. John, who has very effectively written the letter-press to the Illustrations:—

With the island of Labuan, of which possession has now been taken for the Crown, the English may be said to have formed their first connexion in 1775, when, having been driven out of Balambangan by the Sulus, they, with the permission of the Sultan of Bruni, took refuge there. Since the period abovementioned, the tables have been strangely turned in the Eastern Archipelago. Then, weak and few in number, we were too happy to receive the protection and countenance of the Sultan of Borneo, of whom the buccaners of the Sulu group seemed to have stood in awe. Now the Sultan is our humble ally and dependant, and but for the British flag which waves in his neighbourhood, and the treaty he has concluded with us, might any hour in the twenty-four be seized in his capital by the Sulus, or any other piratical tribe, and sold like the humblest individual into slavery.

The island of Labuan, probably destined to rival Singapore

in importance, is about twenty-five miles in circumference, and occupies a commanding position at the mouth of the Borneo river. It rises in places to the height of nearly seventy feet above the level of the sea, and is almost entirely covered with a dense forest. Of the different species of trees it possesses little is known, except that some of them attain to a great magnitude, and that on several points of the shore the species of laurel which produces camphor is found. The island is traversed by numerous streams, of which some are of considerable dimensions, though two only appear to flow at all seasons of the year. The rest are torrents, which become dry in the depth of the hot season. Water, however, is found everywhere, by digging, in great abundance, and of the most excellent quality. In several places the streams are found running over beds of coal; and in a ravine, or small valley, towards the north, there exists a fine waterfall. On this part of the coast the woods stretch down to the very edge of the sea, whose waves roll inward and break against the shore beneath their outstretched boughs. The "rattans," from which the natives make cordage for their boats, are very numerous and valuable.

The sea in the vicinity of the island abounds with fish of a superior quality, and between two and three hundred men, who subsist entirely by fishing, constituted before our arrival its only population. Their numbers are at present increasing rapidly, and when the coal mines begin to be worked, and the land is laid under cultivation, Labuan will swarm with inhabitants. For some years before our appearance in those seas, the natives had been deterred by fear of pirates from properly carrying on their fishing operations, and are loud in their expressions of gratitude for the protection we afford them. All the small craft engaged in the coasting trade already touch at Labuan, where merchants from every part of the East will settle, as soon as permission to do so can be obtained from the British Government.

The British flag was hoisted on the island of Labuan, December, 24, 1846, by Captain Rodney Mundy, of her Majesty's ship *Iris*, and commanding the squadron on the coast of Borneo. To witness the ceremony many Malay chiefs of distinction had come to the island from Borneo with numerous and showy retinues, and followed by a multitude of the natives, who, quite unconscious of its import, were sanctioning, by their presence, the first step towards, their own emancipation from barbarism. It was a cheerful, animating sight. Several flags were stuck up; tents were pitched on the clear spaces between the trees; the marines were drawn up in imposing array along the beach; the yards, masts, and rigging of the *Iris* and *Wolf* were decorated with

small flags and streamers; and repeated discharges of musketry and artillery sent forth clouds of white smoke, which were lifted up and dispersed by the breeze. The natives, grouped together on a slightly rising ground, looked on with pleasure, not altogether, perhaps, unmixed with apprehension. Unused to the processes of civilization, they could not be aware that the strip of ground before them was destined soon to become the site of a great commercial emporium, inhabited by merchants and politicians, from the West, thronged with population and riches, and encircled by those invisible ramparts of law and imperial power which afford her far more unfailling protection than whole mountains of masonry. That day will be a memorable one in the annals of Labuan. When all who beheld that enlivening ceremony shall have passed away, the flag of England will still be there, waving over the head of new generations, who will probably convert the whole of Labuan into a garden.

We are much indebted to the officers engaged in that service, particularly to Captain Bellune and Commander Heath, for the light which has been thrown on the character and productions of the island, which has been much more carefully explored than in so short a time we had any reason to expect. If their example be followed by those who succeed them, Labuan will be as familiar to the British public as the island of Bombay, with the topography of which many untravelled Englishmen are as well acquainted as with Hampstead Heath.

Mr. Brooke contemplates a sojourn of six months in England. He is now residing at Mivart's Hotel, where he entertained a select party at dinner on Tuesday evening. On the same day, Mr. Brooke transacted business at the Colonial Office, the Admiralty, and the Board of Trade. Captain Munday has, we understand, laid before the Committee of the United Service Club the distinguished services of Mr. Brooke, who has been invited to become a visitor at the Club during his stay in England. It is expected that Mr. Brooke will return to a fully organised and established government in Labuan.

ILN, 9 OCTOBER 1847

Annex 7

Letter from Thomson J.T. (Government Surveyor at Singapore) to
Church T. (Resident Councillor at Singapore) dated 8 Mar 1848

No. 8 of 1848

From J T Thomson Esq^{re}

Gov^t Surveyor of Singapore

To The Honble T Church Esq^{re}

Resident Councillor

Dated 8th March 1848

Sir,

I have the honor of informing you that I proceeded to Pedro Branca in pursuance of your verbal instructions to examine the brick Pillars that I built there prior to the coming on of the North East Monsoon in the month of October last. I found now that the Sea is perfectly smooth & a landing easily effected nor do I think judging from the Report of the Natives that the Sea was much disturbed since the latter part of February.

As I formerly reported 7 Pillars were built to try the effect of the Waves upon the Rock and their positions and present state will be more clearly understood by tabulating them as follows:

- | | | |
|-----------------|---|---|
| 1 st | 1 Pillar 10 feet above level of
High Water fully exposed to all
Wind |) Entirely swept away. _
) |
| 2 ^d | 2 Pillars 15 feet above level of
High Water fully exposed to all
Winds. _ |) Swept away excepting lowest
) courses of Bricks which are
) firmly attached to the Rocks by
) the mortar so could not feel
) much the action of the waves._ |

- 3^d 2 Pillar 15 ft above level of high Water, but well screened by high Rock on their North Exposure, _) Quite entire. _
)
)
- 4th 2 Pillars 24 ft above level of high Water fully exposed to all Winds._) Plaster carried away on their
) North Exposure and Mortar in
) the joints washed out to the
) depth of an inch._

From the above observations of the effects of this last monsoon I deduce the following opinions. First that the Rock is awashed by the Sea to the height of 15 feet above the level of high Water in its North exposure, but on the same level on its South exposure that the Rock remains untouched by the Waves and is also but slightly affected by the spray. Secondly – That on the highest part of the North (24 feet) where exposed, a heavy spray drives over the Rock sufficient to knock off any kind of Plaster or Cement that could be applied to any brick building as a Coating. It would have been desirable to know to what height the spray rises above this elevation but this cannot be had from actual observation though an idea of its probable height may be gained by indirect inference.

The North exposure of the Rocks is nearly perpendicular faced by a shallow Cove expanding itself to the full force of the Waves of the China Sea. The Apex of this Cove was closed under the Rock on which the Light House would stand it may therefore be safely argued that under such circumstances the waves will be driven with great force against the perpendicular barrier and the spray projected to a great height over the Rock for the oscillatory motion of the deep water waves receiving a sudden and complete check in the shallow Cove their force will be expended with concentrated violence at the top of the Cove

against the opposing Rocks it is under nearly similar accidental workings of nature that the Churns or Kirns are formed on Rocky Coasts, which during storms force the spray to a great height. Two of these have come under my own observation on the Coast of Northumberland where the spray during storms was projected to the perpendicular height of 80 to 90 feet. In designing a Light House therefore for Pedro Branca it should be calculated to bear a heavy spray to its full height. I am consequently of opinion that it would not be prudent to use any thing but Ashlar Masonry set in Cement for the facing of the Building with a backing of brick set in common mortar inside.

In conclusion I may state that we have only had the experiences of one Monsoon & I am informed by old Residents that they have experienced much heavier; allowance should therefore be made for extreme seasons in which it might be problematical whether the Pillars that have stood the test of this season would do so again.

The Pillars were left untouched for future inspection if thought necessary.

		I have & ^{ca}
Singapore	)	/ Signed J T Thomson
8 th March 1848	)	Gov ^t Surveyor

(True Copy)
/ Signed T Church
Resident Councillor

(True Copy)
/ Signed/ W J Butterworth
Governor

the 22^d. December last N^o. 1066 Viz 2 Dollars per 100 Tons on square Rigged Vessels, and taking the N^o. of Tons of Shipping at 1,50,000 independent of Vessels proceeding ^{to and from China without touching} at Singapore as shewn in the enclosure to my letter dated the 1st. October preceding it, which proposes to make payment once a year compulsory, on all square rigged Vessels, clearing out from this Port, without touching the Native Craft the Amount realized annually, at Singapore would be 3,000 Dollars or 6,736 l^s. R^s. which after deducting the annual expenses would give a surplus of 3,616 l^s. R^s. in liquidation of the advance made by Government to meet the above deficiency, in Funds for the Construction of the Light House as ordered in the concluding Para: of the Despatch from the Hon^{ble} the Board of Directors of the 15th. of October 1845 received under cover of Mr. Under Secretary Youngs letter dated the 10th. May 1847 N^o. 426.

Income Rs. 6,736.
Expenses - 3,120.
Surplus. 3,616.

I have &c.

Signed W. J. Butterworth

Governor

12th. June 1848.

| True Copy |

| Signed W. Leton-Karr -

Under Secy. to the Gov^t. of Bengal.

N^o. 8 of 1848.

From J. J. Thomson Esq^r.

Gov^t. Surgeon of Singapore

To The Hon^{ble} J. Church Esq^r.

Resident Councillor

Dated 8th. March 1848.

Sir,

I have the honor of informing you that I proceeded to

F/4 12316

to Pedro Branca in pursuance of your verbal instructions to examine the brick Pillars that I built there prior to the coming on of the North East Monsoon in the month of October last, I found now that the sea is perfectly smooth & a landing easily effected nor do I think judging from the Report of the Natives that the sea was much disturbed since the latter part of February-

As I formerly reported 7 Pillars were built to try the effect of the Waves upon the Rock and their positions and present state will be more clearly understood by tabulating them as follows:-

- | | | |
|---|---|--|
| 1 st 1 Pillar 10 feet above level of High Water fully exposed to all Wind | } | Entirely swept away.- |
| 2. 2 Pillars 15 feet above level of High Water fully exposed to all Winds.- | } | Swept away, excepting lowest courses of Bricks which are firmly attached to the Rocks by the mortar so could not feel much the action of the waves.- |
| 3. 2 Pillars 15 ft. above level of high Water, but well screened by high Rock on their north exposure.- | } | Quite entire.- |
| 4 th 2 Pillars 24 ft. above level of high Water fully exposed to all Winds.- | } | Plaster carried away on their north exposure and Mortar in the joints washed out to the depth of an inch.- |

From

From the above observations of the effects of this last monsoon I deduce the following opinions. First that the Rock is washed by the sea to the height of 15 feet above the level of high Water in its north exposure, but on the same level on its south exposure that the Rock remains untouched by the Waves and is also but slightly affected by the spray. Secondly - That on the highest part of the North (24 feet) where exposed, a heavy spray drives over the Rock sufficient to knock off any kind of Plaster or Liment that could be applied to any brick building as a coating - It would have been desirable to know to what height the spray rises above this elevation but this cannot be had from actual observation though an idea of its probable height may be gained by indirect inference.

The north exposure of the Rock is nearly perpendicular faced by a shallow ledge expanding itself to the full force of the Waves of the China Sea. The Apex of this ledge was closed under the Rock on which the Light House would stand it may therefore be safely argued that under such circumstances the waves will be driven with great force against the perpendicular barrier and the spray, projected to a great height over the Rock for the oscillatory motion of the deep water waves receiving a sudden and complete check in the shallow ledge, their force will be expended with concentrated violence at the top of the ledge against the opposing Rocks it is under nearly similar accidental workings of nature that the blurns or Kirns are formed on Rocky coasts, which

during

John W. ...

governor

Wm. J. ...

(Wm. J. ...)

President ...

Wm. J. ...

(Wm. J. ...)

Wm. J. ...

Wm. J. ...

8th March 1848

Wm. J. ...

Wm. J. ...

independence if thought necessary

The ... were left unaltered for ...

as again

... that know about the fact of this ... do
... in which it might be ...
... should therefore be made for ...
... that they have ...
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... that we have

of which ...
... for the ...
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... to the ...
... on the ...
... to a ...

Annex 8

Letter from Visscher C. (Dutch General Secretary in Batavia) to
the Dutch Resident in Riau dated 27 November 1850

TRANSLATION

Letter from Visscher, C. (General Secretary, Netherlands East Indies) to Dutch Resident in Riau dated 27 November 1850

[National Archives of Indonesia, Riouw Series No. 153, Incoming Letters to Resident of Riouw 1850-1851]

Dutch Original

Daartoe gelast, heb ik de eer Uw.Ed.G. te kennen teg even, dat bij de regering geene termen zijn gevonden, voor de toekenning van de bij Uw.Ed.G. Schrijven van 1 November 1850, No.649, voorgestelde gratificatien aan de Gezaghhebers van de te Riouw gestationneerde kruisbooten, wegens hunnen betoonden ijver in het bekruisen van het vaarwater tusschen Riouw en Sincapore in het verleenen van hulp bij den opbouw van eenen vuurtoren te Pedro Branca op Britsch grondgebied, en zulks te minder, om dat deze opvarenden alzoö geruimen tijd onttrokken zijn aan hunne eigenlijke bestemming, het kruizen vooral tegen de zeerovers omtrent wier geweldenarijen, ook in den omtrek van Lingga herhaaldelijk wordt geklaagd.

English Translation

As commissioned, I have the honour of informing Your Excellency that the government has found no grounds for granting gratuities to the commanders of the cruisers stationed at Riau, as proposed in your despatch of 1 November 1850, number 649, on account of their shown dedication in patrolling the waterway between Riau and Singapore, lending assistance to the construction of a lighthouse at Pedra Branca on British territory. And they deserve it so much the less because the cruiser crews have failed to perform their actual duties which is to cruise against pirates whose brutalities have been repeatedly complained of in the vicinity of Lingga.

N: 2400.
Bylagen.

Katavica, den 27 November 1860.

63

Daartoe gelast, heb ik de een Hof te
kunnen te gwen, dat bij de regering geen toornen zijn
geworden, door de toekoming van de, bij het Ed. d.
Schrijven van 1 November 1850. N: 649, voorgeselde
gratificatie aan de bezaghebbers van de te Rivier
gestationeerde kuisstoken, wiens kuisstoken betoonden zijn
in het bekennen van het vaarwater tusschen Rivier
en Sorapora en het verlenen van hulp bij den opbouw
van een vintoren te Pedro Franca op Pedroch
graad gebied, welke te vinden, om dat deze opvoeren
door alsoo gewonnen tijd onttrokken zijn aan hunne
eigenlijke bestemming, het kuisstoken vooral tegen de
Luchtwis, niettegenstaande hier geweldmargen, ook in den
omtrek van Linga heersaandelyk wordt geklaagd.

De Algemeen Secretaris,

E. Kijfman

aan
Den President
van
Rivier

Annex 9

Letter from the British Colonial Office to the British Foreign Office
dated 6 Apr 1854

Downing Street

April 6th 1854

Sir,

In answer to your letter of the 6th Ultimo, accompanied by an application from the people of Pitcairn's Island, I am directed by the Duke of Newcastle to acquaint you, for the information of the Earl of Clarendon, that his Grace apprehends that there is no need for, but on the contrary would be some inconvenience in, any further measure to declare Pitcairn's Island a British Possession. It might suggest a doubt where none at present exists.

With regard to the wish of the people of this Island for protection, I am desired to state that their condition has from time to time, when they have been visited by a Man of War, been brought under the notice of the Secretary of State for this Department, and has always been regarded with interest, and indeed that in consequence of that interest measures were determined upon not long since for offering them an opportunity of removing to Norfolk Island, since the place which they at present occupy is believed to have become too small for their numbers.

H. U. Addington Esq
&c &c &c

On this last subject however, I am desired to take the present occasion to request, with reference to my letter of the 10th of December last, that Her Majesty's Consul at Raiatea in the Society Islands may be apprized that reports have been received from the Lieutenant Governor of Van Diemen's Land by which it appears that Norfolk Island will not be evacuated by its present occupants so soon as was expected, and consequently that it has become necessary for the present to postpone any measure for providing a Vessel to remove the Pitcairn's people to Norfolk Island. It would be desirable that Her Majesty's Consul should avail himself of the first opportunity which may offer of conveying this intelligence to the Pitcairn's Islanders in order that they may not expect the Ship which it was intended to provide for their removal towards the close of the present year.

I am,

Sir,

Your obedient servant

Herman Merival

Downing Street

April 6th - 1854

Sir,

In answer to your
letter of the 6th Ultimo,
accompanied by an application
from the people of Pitcairn's
Island, I am directed by
the Duke of Newcastle to
acquaint you, for the information
of the Earl of Clarendon,
that his Grace apprehends
that

H. W. Addington Esq

He He He

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that there is no need for, but on the contrary, would be some inconvenience in, any further measure to declare Pitcairn's Island a British Possession. It might suggest a doubt where none at present exists.

With regard to the wish of the people of this Island for protection, I am desired to state that their condition has from time to time, when they have been visited by a Man of War, been brought under the notice of the

the Secretary of State for this Department, and has always been regarded with interest, and indeed that in consequence of that interest measures were determined upon not long since for offering them an opportunity of removing to Starbuck Island, since the place which they at present occupy is believed to have become too small for their numbers.

On this last subject however, I was desired to take the present occasion to request with reference to my letter

Letter

The National Archives

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letter of the 10th of December last, that Her Majesty's Consul at Papeete in the Society Islands may be apprized that reports have been received from the Lieutenant Governor of New Caledonia's Sand Bay which it appears that Norfolk Island will not be evacuated by its present occupants so soon as was expected, and consequently that it has become necessary for the present to postpone any measure for providing a vessel to remove the Pitcairn's people to Norfolk Island.

It

It would be desirable that Her Majesty's Consul should avail himself of the first opportunity which may offer of conveying this intelligence to the Pitcairn's Islanders in order that they may not expect the Ship which it was intended to provide for their removal towards the close of the present year.

I am,
Sir,

Your obedient servant

James Mearns

2 ems

The National Archives

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Annex 10

Letter from British Consulate of the Society Islands
to The Pitcairn Islanders dated 6 Oct 1854

Inclosure in
Despatch No. 15

British Consulate of the Society Islands
Raiatea October 6th 1854

To the Pitcairn Islanders

My dear Friends,

On the 5th of July I addressed to you a letter, acquainting you that Her Majesty's Government had acceded to your request of being removed to Norfolk Island, and that they would provide a vessel which should call off your Island towards the close of the present year, for the purpose of carrying out that removal.

I have received a subsequent Despatch from the Earl of Clarendon, who directs me to acquaint you, that Norfolk Island will not be evacuated by its present occupants, so soon as was expected, and that consequently it has become necessary to postpone for the present any measure for providing a vessel to remove the Pitcairn Islanders to Norfolk Island.

The Earl of Clarendon has lately received the copy of a Memorial addressed by the Pitcairn Islanders to the Queen requesting to be furnished with a Document declaring them to be under Her Majesty's protection and constituting Pitcairn's Island a British possession.

The manner in which England has always responded to the Pitcairn Islanders, when she was claimed and claimed justly by them, as their Fatherland, is the best proof that no doubt has ever existed as to the Sovereignty of your Island, and will I trust be accepted by you as a sufficient answer.

It is I am sure unnecessary for me, after having dwelt on the subject in my last letter, again to direct your attention to the interest with which you have always been regarded by Her Majesty's Government; indeed it was in consequence of the interest so felt that measures were determined upon to provide for your removal to Norfolk Island.

Believe me to be

My dear Friends

Your faithful and affectionate friend

B. Toup Nicolas

Inclusion in Copy
Despatches No 15

152
British Consulate of the Society Islands
Papeete October 6th 1834

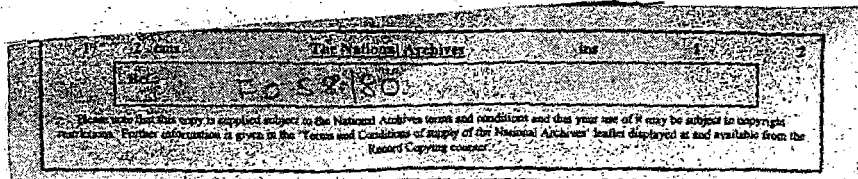
To the Piteavira Islanders

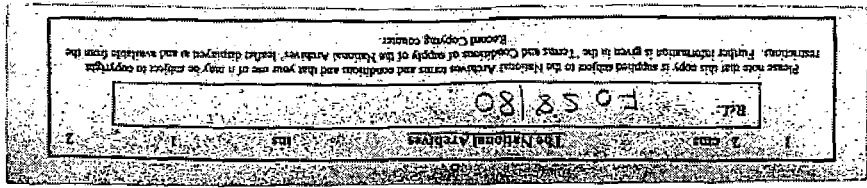
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addressed to you a letter, acquainting you
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to your request of being removed to Norfolk
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which should call off your Island towards the
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received





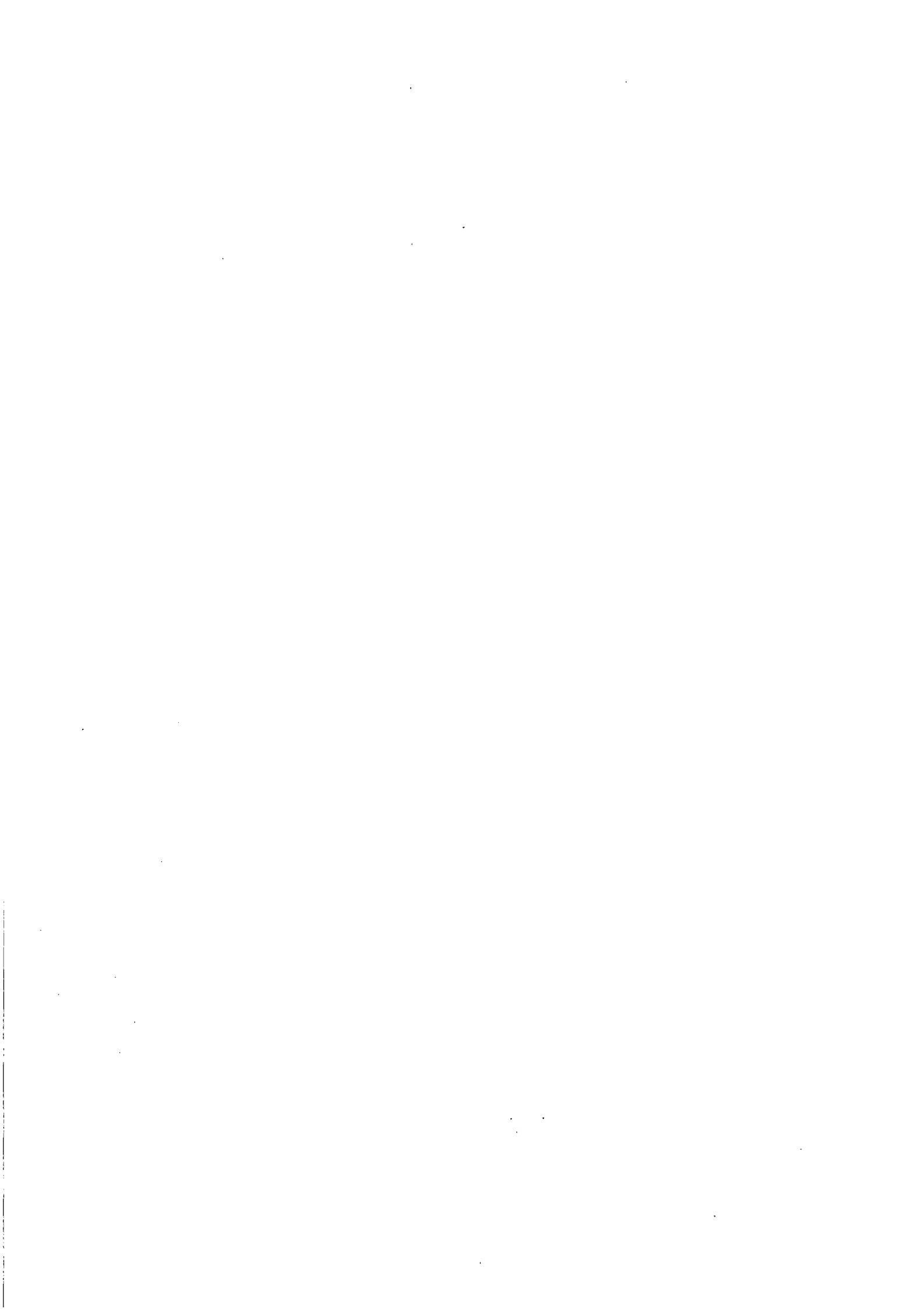
you have always been regarded
attention to the interest with which
you have taken, again to direct your
the after having direct on the subject in
It is from time immemorial for
different matters.

will I trust be accepted by you as a
to the determination of your claim, and
held by you, that no doubt whatever existed
guilty by them, as their fatherland, is the
illuminated, then the true claim and claimant
has always referred to the claimant.

The manner in which I regard
a final position
particular and constituting Steamship
declaring them to be under the flag
requesting to be furnished with a document
by the Steamship Company in the
received the copy of a Memorandum attached

5058/K0

My dear friends,
 Believe me to be
 to you to provide for your removal
 to feel that the measures were determined
 that in consequence of the interest
 the Ministry Government, will be of
 to you to provide for your removal
 to feel that the measures were determined
 that in consequence of the interest
 the Ministry Government, will be of
 to you to provide for your removal
 to feel that the measures were determined
 that in consequence of the interest
 the Ministry Government, will be of



Annex 11

**Convention relative to the Establishment and Maintenance of a
Lighthouse on Cape Spartel dated 31 May 1865**

SUPPLEMENT

TO THE

American Journal of International Law

VOLUME 6

1912

OFFICIAL DOCUMENTS

PUBLISHED FOR
THE AMERICAN SOCIETY OF INTERNATIONAL LAW
BY
BAKER, VOORHIS & COMPANY
NEW YORK, U. S. A.



Therefore, in an impartial spirit, the Imperial Government requests that the Royal Government be good enough to make known to it the nature of these guarantees, to which it will readily consent if they are not to affect its territorial integrity. To this end it will refrain, during the parleys from modifying in any manner whatever the present situation of Tripoli and of Cyrenaica in military matters; and it is to be hoped that, yielding to the sincere disposition of the Sublime Porte, the Royal Government will acquiesce in this proposition.

CONVENTION AS TO CAPE SPARTEL LIGHT-HOUSE BETWEEN THE UNITED STATES, AUSTRIA, BELGIUM, FRANCE, GREAT BRITAIN, ITALY, THE NETHERLANDS, PORTUGAL, SPAIN AND SWEDEN AND NORWAY, AND MOROCCO.¹

Signed at Tangier, May 31, 1865; ratifications exchanged February 14, 1867.

[Translation.]

In the name of the only God. There is no strength nor power but of God.

His excellency the President of the United States of America; and his majesty the Emperor of Austria, King of Hungary and Bohemia; his majesty the King of the Belgians, her majesty the Queen of Spain, his majesty the Emperor of the French; her majesty the Queen of the United Kingdom of Great Britain and Ireland; his majesty the King of Italy; his majesty the King of the Netherlands; his majesty the King of Portugal and the Algarves; his majesty the King of Sweden and Norway, and his majesty the Sultan of Morocco and of Fez, moved by a like desire to assure the safety of navigation along the coasts of Morocco, and desirous to provide of common accord the measures most proper to attain this end, have resolved to conclude a special convention, and have for this purpose appointed their plenipotentiaries, to wit.

His excellency the President of the Republic of the United States, Jesse Harlan McMath, Esquire, his consul general near his majesty the Sultan of Morocco;

His majesty the Emperor of Austria, King of Hungary and of Bohemia Sir John Hay Drummond Hay, commander of the very honorable order

¹ U. S. Compilation of Treaties in Force, 1904, p. 558.

of the Bath, his general agent *ad interim* near his majesty the Sultan of Morocco; his majesty the King of the Belgians, Ernest Daluin, knight of his order of Leopold, commander of number of the order of Isabella the Catholic of Spain, commander of the order of Nichan Eftikhar of Tunis, his consul general for the west coast of Africa: her majesty the Queen of Spain, Don Francisco Merry y Colon, grand cross of the order of Isabella the Catholic, knight of the order of St. John of Jerusalem, decorated with the Imperial Ottoman order of Medjidie of the 3d class, officer of the order of the Legion of Honor, her minister resident near his majesty the Sultan of Morocco; His majesty the Emperor of the French, Auguste Louis Victor, Baron Aymé d'Aquin, officer of the Legion of Honor, commander of the order of Francis the First of the Two Sicilies, commander of the order of St. Maurice and Lazarus of Italy, commander of the order of Christ of Portugal, commander of the order of the Lion of Brunswick, knight of the order of Constantine of the Two Sicilies, knight of the order of Guelphs of Hanover, his plenipotentiary near his majesty the Sultan of Morocco.

Her majesty the Queen of the United Kingdom of Great Britain & Ireland, Sir John Hay Drummond-Hay, commander of the very honorable order of the Bath, her minister resident near his majesty the Sultan of Morocco, his majesty the King of Italy, Alexander Verdinois, knight of the order of St. Maurice & Lazarus, agent and consul general of Italy near his majesty the Sultan of Morocco.

His majesty the King of the Netherlands, Sir John Hay Drummond Hay, commander of the very honorable order of the Bath, acting consul general of the Netherlands in Morocco; his majesty the King of Portugal and the Algarves, Jose Daniel Colaco, commander of his order of Christ, knight of the order of the Rose of Brazil, his consul general near his majesty the Sultan of Morocco; his majesty the King of Sweden and Norway, Selim d'Elhrenhoff, knight of the order of Wasa, his consul general near his majesty the Sultan of Morocco, and his majesty the Sultan of Morocco and of Fez the literary Sid Mohammed Bargash, his minister for foreign affairs—who after having exchanged their full powers, found in good and due form have agreed upon the following articles.

ARTICLE I.

His majesty Scherifienne having in an interest of humanity ordered the construction at the expense of the Government of Morocco of a light house at Cape Spartel, consents to devolve, throughout the duration of

the present convention, the superior direction and administration of this establishment on the representatives of the contracting Powers. It is well understood that this delegation does not import any encroachment on the rights proprietary and of sovereignty of the Sultan, whose flag alone shall be hoisted on the tower of the Pharos.

ARTICLE II.

The Government of Morocco not at this time having any marine, either of war or commerce, the expenses necessary for upholding and managing the light house shall be borne by the contracting Powers by means of an annual contribution the quota of which shall be alike for all of them. If hereafter the Sultan should have a naval or commercial marine, he binds himself to take share in the expenses in like proportion with the other subscribing Powers, the expenses of repairs and in need, of reconstruction shall also be at his cost.

ARTICLE III.

The Sultan will furnish for security of the light house a guard composed of a Kaid and four soldiers, he engages besides to provide for, by all the means in his power, in case of war whether internal or external, the preservation of this establishment, as well as for the safety of the keepers and persons employed. On the other part the contracting Powers bind themselves, each so far as concerned, to respect the neutrality of the light house, and to continue the payment of the contribution intended to uphold it, even in case (which God forbid) hostilities should break out either between them or between one of them and the Empire of Morocco.

ARTICLE IV.

The representatives of the contracting Powers charged in virtue of Article 1st of the present convention with the superior direction and management of the light house shall establish the necessary regulations for the service and superintendence of this establishment, and no modification shall be afterward applied to these articles, except by common agreement between the contracting Powers.

ARTICLE V.

The present convention shall continue in force for ten years. In case, within six months of the expiration of this term, none of the high contracting parties should by official declaration have made known its pur-

pose to bring to a close so far as may concern it, the effects of this convention, it shall continue in force for one year more, and so from year to year, until due notice.

ARTICLE VI.

The execution of the reciprocal engagements contained in the present convention is subordinated so far as needful to the accomplishment of the forms and regulations established by the constitutional laws of those of the high contracting Powers who are held to ask for their application thereto which they bind themselves to do with the least possible delay.

ARTICLE VII.

The present convention shall be ratified and the ratifications be exchanged at Tangier as soon as can be done.

In faith whereof the respective plenipotentiaries have signed and affixed thereto the seals of their arms.

Done in duplicate original in French and in Arabic at Tangier, protected of God, the fifth day of the moon of Moharrem, year of the Hegira 1282 which corresponds with the 31st of the month of May of the year one thousand eight hundred and sixty five.

[SEAL.] JESSE H. McMATH.
 [SEAL.] J. H. DRUMMOND HAY.
 [SEAL.] ERNEST DALUIN.
 [SEAL.] FRANCISCO MERRY Y COLON.
 [SEAL.] AYMÉ D'AQUIN.
 [SEAL.] J. H. DRUMMOND HAY.
 [SEAL.] ALEX'RE VERDINBOIS.
 [SEAL.] J. H. DRUMMOND HAY.
 [SEAL.] JOSÉ DANIEL COLACO.
 [SEAL.] S. D'EHRENHOFF.
 [SEAL.] [Signature of Sid Mohammed
 Bargash, in Arabic.]



Annex 12

The Fulham [1898] P 206
(High Court of England & Wales)



1898.

THE
LAW REPORTS

OF THE INCORPORATED COUNCIL OF LAW REPORTING.

Probate Division.

COURTS OF PROBATE, DIVORCE,
AND ADMIRALTY,

AND ON APPEAL THEREFROM IN THE

COURT OF APPEAL;

ALSO DECISIONS IN THE

ECCLESIASTICAL COURTS.

EDITOR—SIR FREDERICK POLLOCK, BART., *Barrister-at-Law.*

ASSISTANT EDITOR—A. P. STONE, *Barrister-at-Law.*

REPORTERS.

Court of Appeal . . .	{ H. CADMAN JONES, W. WORSLEY KNOX, T. L. MEARS,	} <i>Barristers-at-Law.</i>
Probate and Divorce . . .	H. D. WARR,	<i>Barrister-at-Law.</i>
Admiralty Cases . . .	T. L. MEARS,	<i>Barrister-at-Law.</i>
Ecclesiastical Cases . . .	C. F. JEMMETT,	<i>Barrister-at-Law.</i>

1898.

LONDON:

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PUBLISHING OFFICE, 27, FLEET STREET, E.C.

1898

THE
CITY OF
AGRA.

Gorell Barnes J.

Act of 1868, with reference to service on an agent. That does not carry the case any further, because there was no agent at the time.

For these reasons it seems to me that the process in this case cannot be enforced against the defendant. I am quite clear that in principle it ought not to be, because although, if a foreigner has property here, it is quite right that proceedings in rem should be taken against that property, yet if he is not personally in the jurisdiction, and an action in personam is brought, he is not subject to the jurisdiction, and ought not to be made subject to it in this country. I therefore direct that the service of the process be set aside with costs here and below.

Solicitors for plaintiffs: *William Hurd & Son.*

Solicitors for defendant: *William A. Crump & Son.*

T. L. M.

1898

June 10;
July 7.

THE FULHAM.

Admiralty—Salvage—Jurisdiction—Receiver of Wreck—Detention of Property—Merchant Shipping Act, 1894 (57 & 58 Vict. c. 60), ss. 546, 552.

By s. 546 of the Merchant Shipping Act, 1894, "Where any vessel is in distress at any place on or near the coasts of the United Kingdom and services are rendered by any person in assisting that vessel there shall be payable to the salvor by the owner of the vessel a reasonable amount of salvage to be determined in case of dispute in manner hereinafter mentioned."

By s. 552, "Where salvage is due to any person under this Act, the receiver shall—(a) if the salvage is due in respect of services rendered in assisting any vessel or in saving life therefrom detain the vessel until payment is made for salvage"

A British steamship, belonging to the plaintiffs, with cargo from and to a Continental port, was in the English Channel, in distress, for want of fuel, twenty miles off the coast. A British steam-tug towed her into Plymouth, and, at the request of the master of the tug, the defendant, receiver of wreck at that port, detained the plaintiffs' vessel two days pending the production of satisfactory bail to answer a claim for salvage.

In an action for damages for the illegal arrest of the vessel:—

Held, by Gorell Barnes J., that the defendant was entitled to judgment, as the words in s. 552, "salvage due under this Act," are not

confined to salvage expressly made payable under the Act, but include salvage which may be awarded by the Courts mentioned in the Act whose jurisdiction is conferred or recognised by it.

Semble, that the words "near the coasts of the United Kingdom" in s. 546 are restricted to the territorial limit.

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FULHAM.

ACTION for 60*l.* damages for two days' alleged illegal detention of a steamship.

The plaintiffs were the Britain Steamship Company, Limited, owners of the steamship *Fulham*. The defendant was Thomas Hudson, receiver of wreck and collector of customs at the port of Plymouth.

The facts were shortly as follows:—

On December 14, 1897, the British steamship *Fulham*, of the port of London, whilst on a voyage from Sulina to Dunkirk with a cargo of barley, ran short of fuel, and, on December 16, when in the English Channel, about twenty miles from Plymouth, she was taken in tow by the steam-tug *Flying Buzzard*, and on the same day brought into Plymouth.

At the request of the master of the *Flying Buzzard*, the defendant, acting under the authority of s. 552 of the Merchant Shipping Act, 1894 (1), detained the *Fulham* by placing a man on board of her; and it was alleged that on December 18 the defendant refused to accept bail tendered by the agents of the plaintiffs, and also refused to accept an undertaking for bail subsequently offered by the solicitors of the plaintiffs.

On December 20 the owners, master, and crew of the *Flying*

(1) 57 & 58 Vict. c. 60, s. 552:

"(1.) Where salvage is due to any person under this Act the receiver shall—

"(a) if the salvage is due in respect of services rendered in assisting any vessel or in saving life therefrom, or in saving the cargo or apparel thereof, detain the vessel and cargo or apparel; and

"(b) if the salvage is due in respect of the saving of any wreck, and the wreck is not sold as

unclaimed under the Act, detain the wreck.

"(2.) Subject as hereinafter mentioned, the receiver shall detain the vessel and the cargo and apparel or the wreck (hereinafter referred to as detained property) until payment is made for salvage, or process is issued for the arrest or detention thereof by some competent court.

"(3.) A receiver may release any detained property if security is given to his satisfaction. . . ."

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THE
FULHAM.

Buzzard issued a writ in an action in the Probate, Divorce, and Admiralty Division (Admiralty) of the High Court of Justice against the owners of the *Fulham*, her cargo and freight; and on the same day security was given by the plaintiffs to the satisfaction of the defendant, who thereupon released the vessel.

It was contended by the plaintiffs in the present action:—

First, that the arrest and detention of the *Fulham* by the defendant was illegal on the ground that he had no jurisdiction, under s. 552 of the Act, as the vessel was in distress twenty miles off the coast and, therefore, not within s. 546 of the Act (1);

Secondly, that the defendant had improperly refused to accept bail.

With regard to the question of fact involved in the second point, the learned judge intimated, during the hearing, that the charge had not been substantiated, and in the course of his judgment referred to this matter in the following terms:—

“There was a further point made at the hearing before me, that the defendant on December 18 improperly refused to accept bail or the undertaking of the plaintiffs’ solicitors to put in bail; but after hearing evidence on both sides on this point I decided that, assuming that the defendant had power to arrest and detain the vessel at all, he did not improperly detain her.

The plaintiffs’ case was that their solicitors offered sureties or an undertaking to put in bail, and that the defendant improperly refused to accept either. The defendant stated that he required the sureties to justify, or the assent of the salvors to the sureties. The sureties did not justify, and the salvors’ assent was not procured till the 20th, when the vessel

(1) 57 & 58 Vict. c. 60, s. 546:
“Where any vessel is wrecked, stranded, or in distress at any place on or near the coasts of the United Kingdom or any tidal water within the limits of the United Kingdom, and services are rendered by any person in assisting that vessel or saving the cargo or apparel of that vessel or

any part thereof, and where services are rendered by any person other than a receiver in saving any wreck, there shall be payable to the salvor by the owner of the vessel, cargo, apparel, or wreck, a reasonable amount of salvage to be determined in case of dispute in manner hereinafter mentioned.”

was released. I was of opinion that the defendant was entitled to act as he did. He was bound in the interests of the salvors to take the proper steps to satisfy himself that the security offered was adequate, and the usual course is to require the sureties to justify unless the salvors dispense with justification; and as soon as the salvors assented to the sureties he released the ship. Until then, security to the reasonable satisfaction of the defendant under s. 552, sub-s. 3, had not been given."

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FULHAM.

On the question of law involved in the first point:—

Robson, Q.C., and J. A. Hamilton, for the plaintiffs. The defendant had no power to detain the vessel. The duties of a receiver of wreck only arise, under s. 552 of the Merchant Shipping Act, 1894, in respect of salvage "due under the Act"; but the *Fulham* was not "in distress at any place on or near the coasts of the United Kingdom" within the meaning of s. 546, for she was twenty miles off the coast, and when she was brought within the territorial limit, that is, within three miles of the coast, she was no longer in distress. No doubt the wording of s. 546 is larger than that of the corresponding repealed section (458) of the Merchant Shipping Act, 1854; but that is only to get rid of the necessity for the vessel to be literally "on the shore": see *The Leda* (1), followed in *The Mac* (2); so that the vessel may now be anywhere in the vicinity of the shore within the three-mile limit.

[GORELL BARNES J. Why does not s. 544 apply, by which the salvage services may be rendered "wholly or in part within British waters."]

That section refers only to the saving of life, and was inserted to preserve the special statutory right to salvage for saving life which was given by previous Acts, and which does not exist at law. To found such a claim, however, the lives must have been really in danger. In the present case the danger was not sufficient to give rise to a claim for life salvage: see the *Cargo ex Woosung*. (3) The powers of the defendant, as receiver of

(1) (1856) Sw. 40, at p. 44.

reported on another point (1876)

(2) (1882) 7 P. D. 38, 126.

1 P. D. 260.

(3) (1875) 3 Asp. M. L. C. 50,

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 THE
 FULHAM.

wreck, were only called into exercise in respect of the alleged assistance rendered by the plaintiffs to the vessel, her cargo and apparel.

Sir Robert B. Finlay, S.-G., and Sutton, for the defendant. The *Fulham* was found under circumstances of danger twenty miles off the coast. She was salvaged by the *Flying Buzzard*, brought within the jurisdiction of the defendant as receiver of wreck, and his detention of the vessel was a lawful exercise of his powers in the interests of the salvors. The object of the Legislature is to provide an officer on the spot to do what, if he were not there, the salvor might himself do, if in possession of the salvaged property—that is, detain it until satisfactory security is forthcoming. See *Hartfort v. Jones*. (1)

The duties of a receiver of wreck, with reference to the detention of property liable for salvage, are not limited by the Merchant Shipping Act, 1894, in the way suggested. The sections referred to were never intended to cut down the powers of such an official in relation to salvage, but only to define the nature of some classes of salvage, and settle the mode of procedure. It is clear from s. 544, dealing with the case of salvage for saving life, that the word “salvage” is used in a general sense, and that the words “wholly or in part within British waters” are designedly inserted to get rid of a precise territorial limit even in the case of a foreign vessel. The contention of the plaintiffs is that the words “on or near the coasts of the United Kingdom” in s. 546 are equivalent to “within British waters,” but they only mean that the vessel in distress must be near enough for the receiver to be able effectively to control the operations undertaken for her assistance without reference to a territorial limit. Similar words are advisedly used in s. 519, where it would not be reasonable to suppose that the question—whether the cargo or other articles separated from the vessel in distress are to be delivered to the receiver—would have to be settled by the consideration of the precise distance of the vessel from the coast. The extent of the powers of the receiver vary with the nature of the duties he is called upon to perform, as in the case of taking possession of

(1) (1699) 1 Ld. Raym. 393.

any wreck under s. 520, or selling under s. 522, or dealing with unclaimed wreck found in any part of Her Majesty's dominions under ss. 523 to 527. The powers of a receiver under s. 536, sub-s. 1, as to boarding a vessel in distress, are not limited by the words "on or near the coast," and the mode of procedure provided by s. 547 and following sections relates to salvage in general.

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[Reference was made to the corresponding repealed sections of the Merchant Shipping Act, 1854, as reviewed in Williams and Bruce's Admiralty Practice, 2nd ed. p. 132.]

Robson, Q.C., in reply. Similar words to those in s. 546 are used in s. 511, where the receiver of wreck is required to "forthwith proceed there" and "take the command of all persons present." It is obvious that that would be impracticable unless the vessel in distress were "near" in the sense of "close to" the coast.

Cur. adv. vult.

July 7. GORELL BARNES J. This action is brought to recover damages from the defendant for the alleged illegal arrest and detention by him of the steamship *Fulham* at Plymouth.

The question to be decided depends entirely upon the construction of certain sections of the Merchant Shipping Act, 1894.

The plaintiffs' contention is that no salvage is due to any person under the Act, and that, therefore, the defendant had no right to detain the vessel.

The argument in support of this view is that, by the words in s. 552, "salvage due to any person under this act" is meant salvage made payable by ss. 544, 545, and 546; that the operation of the 552nd section is confined to such salvage, and that the salvage in question did not become payable under any of these sections.

Sects. 544 and 545, consolidating the sections of earlier Acts, make salvage payable for saving life in certain cases; and s. 546 is in these terms. [The learned judge read the section already set out, and continued:—]

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 FULHAM.
 Gorell Barnes J.

Apart from any question as to life salvage, the argument is that the *Fulham* was not in distress at any place "on or near the coasts of the United Kingdom," because the spot where she was found was twenty miles off the coast, and that such a spot is not within the meaning of the words "on or near the coasts."

The broad contention on the part of the defendant is that s. 552 is applicable not only to cases of salvage made payable by ss. 544, 545, and 546, but to all claims for salvage which may become payable by the decree of any Court having jurisdiction under the Act to determine disputes as to salvage.

The point is not free from doubt, though the doubt is less to my mind than it would have been had a similar point been raised under the Acts consolidated by the Act of 1894, which differs somewhat from the earlier Acts. On the whole I am of opinion that the defendant's contention is correct.

Under s. 547 of the Act of 1894 "disputes as to the amount of salvage, whether of life or property, and whether rendered within or without the United Kingdom," are, "if not settled by agreement, arbitration, or otherwise," to "be determined summarily as provided by the Act"—that is to say: in England in certain cases of consent or limited amounts by a county court having Admiralty jurisdiction, otherwise by the High Court in England. By s. 565 the High Court, and in Scotland the Court of Session, are, subject to the provisions of the Act, to "have jurisdiction to decide upon all claims whatsoever relating to salvage, whether the services in respect of which salvage is claimed were performed on the high seas or within the body of any county, or partly on the high seas and partly within the body of any county, and whether the wreck in respect of which salvage is claimed is found on the sea or on the land, or partly on the sea and partly on the land."

This section comprises the general jurisdiction which the Admiralty Court, now forming part of the High Court, exercised in salvage cases in respect of services on the high seas, and repeats the provisions of earlier statutes under which the jurisdiction of the Admiralty Court was extended to cases of salvage occurring within the body of a county.

The words in s. 552, "where salvage is due to any person under this Act," can hardly be construed literally, because whether a claim is made for salvage, the right to recover which is expressly conferred by the Act, or for salvage recoverable in Courts which have jurisdiction conferred upon them or confirmed to them by the Act, in either case the salvage award strictly speaking becomes due by the judgment of the Court. The term "due under this Act" appears to have been used as a general expression to cover any salvage which the Act contemplates being awarded by the Courts mentioned in it, the jurisdiction of which is conferred or recognised by it.

Moreover, since the Admiralty Court had jurisdiction within the body of a county, it is difficult to see in what cases a claim for salvage can be made under s. 546 which could not have been made without it; so that it seems unreasonable to limit s. 552 to one class of salvage, and not to extend its provisions to salvage claims generally for which process may be issued.

Two other points were taken by counsel for the defendant. The first was, that in any view of the case the defendant was entitled to detain the vessel because the services in question had been rendered partly in saving life.

The *Fulham* was in a position in which there would be some risk to the lives of those on board her. In the salvage suit against her and her cargo and freight, which was heard by me, an award of 900*l.* was given to the salvors for bringing her into Plymouth, and I found, on the advice of the Elder Brethren who assisted me, that there was risk of her going ashore and being lost. So that, as there was some risk of life, which would form an element in considering an award on a claim substantially made for saving the property, it cannot be said that the defendant had no jurisdiction whatever to detain the vessel. The plaintiffs' counsel made no effective answer to this point.

The other point was that the *Fulham* was in distress at a place "on or near the coasts of the United Kingdom," because she was, it was contended, "near" the coasts within the meaning of s. 546, and also because part of the assistance rendered to

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FULHAM.

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her was rendered within the three-mile limit as she was towed into Plymouth.

I cannot, however, read the words "near the coasts" as covering a place twenty miles off the coasts. The same language is to be found in other sections, particularly ss. 511 and 535; and I am of opinion that when the terms of these sections are considered the words "near the coasts" do not apply to such a case as that before me. Some limit must be placed on the term, and, having regard to all the sections dealing with wreck and salvage, as at present advised, I think the limit should be the territorial limit, though it is not necessary in this case to express a final opinion upon the point.

Nor is it necessary to decide whether s. 546 would apply because part of the service was rendered within the territorial limit. It is, in my opinion, extremely doubtful whether the section could be made to apply on this ground to the facts of this case.

I, however, uphold the defendant's main contention, and give judgment for him with costs.

Solicitors for plaintiffs: *Holman, Birdwood & Co.*

Solicitor for defendant: *Solicitor to the Board of Trade.*

T. L. M.

Annex 13

British Foreign Office Internal Minute on
Pitcairn Island dated 19 May 1902

F.O.
No. 2 Political
Confidential

Tahiti
May 19, 1902

My Lord

With reference to Sir Thomas Sanderson's Confidential Note of the 30th of December 1893, I have noticed in the list therein included that under the heading of "Pitcairn island" the following remark has been made, "*Settled by the mutineers of the 'Bounty', 1789. No record of the hoisting of the British flag, or of its having been declared British territory, but so considered.*"

In conversation with Mr McCoy, the President of the Pitcairn island community, I have ascertained that in the year 1838, H.M.S. "Fly" visited Pitcairn and, for the first time in its history, the British flag was hoisted over the island by Captain Elliott, the Commanding officer of the ship. Since then, British Men of War have visited the island at intervals and furnished the natives with a national flag when necessary.

With regard to the other islands, dependencies of Pitcairn, mentioned in my immediately preceding despatch, Mr. McCoy has informed me that on no occasion to his knowledge has a British Man of War visited them, and I observe in the list already referred to that no reference is made to them.

No. 2 Political
 Confidential

Tahiti
 May 19, 1952

My Dear Sir

With reference to Sir
 Thomas Sanderson's Confol.
 Note of the 30th of Decr.
 1893, I have noticed in the
 list therein enclosed that
 under the heading of
 "Pitcairn Island" the following
 remark has been made.

"Settled by the Americans
 of the 'Bounty', 1789. No
 record of the hoisting of the
 British flag, or of its having
 been declared British
 territory, but so considered."

In conversation with Mr. McLeay,
 the President of the Pitcairn
 island community, on the
 subject, I have ascertained
 that in the year 1838, H.M.S.
 "Hoy" visited Pitcairn and
 for the first time in its
 history, the British flag was
 hoisted over the island, by
 Captain Elliott, the
 Commanding Officer of the
 ship. Since then, British

has been visited the
islands in intervals and
furnished the natives with
a national flag when
necessary.

With ^{reference} ~~reference~~ to the other
islands, dependencies of Hawaii,
mentioned in my immediate
preceding despatch, Mr. McCoy
has informed me that on
no occasion to his knowledge
has a British man of war
visited them, and I believe
in the list already referred
to that no reference is
made to them.

Copy of the ...

Oahu
1838, etc. R. 1838.

By Sir J. S. ...
of 20. Dec. 1838
— Table No. 1, 1838

No. 2. Oahu
May 19, 1838

Handwritten initials

Annex 14

Extracts from *Military Report on the Straits Settlements* 1915

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THIS BOOK IS THE PROPERTY
OF H.B.M. GOVERNMENT.

NOTE.

The information given in this book is not to be communicated, either directly or indirectly, to the Press or to any person not holding an official position in His Majesty's Service.

MILITARY REPORT

ON

THE STRAITS SETTLEMENTS.

1915.

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**PART II.—PENANG, PROVINCE WELLESLEY, AND
"THE DINDINGS."**

**PART III.—MALACCA, LABUAN, CHRISTMAS ISLAND,
AND COCOS ISLANDS.**

**PART III.—MALACCA, LABUAN, CHRISTMAS ISLAND
AND COCOS ISLANDS.**

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CHAPTER II.

LABUAN.

DESCRIPTIVE GEOGRAPHY.

Situation and area.—Labuan is an island of the Malay Archipelago, situated off the north-west coast of Borneo, in latitude $5^{\circ} 16' N.$ and longitude $115^{\circ} 15' E.$

It lies opposite the northern end of the great Brunei Bay, being 6 miles from the nearest point of the mainland of Borneo and 42 miles from Brunei, the capital of the protected State of that name. It has an area of 33-54 square miles.

General description.—The island consists of numerous low hills rising from flats near the shore to an irregular plateau near the centre. It is covered for the greater part with vigorous secondary growth, the original forest having been destroyed by wasteful methods of rice growing.

Along the coast are scattered plantations of palms. On the flats near the shore and in the centre of the island about 1,500 acres of padi land are under cultivation.

The northern portion is the highest part of the island, the southern being marshy and intersected with streams, bounded by mangrove swamps.

There are no hills on the island requiring special mention.

The islands of Pulau Kuraman, Pappan, Rusukan Besar, Rusukan Kechil, Daat and Melankassan, close to Labuan, and Sprattley Cay and Amboyna Cay, some 300 miles north, are included in the Dependency of Labuan.

PHYSICAL GEOGRAPHY

Rivers.—The Kenabauwa river is the only stream of any size. It rises in the plateau about the centre of the island and follows a southerly course until it reaches the sea, 6 miles from its source.

The river is bounded on both sides with dense mangrove swamps, and, though navigable for sampans for a distance of about 3 miles from its mouth, is not an important means of communication with the interior of the island.

A bar at the mouth of the river prevents launches from entering; inside the bar there is a depth of from 4 to 5 feet of water.

Climate and meteorology.—The climate of Labuan is very hot and humid. The rainfall is distributed throughout the year. December to April are the dry months, the total average for these 5 months being 38.02 inches for the last 11 years, as against 92.72 inches for the remaining 7 months.

The mean temperature of the air for the year 1913 was 82 degrees F.

The highest temperature recorded in 1913 was 95 degrees F. and the lowest 70.5 degrees F., as compared with 95.5 degrees F. and 71 degrees F. in 1912, and 94 degrees F. and 71 degrees F. in 1911.

ETHNOGRAPHY AND SYSTEM OF GOVERNMENT.

Population.—When ceded to Great Britain in 1846 the island was sparsely inhabited.

The census of 1911 shows the population to consist of 6,541 persons, of whom 34 were Europeans, 1,800 Chinese, 4,450 Malays and allied races, and 193 were natives of India.

The Malays of Labuan are chiefly of Kadayan origin.

Language.—As in the remainder of the Straits Settlements, the Malay language is the medium of intercourse between all classes of the inhabitants.

Religion.—There is a Roman Catholic church with a resident priest, and an Anglican church, which is visited periodically from the mainland, and in connection with these there are two schools which are aided by Government grants.

System of government.—The island of Labuan is incorporated with the Colony of the Straits Settlements, forming a separate settlement and is administered by officers appointed from the Straits Settlements Civil Service.

The chief official is called the Resident, and administers both Labuan and Brunei, his place of residence being at Labuan. He is assisted in the administration of Labuan by a district officer, who acts as magistrate of the police court, treasurer, and collector of revenue.

Local government.—The island is divided into districts, within the limits of which a rural board, nominated by the Governor, exercises control over all matters placed within its jurisdiction.

The board is empowered to levy rates on immovable property, for the maintenance of the police, for the construction, maintenance and lighting of public streets, places and buildings, and for the supply of water.

Administration of justice.—The Supreme Court of the Straits Settlements at Singapore has jurisdiction over Labuan, and all magistrates having jurisdiction to act in the Straits Settlements can likewise act in Labuan.

There is a district court and a police court of Labuan at Victoria.

The jurisdiction of the district court in Labuan is similar to that of the district court in Singapore, except that the district judge has jurisdiction in proceedings of a civil nature, of which the amount in dispute does not exceed 2,000 dollars.

Assizes are held periodically in Labuan, the Chief Justice of Singapore proceeding there to try cases.

HISTORY.

The island was ceded to Great Britain by the Sultan of Brunei in 1846, chiefly through the instrumentality of Sir James Brooke, the Rajah of Sarawak, and was occupied in 1848. Until 1869, the expenditure of the colony was partly defrayed by Imperial grants in aid, but after that date it was left to its own resources.

Until 1871, a garrison of Imperial troops was maintained, but was withdrawn in that year owing to the high mortality from fever and dysentery. Since 1871, law and order have been maintained by a small police force.

From 1890 to 1905, Labuan was transferred for administrative purposes to the British North Borneo Company. This arrangement, however, did not work satisfactorily, resulting in frequent protests and petitions from the residents, with the result that the island was finally, on 1st January, 1907, placed under the Government of the Straits Settlements.

RESOURCES, TRADE AND FINANCE.

Resources.

Agriculture.—Agriculture consists almost entirely of native holdings. In the centre of the island where the Malays chiefly live by planting padi and growing cocoanuts, it is surprisingly good. The Malays living near the town do not take the trouble to cultivate their holdings.

The Island of Kuraman and the greater portion of Pulau Daat, which is owned by a company, are covered with cocoanut trees.

Labuan is a market for much of the produce of the neighbouring coasts of Borneo and the Sulu Archipelago, such as beeswax, edible birds' nests, camphor, gutta-percha, india-rubber, pearls, tortoise-shell and trepang, which are forwarded by the Labuan traders to Singapore.

Supplies.—All foodstuffs are imported.

The average supplies available in Labuan at any time are approximately—

Flour	...	...	...	3,000 lbs.
Rice...	...	...	...	50,000 lbs.
Salt fish	...	...	...	550 lbs.
Pork	...	...	...	1,500 pigs.

Annex 15

Letter from Seymour H.J. to Parr R.C. dated 30 Aug 1928,
enclosing an India Office Memorandum on the Status of
the Islands of Tamb, Little Tamb, Abu Musa and Sirri

ISLANDS
AND
MARITIME
BOUNDARIES
OF THE
GULF

Edited by
Richard Schofield

VOLUME 7
1920-1930

ARCHIVE EDITIONS
1990

330

Islands and Maritime Boundaries of the Gulf, 1920-1930

Copy.

No. 430.
(Z 4266/421/91)

FOREIGN OFFICE, S.W. 1.
30th August, 1928.

Sir,

With reference to my telegram No. 181 of the 25th August I transmit to you the accompanying copies of an interesting memorandum prepared in the India Office regarding the status of the islands of Tamb, Little Tamb, Abu Musa and Sirri in the Persian Gulf. This memorandum takes into account the information contained in the Political Resident's telegram No. 234 T of the 22nd August.

2. Copies of the other two documents mentioned in my telegram under reference, i.e. of a letter sent to the Ameer as Sultan on the 2nd March 1928 and of a memorandum sent to the Persian Ministry for Foreign Affairs on the 19th March 1928, are also enclosed herein for your information.

I am, with great truth,

Sir,

Your obedient Servant,

(For Lord Cushendan)

(Signed) H.J. SEYMOUR.

Raymond C. Parr, Esq.,

etc., etc., etc.,

Tehran.

CONFIDENTIAL.

INDIA OFFICE H. 397.
P. 4512/28.

**Status of the Islands of Tamb, Little Tamb, Abu Musa,
and Sirri.**

I. Introductory.

1. Tamb, Abu Musa, and Sirri are three small islands lying well out in the Persian Gulf between the Trucial Arab coast and the Persian island of Kishm. Little Tamb, an uninhabited and waterless island, 1 mile long by $\frac{1}{2}$ mile wide, 8 miles to the west of Tamb, was agreed by the Government of India, the India Office and the Foreign Office in 1908, to depend from that island.* Tamb itself is an island 17 miles south of the south-west point of Kishm Island and 16 miles north-west of the nearest point on the coast of Trucial Oman, roughly circular in shape, and about $2\frac{1}{2}$ miles in diameter. A lighthouse was erected on it by His Majesty's Government in 1913 (see paras. 25 to 28 below). It is sparsely inhabited and almost waterless. It appears probable that deposits of red oxide are to be found both in it and in Little Tamb. Abu Musa is a larger and more thickly populated island, a few miles nearer to Shargah in Trucial Oman than to Lingah in Persia, with good supplies of water, and valuable deposits of red oxide which have been under exploitation for some years, and royalty in respect of which is paid to the ruling family of Shargah. Sirri, 10 miles south by west of Bustanch, the nearest point on the Persian coast, is more prosperous and fertile than Tamb, and, like it, contains deposits of red oxide, though these are apparently unimportant.†

2. The history and status of these islands is identical. While, however, the Trucial Sheikh of Shargah on the Arab coast still controls Tamb and Abu Musa, on which he flies his flag, His Majesty's Government, and the Sheikh under protest, have since 1887 tacitly acquiesced in Persian occupation of Sirri. The Persian flag was stated to have been hoisted on Little Tamb in 1901‡ at the time of the Persian aggression on Tamb and Abu Musa. It was presumably removed at the same time as it was removed from those islands; but the Political Resident reported in November 1908 that the Shargah flag had not been flown on Little Tamb by the Sheikh.§ It is not known whether steps have since been taken to do this.

3. The islands are claimed by the Trucial Sheikhs of Shargah as representative of the Jowasimi Arab chiefs, one section of whom in the 18th century established themselves by force or alliance at Lingah and elsewhere in South Persia. The Persian claim to the islands has in the past been based on the fact that the Jowasimi Arab Sheikhs of Lingah, under whose administrative control they were for many years prior to 1887, had for long been Persian subjects governing Lingah as Persian officials, and it was suggested that it was in this capacity that they had administered the islands, which had become Persian territory. The latest Persian claim is based on the fact that the islands, together with Farur, are shown as Persian in a War Office map of 1887 of which copies were presented to the Shah by the Minister at Teheran, under the orders of Lord Salisbury, in July 1888 (cp. paras. 34 and 36 below).

4. The recent reassertion of the Persian claim to the island of Tamb renders necessary a more detailed examination of the history of that island, and of the islands of Abu Musa and Sirri, the status of which is identical, than would otherwise have been the case. Persian ownership of Farur does not appear to have been disputed in the past; the island is in any event in a different category from Abu Musa, Tamb and Sirri, and no reference is made to it in the present Memorandum.

II.—History of the Islands prior to 1887.

5. It has proved impossible to trace any reference to the history of the islands in the 17th and 18th centuries. From 1720 the Arabs of Ras-al-

* I.O. to F.O., Dec. 31 1908, P. 3111/08.
3369/08: F.O. to
Minstr. Shargah,
Jan. 13 1909.
P. 2793/08.
Loc. ii, 1909.

Loc. ii, 1917.

Loc. ii, 1880.

† Pol. Res. to G. of
I., Jan. 23 1908
P. 360/08.

‡ Pol. Res. to G. of
I., April 13 1904.

§ Tel. from Viceroy
to H. of S. for I.,
Nov. 24 1908,
P. 2111/08.

Tel. to H. of S. to F.O.,
Aug. 20 1888,
P. 4508/28.

Khajima on the Trucial Coast (hereafter referred to as the Jowasimi) had been active on the Persian littoral of the Gulf, on which before 1727 they seized Basidu. In 1737 they were attacked in their own territory by Persia and appear to have made submission,⁶ but it does not seem that Persia retained any hold on Ras-al-Khajima.

⁶ Loc. i, 331-B.

6. About 1750 a portion of the Jowasimi tribe crossed the Gulf to aid the Persian Governor of Bander Abbas and Ormuz against the then Shah, when they took possession of Lingah, opposite the island of Kishan, and other places on the Persian Coast. Lingah they continued to hold until the deposition by Persia of the last Arab Sheikh of Lingah in 1887. But for a number of years before that date, while Lingah up to about 1882 remained a tribally administered Arab principality, the ruling Sheikhs had gradually come under the power of the Persian Government, having finally acknowledged themselves Persian subjects, paying to the Persian Governor-General of Fars such tribute as he could exact from them, and governing Lingah as Persian officials.

Loc. i, 393-4.

7. It is not clear whether any effective dominion had been exercised by Persia in the islands of Tamb, Abu Musa and Sirri prior to 1750. It seems entirely clear that no effective dominion was exercised in any of them by her between that date and the seizure of Sirri in 1887. In the intervening period, if not from a much earlier date, the islands were apparently part of the hereditary estates of the Jowasimi Arab Sheikhs, the Sheikhs on the Arab shore having an equal interest with those on the Persian littoral. Their management, administration, and jurisdiction had, however, for many years prior to 1887 by common consent been vested in the chief Jowasimi Sheikh of the Persian coast, viz. the Sheikh of Lingah, but in his capacity of Jowasimi Sheikh and not of Persian official⁷—a state of things which would appear to have arisen from the fact that Tamb was for a period used by Lingah Jowasimi more than by other Jowasimi.⁸ No recognition of Persian suzerainty in respect of any of the islands had been made by the Jowasimi Amirs of Oman.

⁷ Loc. Res. to Minister, Teheran, Aug. 19 1926.

⁸ Tel. from Pol. Res. to S. of B. for I., T. 331, Aug. 22 1926. P. 1926.

8. Up to about 1873, owing to the close connection existing between Tamb and Lingah, the Residency authorities at Basrah took the view that Tamb was Persian, and in the period ending with 1879 several enquiries regarding it are stated to exist in the Residency records. In 1882, however, in reply to an enquiry, the Residency Agent stationed at Shargah, on the Trucial Coast, furnished the Resident with translations of letters to the Sheikh of Shargah which established the rights of the Trucial Chiefs. Copies of these letters were produced in another connection in 1900 by the Residency Agent, who stated that he had himself seen the originals. Endeavours are now being made to see if the originals can be produced.⁹

⁹ Tel. from Pol. Res. to S. of B. for I., T. 331, Aug. 22 1926.

9. The Persian claim was first asserted in 1877, and has been repeated in 1904, 1924, 1926 and 1928. The history of these incidents is as follows.

III.—Occupation of Sirri by Persia, 1887.†

10. In the year 1877 an armed Persian party, with two small cannon, was sent to erect a flagstaff and hoist the Persian flag on Sirri. The Political Resident, the Minister at Teheran, having enquired¹⁰ whether the islands were under British protection, and whether any action at Teheran was necessary, replied that Sirri and Tamb were beyond the zone of Persian interference, and that the islands belonged to Arab Chiefs under British protection in common with Arabs of the Persian littoral. The Resident separately reported to the Government of India that the islands formed part of the hereditary estates of the Jowasimi Arab Sheikhs; that for many years, however, their management, administration and jurisdiction had by common consent been vested in the chief Jowasimi Sheikh on the Persian coast, viz. the Sheikh of Lingah for the time being; that the Jowasimi Sheikhs domiciled on the Persian coast had acquired the status of subjects of Persia, and those who governed Lingah had been, in fact, Persian officials *qua* Lingah; that the Persian claim was doubtless based on these grounds; and that, were it not for the fact that the Arab Sheikhs of the Oman coast jointly owned the islands, the Persian position could not be disputed. The

† Cf. of I. Proceedings, Sept. 1886.

¹⁰ Tel. to Res., Sept. 20 1887.

Resident supported his statement with the translation of a letter written in 1877 by the Sheikh Ali-bin-Khalifah of Lingah to the Chief of Ras-al-Khaima, in which the former "admits that Tamb is a dependency of the Jowasim of Oman, and that the Persians have no property there nor any right to interfere, save with the consent of the Chief of Ras-al-Khaima." In conclusion, he expressed the opinion that the Persian Government had no good title to the islands in question.¶

11. The Sheikh of Shargah protested to the Resident on 16th October 1887 against the Persian action at Sirri, and asked that similar action at Tamb might be prevented. The Government of India felt, however, some difficulty as to the action to be taken, in view of the fact that Persian Jowasimis had joint rights on Sirri and Tamb, and that one Arab Sheikh only had appealed, and it was agreed, in consultation with the Resident, that no overt action having been taken by Persia in the case of Tamb, representations at Teheran should be confined to the question of Sirri.¶

12. On representations being made, the Persian Government stated† that for nine years Sirri and Tamb had paid taxes to the Persian Government, and that documents in support of the Persian claim being at Bushire, the Governor had been instructed to explain matters to the Resident. The Governor, however, informed the Resident that "he had no documents relating to the Persian claim, and that he had wired to the Amin-es-Sultan excusing himself from discussing the question with the Resident."‡ Enquiry was independently made of the Chief of Shargah as to the Amin-es-Sultan's statement. The Chief's reply explained the connection of the Governors of Lingah with the island of Sirri, and added that Tamb was unincorporated, and that no taxes had been paid to Persia. He further enclosed three letters from Chiefs of Lingah, admitting the Chief of Shargah's ownership of Tamb.§

13. The Persian Government had meanwhile produced five official letters from a former Sheikh of Lingah (Yusuf-bin-Mahomad) in support of the Persian claim to the two islands.¶ The Resident,¶ after examination, replied "that he considered that the documents did not bear out the Persian claim, and that weight should not be attached to the statements of the Sheikh in question, who was a dependant and servant of the Jowasimi Sheikh, Ali-bin-Khalifah [cp. para. 10 above], whom he murdered in order himself to become Chief of Lingah," and, the Persian Minister appearing to rely on a statement of Sheikh Yusuf that he had "gone to the island of Sirri to inspect and recover Government (Persian) dues," the Resident wrote that he considered that "this statement could not be accepted as establishing or even supporting the Persian claim to possession, nor as sufficient to deprive the Jowasimi Arab family of their ancient and previously recognised rights on that island." (It may be added that on 29th March 1884 Sheikh Yusuf wrote to the Chief of Ras-al-Khaima fully admitting the possession of Tamb by the Jowasimis.)§§ The Resident further pointed out that the Jowasimi Sheikhs of Lingah had usually also been Deputy-Governors of Lingah on behalf of Persia; they exercised authority on Sirri island, but it was *qua* Jowasimi Sheikh and not *qua* Persian Governor.

14. A reply on the lines of the Resident's report was sent to the Amin-es-Sultan by Her Majesty's Minister on 2nd March 1889. The Persian Government, on enquiry being made¶ as to the grounds on which they had annexed Sirri, replied†† that it was in their possession, being a dependency of Lingah, to which the Legation replied that jurisdiction over Sirri had been exercised by the Governors of Lingah solely in their capacity of Jowasimi Sheikhs, that the traditional rights over Sirri of the Jowasimi Sheikhs had never been disputed and were generally recognised, that the hoisting of the Persian flag altered the existing status, and that it was on this ground that Her Majesty's Government desired that reasons should be shown for this alteration. The note, after adding that while "possession, if of long standing, and undisputed, undoubtedly carried considerable weight . . . the argument would scarcely govern in the present instance," concluded by asking the Persian Government to communicate "the proofs they possess of the former dependence of Sirri island on Persian authority."

¶ Pol. Res. to G. of I., Sept. 27 1887.

* Tel. from Pol. Res. to G. of I., Nov. 15 1887.

† Tel. from C. d'A., Teheran, to Pol. Res., Dec. 10 1887.

‡ Tel. from Pol. Res. to C. d'A., Teheran, Dec. 15 1887.

§ Pol. Res. to C. d'A., Teheran, Feb. 12 1888.

¶ C. d'A., Teheran, to Res., Jan. 2 1888.

¶ Res. to C. d'A., Jan. 23 1888.

§§ Pol. Res.'s Memo. of May 1888, P. 265/04.

¶¶ Note of Mar. 8 1888.

†† Note of Mar. 10 1888.

15. On the 28th April 1888 the Resident communicated to the Minister at Teheran a copy of the translation of a report drawn up locally for the Amin-es-Sultan, which he had obtained privately, relative to the Persian claims. It appears that "there was nothing fresh in this report beyond a new claim put forward to the island of Abu Musa," which, again to quote the Resident, "has no justification whatever." In the summer of the same year (26th July) the Minister telegraphed to Bushire that a reply had now been received from the Persian Government that "as the Jowasimi Sheikhs were Persian Governors of Lingah, they considered no further proof of the justice of their claim necessary." To this the Resident replied that the Persian reply begged the question, and that the Arab contention as regards Sirri was that the Jowasimi Sheikhs of Lingah represented the family, and derived no right from their position towards the Persian Government.

16. In order to facilitate the disposal of other negotiations, His Majesty's Government decided in August 1888 tacitly to acquiesce in the Persian occupation of Sirri. Save, however, by such acquiescence, to which reference was made in official correspondence with Persia in 1904 (see para. 21 below), they have never in any way admitted or withdrawn their original objections to the claim of the Shah's Government to the ownership of the island, while the Political Resident stated in 1904 that it was equally clear from the Residency records that the Jowasimi Arab Sheikhs of the Pirate Coast had never voluntarily dropped their claim, which they had formally reiterated in 1895, to proprietary rights over Sirri, any more than over Abu Musa and Tamb.

IV.—Temporary Persian Occupation of Abu Musa and Tamb, 1904.

17. In January 1903 the Political Resident in the Persian Gulf reported that, trade having to a large extent been diverted from Lingah as the result of the short-sighted policy of the Belgian Customs officials, Lingah merchants were endeavouring to arrange with the Bombay and Persian Navigation Company to make the island of Abu Musa a port of call. He added that, in view of the Sirri incident of 1887, he was apprehensive lest the result might be the advancing of a territorial claim to this island by Persia. The Resident stated that the island undoubtedly belonged to the Jowasimi Sheikh of Shargah, that the Jowasimis did not, however, fly a flag on the island, and that it might be well to advise the Sheikh of Shargah to do so as a sign of ownership. This course was approved and action taken accordingly.

18. The question having arisen of advising the Sheikh of Ras-al-Khaima (a sheikhdom at that time and now dependent from the Sheikh of Shargah) to adopt a similar course in regard to the island of Tamb, which belonged to the Ras-al-Khaima section of the Jowasimis, the Resident reported that, so far as he was aware, sovereignty over that island had never been asserted by Persia, that the Sheikh of Shargah in his existing capacity as Ruler of Ras-al-Khaima claimed it as an appanage of the Jowasimis of the Arab coast, and that he was in possession of documentary evidence in the shape of letters from two former Arab Chiefs of Lingah admitting the claim of the Jowasimis of the Arab coast to those islands, as against the claim of the Jowasimis of Lingah. It was decided that the Chief should be advised to hoist his flag on Tamb as on Abu Musa, and this was done.

19. In April 1904 the Viceroy telegraphed that the Belgian Customs officials had placed guards on Abu Musa and Tamb, forcibly removed the Arab flags, erected new flagstaves and hoisted the Persian flag on both islands. This action led to immediate protest by the Sheikh of Shargah, who appealed to His Majesty's Government, under his treaty relations with them, to take the necessary steps to prevent such interference in his territory.

20. The Government of India, who took a serious view of the incident, proposed^a to despatch a gunboat to the islands, with a representative of the Sheikh of Shargah on board, to haul down the Persian flag, reinstate the Jowasimi flag and remove the guards to Persian territory. It was decided, however, to give the Persian Government the opportunity to withdraw from the position they had taken up, and on the 24th May the Minister reported

^a P. 10, 104.

^b P. 10, 104, April 23 1904; I.O., to F.O., May 4 1904, P. 2235/04.

that they had telegraphed orders to Bushire to remove the flags and guards from Abu Musa and Tamb, while reserving their right to discuss with His Majesty's Government the respective claims to the island. Their Note,[†] however, stated that Persia considered "these two islands as its property," and proposed that "neither party" should hoist flags in them pending settlement of the question.

† June 11 1904,
P. 2024/04.

21. The Note of reply sent to the Persian Government on 15th June 1904, while expressing willingness to transmit to the Government of India any proofs that the claims of Persia to the ownership of these islands outweighed those of the Sheikh of Shargah, stated that the suggestion that the Sheikh of Shargah should not be permitted to replace his flag, handed down by the Persian Customs officials, could not be accepted, and went on: "I would remind you, in this connection, that we have not insisted on the Persian Government removing their flag from the island of Sirri till the controversy between the two Governments as to the ownership of the island, which originated many years ago, has been reciprocally settled. The position would have been different if the Sheikh of Shargah had removed an existing flag from Tamb and Abu Musa; what he did was to hoist his own flag upon the islands, which were not yet formally occupied by any other Government, and he has the right to fly it as the first occupant until his lawful possession of these islands is disproved."

22. The Persian flags were removed, and the Jowasimi flag of the Chief of Shargah re-hoisted in June 1904. No serious attempt was made by Persia to produce proof of Persian ownership,[‡] and the discussion lapsed, though in 1905 a complaint by Persia of the erection of new buildings at Tamb by the Sheikh of Shargah was investigated and found to be baseless.[†]

‡ Loc. l. 746, §174.

† Tel. let. to Pol. Sec., May 20 1905, P. 1316/05; Pol. Res. to Feb., June 1905.

23. The opportunity was taken to make it clear to Persia that the status of Sirri was still *sub judice*, a view in which she acquiesced, and the Persian Government were warned in 1905 that "the revival of their claim to Tamb meant the revival of ours to Sirri."

Loc. l. 2124.

V.—Status of Sirri, 1909.

24. The question of granting a concession to mine red oxide on Sirri having arisen in 1908-9, His Majesty's Government, after consultation with the Government of India, informed[§] a British firm that, while the status of the island was in dispute, they had never acquiesced in the Persian claim to dispose of concessions on it regardless of Great Britain; and the Minister at Telieran presented a protest to the Persian Government in April 1909 against their action in granting a concession, in which he reminded them of the caveat entered by His Majesty's Government and asked them to arrange for the discontinuance of operations on the island by their concessionaire.[§]

§ R. of S. for I. to Viceroy, May 10 1908, P. 3180; P.O. to Tel., Sept. 10 1908, P. 2953/08; P.O. to Moscow, St. Petersburg, Jan. 20 1909, P. 2924/08.

§ Tel. let. 308 to P.O., April 23 1909, P. 3301/09.

VI.—1912-3: Erection of a Lighthouse on Tamb Island. Communications to Persian Government and to Sheikh of Shargah.

25. Early in 1912 it was decided to erect and maintain a lighthouse on Tamb Island. With the approval of His Majesty's Government no communication on the subject was made to Persia,[¶] but the Political Resident, Sir Percy Cox, was authorised^{**} to obtain the consent of the Sheikh of Shargah, which was granted by the Sheikh subject to an assurance that his rights of sovereignty were not affected.^{††} Sir Percy Cox, in writing to the Sheikh, added that while it was desirable that the Shargah flag should always be *en evidence* on Tamb, "now at all events this island will be preserved for you by the mere presence of the lighthouse."

¶ P. 646/12.
¶ Lord Curzon to G. of I., Secret. Dep't. P., Mar. 23 1912, P. 373; Tel. from Viceroy, May 11 1912, P. 1034.

** Tel. from G. of I. for I. to Viceroy, June 12 1912, P. 3239/12.

†† Letters from Pol. Res. to Sheikh, Sept. 25 1912, Oct. 23 1912, P. 4334.

26. In October 1912, in reply to an enquiry by the Governor of the Gulf Ports, Sir Percy Cox stated^{‡‡} that, with the concurrence of the Sheikh of Shargah, a light was about to be erected there. His Excellency replied that "there was no doubt that the island properly belonged to Persia and that they had to thank the blatant action of the Customs in 1904 for spoiling their case in regard thereto. I rejoined that we considered . . . that it

‡‡ Letter from Pol. Res. to G. of I., Oct. 13 1912, P. 4578/12.

was beyond doubt that the Sheikh of the Jowasimi of Oman owned the island, and, as in dealing with the question we had to reckon with potent facts, it seemed waste of time for us to discuss the question now."

¶ Tel. from Pol. Sec. to Min., Feb. 23 1913, P. 1819/13.

27. In February 1913 the Persian Foreign Office raised the question with the Minister at Teheran, urging that the ownership of the island was contested by Persia. Sir Percy Cox, on reference being made to him, intimated^{§§} that he had recently made it clear to the Governor of the Gulf Ports that the ownership of Tumb was not open to question, and added that "since the correspondence of 1905 the subjects of the Sheikh of Shargah and his flag have remained established on the island"; that if the question was now reopened His Majesty's Government would no doubt revive the question of Sirri; but that a flat refusal to discuss it would probably be best.

¶ P.O. to L.O., July 3 1913, P. 2067/13.

28. The matter does not appear to have been taken further by Persia. The light was exhibited at Tumb on 15th July 1913, and His Majesty's Government agreed that notification of its erection should be made to foreign consular representatives in the usual manner by the Government of India.¶¶

VII.—Statements made by His Majesty's Government to German Government as to ownership of Abu Musa, 1907-14.

* Tel. tel. to P.O. Jan. 2 1908.

† Cf. e.g. Memo. to German Govt. under Sir E. Grey's letter to Count Motornich, Dec. 6 1911, P. 4559/11.

29. It may be remarked at this stage that in the lengthy negotiations which took place with the German Government between 1907 and 1914 over the claim of Messrs. Wonckhaus in respect of the cancellation of their red oxide concession in Abu Musa by the Sheikh of Shargah, no reference was made to the Persian Government, who were, indeed, privately reminded by the Chargé d'Affaires in 1908 of the incident of 1901, and warned against any attempt to renew the Persian claim.⁶ His Majesty's Government consistently referred, in their communications to the German Government, to the "sovereignty" exercised in Abu Musa by the Sheikh, and a quantity of local evidence was produced to show that the ownership of Abu Musa vested in the ruling Sheikh of the Jowasimi of Oman residing at Shargah.⁴ It would clearly have been impossible for His Majesty's Government to have taken the very definite line actually taken by them *vis-à-vis* Germany had the status of the island been, in their view, a matter at all open to dispute.

VIII.—Reassertion of Persian Claim to Tumb and Abu Musa, 1923.

‡ Tel. tel. 125 to P.O., April 27 1923, P. 1625/23.

§ P.O. tel. 68, May 1 1923, P. 1617/23.

30. In 1923 the Minister at Teheran reported that he had learned confidentially that the Persian concessionaire of the Hormuz red oxide concession, Moim-ut-T'ujjar, a person of great wealth and considerable political influence, was urging the Persian Government to raise the Persian claim to Abu Musa, couple it with that to Bahrain, and refer both to the League of Nations.‡

Sir P. Lornine was instructed by the Foreign Office to draw the attention of the Prime Minister to the incident of 1901, when His Majesty's Government had been prepared to take naval action to remove the Persian flag from Tumb and Abu Musa, and hint that revival of the Persian claim might lead His Majesty's Government to take the measures then contemplated.§

¶ Tel. Desp. 220, May 10 1923, P. 2661.

¶ Tel. Desp. 235, May 29 1923, P. 2653.

31. The Minister made the required communication to the Prime Minister, making, however, no reference to Tumb in his Aide Memoire. His Highness made no reply on the matter of Abu Musa. Ten days later a Note asserting Persian rights over both Tumb and Abu Musa, "of which notification was made to His Majesty's Legation in the year 1903-4," having been addressed to the Minister by the Persian Foreign Office, Sir P. Lornine adopted an uncompromising attitude, and returned the Note to the Prime Minister with a strongly worded covering letter.⁶ It seemed probable that the despatch of the Note was due to ignorance on the part of the Acting Foreign Minister of the communication which had been made to the Prime Minister, and, the position of His Majesty's Government having been made clear, the incident went no further.

IX.—Persian Customs Interference at Abu Musa, 1925 G.

32. In the autumn of 1925 the Persian customs authorities sent a launch to Abu Musa which inspected the red oxide and removed one bag. On a protest being made, they replied that Abu Musa belonged to Persia. Energetic action was taken at Teheran by His Majesty's Minister, who reminded the Acting Minister for Foreign Affairs of the 1923 correspondence, and subsequently warned him privately that persistence in the Persian claim would make it necessary "to request the Government of India to despatch a ship of war to Abu Musa to uphold the rights of the Sheikh of Shargah."⁸⁶ The Persian Government withdrew, and the customs authorities were instructed "not to take any steps in Abu Musa or Tumb pending reply from Ministry of Foreign Affairs regarding status of these islands."

⁸⁶ Teh. Desp. 238 to F.O., May 23, 1926, P. 2515/26.

X.—Reassertion of Persian Claim to Tumb, 1928.

33. In July 1928 a Persian customs launch, which had been operating from Tumb for about two months, seized off the south of the island a Dubai dhow carrying passengers to Khasab, on the Arab coast, with a small cargo of sugar and dates, and brought it to Lingah, where the cargo was confiscated as smuggled and the passengers imprisoned. The incident created a very serious situation on the Trucial Coast, the Trucial Chiefs being restrained only with difficulty from immediate reprisals; and its possible reactions proved a matter of grave concern to the Government of India.

34. Strong diplomatic representations by His Majesty's Government at Teheran secured the release of the dhow and its passengers and crew. The cargo remains under seizure, and a claim for compensation has been met by a reiteration of the Persian claim to ownership of Tumb, based, according to the Acting Minister for Foreign Affairs, on a British Note dated 27th July 1888, signed by His Majesty's Minister under instructions from the Marquess of Salisbury, then Secretary of State for Foreign Affairs, communicating a map "recently issued by the Intelligence Department of the War Office" for presentation to the Shah on behalf of Her Majesty's Government. The Chargé d'Affaires has indicated that the argument is unsubstantial, while the fact cannot clearly in itself affect the validity of the Arab claim; but it is clear that in the forthcoming negotiations with Persia, not only the immediate Tumb incident, on which the Government of India have expressed themselves very strongly, but the position of Abu Musa (and of Sirri) will come up for disposal.

Teh. let. 250 to F.O., Aug 21 1928, P. 4509.

XI.—Summary.

35. The effective occupation of Sirri by Persia since 1887, and the tacit acquiescence in that occupation of His Majesty's Government, make it difficult, if not impossible, at this stage to dispute the Persian claim, though His Majesty's Government are not estopped by any formal admission on their part from using the Shargah claim to the island for bargaining purposes.

36. The position is different as regards Tumb and Abu Musa. At no stage has the Persian claim been formally admitted, and at no stage has it been allowed to pass unquestioned. The argument in support of the latest Persian claim as set out in para. 34 above could be strengthened, so far as it has any value, by reference to the fact that the islands are also shown in Persian colours on Lord Curzon's (unofficial) Map of Persia of 1892, and on the Survey of India Map of 1897.⁸⁷ While, however, the error in question is extremely regrettable from the standpoint of His Majesty's Government, it cannot be taken as a formal declaration by His Majesty's Government of their view of the status of the islands, nor, it is suggested, can it be regarded as of substantial importance in view of the consistent repudiation, before and after the dates mentioned, of the Persian claim.

⁸⁷ Teh. let. to Viceroy, April 20 1904, P. 2552-01.

37. As regards the merits of that claim, the historical summary above shows that the history of the islands prior to 1750 is obscure; that since that date such authority and such effective occupation as there has been has had its source in the Jowasimi Arabs, who between 1750 and 1820 exercised in the Gulf a maritime control uncontested by Persia. There is nothing to show that those Arabs, having obtained a footing on the Persian coast, thence derived authority over outlying islands. Probability suggests rather that they carried with them to their new settlement a position in the islands which they already possessed. The fact that a section of these Arab intruders later acquired the status of Persian subjects, and held their authority on the Persian coast in subordination to the Persian Government as local Chiefs or Governors, cannot affect any original rights the Jowasimi tribes on the Arab and the Jowasimi tribes on the Persian littoral may have had in common; an intimate connection appears to have been maintained between the two sections of the tribes, and the islands remained their common property and did not become Persian territory; nor, the islands being held by a Sheikh only on behalf of the tribes, had an individual power to alienate any sovereign territorial rights which he might enjoy *qua* ruler of these tribes.† Finally, *de facto* possession resting with the Jowasimi Arabs of the Trucial Coast, it would appear to be for Persia, in the absence of evidence at any stage of effective Persian occupation or of acknowledgment by the Trucial Arabs of Persian overlordship in the islands, to prove the case for alteration of the *status quo*.

Pol. Sec. to Minister,
Tehran, Dec. 18th
1928.

† *Vincenty to S. of S.*
for I., Feb. 16 1928,
P. 864/26

38. As between His Majesty's Government and the Trucial Chiefs concerned, the latter, under their treaty engagements, are entitled to the protection of His Majesty's Government and are not themselves allowed to communicate or negotiate direct with any foreign Power. Apart from the fact that their claim to the islands has consistently been upheld by His Majesty's Government, it was on the initiative of His Majesty's Government that the Jowasimi Sheikh of Sharjah and Ras-al-Khaima hoisted his flag on Tumb and Abu Musa in 1903 (see paras. 17 and 18 above).

39. The satisfactory disposal of the matter is important in view of its immediate reactions on the Trucial Coast, and the wider reactions on Mohammedan feeling in India of disturbance in that region. But its importance from its possible reactions on the relations of the Trucial Chiefs with Ibn Saud is hardly less great.

J. G. L.

INDIA OFFICE,
24th August 1928.

Copy of a letter sent to the Ameen
as Sultan on March 2, 1888.

Draft.

Tehran.

March 8, 1888.

Ameen as Sultan.

1888.

I return the papers you were good enough to send me some time ago in regard to Sirri and Tumb islands. These papers have been very carefully examined and do not bear out the Persian claim. Your Excellency said you had other documents. I should be much obliged if you could let me have them.

In the papers I return the chief statements are those of Sheikh Yoozaf. This person was not a member of the Joasimee tribe, but was a dependent or servant of the Joasimee Sheikh Ali bin Khalafat, whom he murdered to become Chief of Lingah himself. The Persian Government in 1879 confirmed Sheikh Yoozaf as Deputy Governor of Lingah and he then appears to have commenced his interference with Sirri and Tumb, drawing forth the remonstrances of the Joasimee Sheikh of Ras el Khaimah. The rights of the Joasimee Sheikhs to Sirri are of ancient origin and have hitherto always been respected. The Joasimee Sheikhs of Lingah have usually been also Deputy Governors of Lingah for Persia. They have been in the habit of exercising authority over the Sirri Island but it was as Joasimee Sheikhs and not as Governors of Lingah.

I was very glad to be able to telegraph to Bushire that Your Excellency disavowed General Hadji Ahmed Khan's proceedings on the Oman Coast, and a ship of war has therefore been sent down that coast to announce to the Chiefs that the General's proceedings were unauthorized and to endeavour to pacify and tranquillize the chiefs.

Copy of a memorandum sent to the Persian
Ministry for Foreign Affairs on March 19,
1888.

Tehran.

Draft.

March 19, 1888.

Ministry for Foreign Affairs.

His Majesty's Legation have the honour to acknowledge the receipt of the Foreign Office memorandum of the 10th instant, regarding the Island Sirri. His Majesty's Legation would wish to make a few friendly observations on the above communication. It is quite true that the Deputy Governors of Lingah exercised jurisdiction over the island of Sirri, but this was not in their capacity as Governors of Lingah but as Joasimee Sheikhs. The Persian Government are doubtless aware that the Joasimee Sheikhs of Lingah were also deputy Governors of that place on the part of Persia. The Joasimee Sheikhs have had traditional rights over the Island of Sirri which were never disputed and generally recognised. The hoisting of the Persian flag altered the existing status, and it is on this ground that it was requested that reasons should be shown for this alteration. Possession if of long standing and undisputed doubtless carries considerable weight, but this argument would scarcely govern in the present instance. His Majesty's Legation would be much obliged if the Persian Government would kindly furnish them, for communication to the Government of India, with the proofs they possess of the former dependence of Sirri Island on Persian authority. Both the Government of India and His Majesty's Legation wish to treat the question in a perfectly friendly and conciliatory spirit.

Annex 16

Annual Report of the Malayan Meteorological Service 1948



ANNUAL REPORT OF THE MALAYAN METEOROLOGICAL SERVICE, 1948

BY

H. B. F. MOORHEAD

Director

Malayan Meteorological Service.

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ANNUAL REPORT OF THE MALAYAN METEOROLOGICAL SERVICE, 1948.

INTRODUCTION

The dominant factor affecting the Malayan Meteorological Service throughout the year 1948 has been the acute shortage of both senior and junior staff. With the introduction of new salary scales there has been some improvement in recruitment of junior staff, but the senior staff position remains unchanged. The shortage of trained scientific personnel is not a matter affecting Malaya alone; most services in the British Empire are all similarly affected. In the case of Malaya, the dislocation owing to the war period has virtually made it necessary to restart from the beginning, while the expansion of air services, both internal and external, has at the same time called for greatly increased meteorological facilities from the department.

ORGANISATION

The meteorological department, while virtually one service for Malaya, is divided into three separate sections for administrative purpose—Headquarters, Singapore and the Federation of Malaya.

The Headquarters section is responsible for the administration, co-ordination of work in Federation of Malaya and Singapore, the climatological work, the checking and preservation of records, and enquiries in connection with statistical data, etc.

In the Federation are located fifteen first order meteorological stations, a few auxiliary climatological stations and a number of voluntary rainfall reporting stations. The fifteen first order stations are responsible for the taking and coding of synoptic reports which are then relayed at regular intervals to the forecast office in Singapore by Telegram, telephone and/or W/T. These stations are, where practical, located on or close to the principal aerodromes and are responsible for the issue of weather reports to aircraft in flight.

It has not been possible to set up a forecast office in the Federation as, owing to shortage of trained scientific staff, it has been necessary to consolidate all forecasting facilities in one forecast office, which is located in area control centre at Kallang Airport, Singapore. A climatological and weather reporting station is also situated at Kallang.

SYNOPTIC METEOROLOGY

Under modern conditions the principal work of the forecast division of any meteorological service is the provision of adequate meteorological facilities for the safe operation of aircraft. Guidance as to the facilities which are to be provided are contained in recommendations of the International Civil Aviation Organisation and it is in an endeavour to build up to this standard that the planning of the meteorological service in Malaya is aimed.

AVIATION SERVICES

The meteorological service is responsible for:—

- (i) the supply of meteorological information to all aircraft in flight in the Singapore Flight Information Region. (Fig. 1).
- (ii) the pre-flight briefing of all aircraft departing from Singapore, with the exception of aircraft making only a short stop at Tengah.

- (iii) the issue of forecasts to all aircraft departing from airfields in the Federation.
- (iv) the issue of advisory route and flight forecasts to Darwin, Batavia, Colombo, Bangkok, Rangoon, Calcutta, Saigon and Hongkong covering those portions of the route within the Singapore Flight Information Region.
- (v) the issue of advisory terminal forecasts for Kallang, Tengah and Butterworth.

To cover this service adequately for civil aircraft it is necessary to maintain a twenty-four hour service at the forecast office at area control with a qualified meteorological officer on duty throughout the period. The duty meteorological officer should be available for easy consultation by the Air Traffic Control officer in case deterioration of conditions makes it advisable to consider the diversion of an aircraft to an alternate airfield. A twenty-four hour service on these lines was maintained until April when sickness of staff due to prolonged night hours made it imperative to reduce this to a "dawn to dusk" service for aircraft. In effect, to operate a "dawn to dusk" service, it is still necessary to staff the office on a reduced scale throughout the full twenty-four hours so as to have the synoptic charts prepared for the early morning aircraft departures.

BRIEFING OF PILOTS

In accordance with International Civil Aviation Organisation procedure it is necessary before departure on a flight for the captain of the aircraft to be "briefed" by a qualified Meteorological Officer. This "briefing" entails discussion of the types of weather along the route, with explanation as to probable developments and action to be taken by the aircraft in the light of such developments. Captains are issued with a flight folder containing route and terminal forecasts and cross section diagrams (Fig. II) of the weather on the route. Similarly on arrival at his destination the pilot is debriefed, *i.e.*, he describes actual details concerning the weather encountered during the flight.

WEATHER MAP

The synoptic map is plotted and the isobars drawn from information supplied by a large network of meteorological stations in the area concerned. In Singapore it is necessary to advise captains of aircraft proceeding on flights as far afield as Darwin, Calcutta, Hongkong and at times Karachi, and for this purpose weather information is required over a very large area extending from Shanghai to Aden.

In Malaya, weather reports are sent in to Singapore from fifteen reporting stations in the Federation of Malaya at three hourly intervals from 0300 to 1900 hours, local time, and at certain key stations throughout the twenty-four hours. These reports including surface wind, cloud and weather conditions and at a few special stations, upper wind reports of directions and speed are sent in coded form by telephone, telegram and W/T and are decoded in the forecast office and plotted on the weather map. The collected Malayan reports are broadcast by wireless for use in places as far apart as Shanghai and Karachi. Similar weather reports from stations in all countries in the area are received, decoded and plotted on the weather map at Kallang.

SHIPPING

Weather reports are received from shipping in the Indian Ocean, Straits of Malacca and China Sea, but these reports are relatively few in number when the large volume of shipping which converges on Singapore is taken into consideration. Such reports are of considerable value in supplying data for the oceans and efforts will have to be made to increase the number of messages addressed to Singapore.

Shipping forecasts are issued daily for the Straits of Malacca, the Gulf of Siam, South China Sea (West), South China Sea (East).

FLOOD WARNINGS

During the period of the North-East Monsoon close observation is kept on the weather conditions on the East Coast of Malaya and warning telegrams are sent out to districts when danger of heavy rain which is likely to lead to flooding is anticipated.

SUMMARY OF FORECASTS

A summary of the forecasts issued from Singapore during 1948 is as follows:—

Forecasts to aircraft crews (briefing)	...	...	3,032
Forecasts to aircraft in flight	...	...	1,911
Forecasts to Malayan stations (for aircraft)	...	...	2,365
Shipping forecasts	...	...	1,451
Analysis	...	...	487
Advisory forecasts to Darwin	...	...	401
Advisory forecasts to Batavia	...	...	1,222
Advisory forecasts to Bangkok	...	...	435
Advisory forecasts to Rangoon	...	...	116
Advisory forecasts to Hongkong	...	...	174
Advisory forecasts to Calcutta	...	...	138
Advisory forecasts to Colombo	...	...	142
Miscellaneous forecasts to aviation	...	...	10
			11,884

CLIMATOLOGY

GENERAL WEATHER OF MALAYA

Rainfall averages about 100 inches a year, though the annual fall varies considerably from place to place and year to year.

Jelebu, in Negri Sembilan, is the driest place in Malaya with an average of 65 inches and Maxwell's Hill the wettest with 198 inches a year.

The average maximum temperature in the plains is rather less than 90 °F. and the minimum about 70 °F. At the hill stations temperatures are considerably lower; at Cameron Highlands the extreme temperatures recorded are 79 °F. and 36 °F. and at Fraser's Hill 81 °F. and 53 °F.

SINGAPORE CONDITIONS DURING 1948

The annual rainfall for the year was 105 inches against a normal of 95 inches. The wettest month was January with 20 inches of rain which is twice the normal fall for this month. The driest month was October with 2½ inches of rain.

The highest temperature was 95 °F. on May 16th. The lowest temperature was 71 °F. on January 8th and again on April 1st.

KUALA LUMPUR CONDITIONS DURING 1948

The annual rainfall for the year 1948 was 92.93 inches against a normal of 94.54 inches. The wettest month was February with 17.02 inches which is about three times the normal fall for this month. The driest month was January with 2.12 inches which is the lowest on record for this month since 1918 when 1.66 inches were recorded.

The highest temperature 95°F. and lowest temperature 69°F. were recorded on several occasions during the year. A more detailed account of the climate of the country will be found in Appendix I.

METEOROLOGICAL RECORDS

The printing of detailed meteorological records was suspended during the war for the reason of both secrecy and economy. Printing of the summary of observations for Malaya over the years 1939 and 1940 has been completed, but the summary of surface and upper winds, frequency tables and pilot balloon data have had to be deferred on account of economy.

It is unfortunate that extremely few records exist for the period 1942-1945 inclusive. These records were kept by the Japanese during the war years but they were destroyed at the time of the capitulation in 1945. This gap of four years in the climatological records of the country is a serious matter as it decreases to a considerable extent the value of the preceding thirty-four years, which period was becoming long enough to permit of the calculation of reliable means of temperature and rainfall. Every effort has been made to trace duplicate records which may have been sent to Japan during the war years, but these efforts have proved unavailing.

Many enquiries are received in the climatological section regarding all aspects of the local climate. Some of these demands involve considerable work which it is not within the capacity of the limited staff to supply. Enquiries relate to such varied interests as air conditioning, cold storage, agriculture, fisheries, engineering, electrical, irrigation, legal, health, educational, aviation, harbour construction, insurance, etc.

METEOROLOGICAL STATIONS

There are a total of sixteen first order meteorological stations in Malaya, fifteen in the Federation and one in Singapore. With the exception of the meteorological station at Kluang, destroyed during the war, all the pre-war stations have been re-established. The station at Kota Bharu was moved from its position in the centre of the town to the aerodrome at Pengkalan Chepa; this will be a great advantage to aircraft using this aerodrome. With this move to Pengkalan Chepa, nine of the existing meteorological stations are adjacent to or actually situated on aerodromes and this enables the maximum co-operation to be maintained between the civil aviation, tele-communications and meteorological personnel at all main airfields in Malaya.

Besides their climatological work and the issue of regular coded synoptic reports to the forecast office at fixed hours throughout the day, these stations are responsible for the supply of weather reports to aircraft in flight regarding the local weather conditions at the airfield, and they are also responsible for sending out "deterioration" and "improvement" reports should any marked change in the weather become manifest. A total of 28,436 weather reports were issued to aircraft in flight and in addition 2,365 forecasts received from the forecast office were passed on to aircraft.

Local inspection of meteorological stations have been carried out by senior officers of the Survey Department from time to time: co-operation in this respect being of great help to the Malayan Meteorological Service.

Owing to the nature of the work and to ensure proper siting, meteorological stations are generally situated in relatively isolated areas. Great credit is due to the staff at these stations who, while living under difficult and dangerous conditions owing to the existing emergency, have continued to perform their duties and thus ensured little, if any, dislocation of the service.

The work at the Singapore station at Kallang has been seriously hampered by lack of trained staff and the station has only operated on a dawn to dusk service throughout the year and even so has had to be closed temporarily during short periods of sickness of staff. When it is realised that this is the only civil reporting station in the Colony able to give service to aircraft flying by night on the trunk routes the seriousness of the position will be appreciated. This meteorological station should be in a position to issue a weather report of existing conditions from Singapore at any time required. The duties of this reporting station have therefore had to be carried out at the forecast office, which is already overburdened with work.

Weather and pilot balloon observations during the day were maintained throughout the year at Cocos, Keeling Island by the staff of Cable & Wireless Ltd. who were paid an honoraria for the performance of the work. The value of such observations from isolated island stations in mid-ocean is considerable, and appreciation is felt for the care and regularity with which these are made and for the co-operation of the company in permitting their staff to do the work.

The replacement of meteorological equipment at stations destroyed during the war has proceeded satisfactorily although certain instruments are still in short supply.

The full setting up of auxiliary stations, of which there were forty-seven pre-war, and of the voluntary rainfall stations numbering 800 approximately, has not yet been possible: the rebuilding of the rainfall organisation must, under existing conditions, remain a matter of considerable difficulty.

INTERNATIONAL CO-OPERATION

Following on the recommendation of the meeting of the Directors, International Meteorological Organisation, held in Washington in November, 1948, it has been necessary to produce a new manual of meteorological codes for use at stations throughout Malaya. The preparation of this manual which covers instruction for the use of synoptic codes for surface, upper air reports, aircraft and shipping was a work requiring considerable care and labour. These codes are to be introduced on a world wide basis on 1st January, 1949 and will show a considerable advance in international co-operation.

A meeting of the International Meteorological Organisation Commission II (Asia) was held in New Delhi over the period 10th to 20th November, 1948, at which Malaya was represented by the Director, Comdr. Moorhead. Other countries represented were Australia, Burma, Ceylon, Hongkong, India, Indo-China, Indonesia, Japan (SCAP), Mongolia, Pakistan, Siam, United Kingdom, United States of America, Union of Socialist Soviet Russia and also representatives of the International Meteorological Organisation and the International Civil Aviation Organisation. This, the first meeting of the Commission since the war, was principally occupied with improvement of the existing network of meteorological stations in the region, the co-ordination of national meteorological broadcasts of meteorological information, the establishment of sub-continental broadcast and the standardisation of hours of observation and the introduction of new international codes.

As an outcome of this conference the following recommendations and proposals of particular interest to Malaya were put forward:—

- (a) that every endeavour be made to obtain surface and upper wind reports at routine synoptic times from important island stations in the region. Christmas and Cocos Islands were specifically mentioned.
- (b) a scheme was prepared to ensure the co-ordination of national meteorological broadcasts, to become effective 1st February, 1949.
- (c) establishment of three sub-continental broadcast centres at New Delhi, Tokyo and Khabarovsk was agreed to.
- (d) it was recommended that four centres be selected in the region where sub-regional standard barometers could be set up to facilitate checking and comparison of barometers between all countries in the region. Singapore was suggested as one such centre.

Remarks

No meteorological reports are available from Christmas Island at the present time and at Cocos a limited system is in force during the day time. The recommendation to establish and/or augment facilities is in conformity with general international practice whereby it is recognised that the setting up of island weather stations is a matter of importance to meteorology throughout the world.

The need for a standard barometer for comparison purposes has long been felt in the Malaya Peninsula and the setting up of such an instrument in Singapore will prove of value not only to the Region II (Asia) but also to shipping passing through Singapore.

A meeting of Regional Commission V (S.W. Pacific) was held in Wellington, New Zealand, over the period 12th to 17th April, 1948. Malaya being a border country and, therefore, vitally interested from the meteorological viewpoint as to what is taking place in the neighbouring countries was invited to send a representative. This was not possible.

A meeting of the Meteorological Committee of the First S.E. Asia Regional Air Navigation commission was held at New Delhi in November/December 1948 at which several important recommendations relating to the region were considered. These proposals have yet to receive the final approval of the International Civil Aviation Organisation.

STAFF

Dr. C. A. LEA acted as Director from the beginning of the year until 28th February, 1948, Mr. I. G. JOHN from 29th February, 1948 to 6th March, 1948, when the Director, Comdr. H. B. MOORHEAD returned from leave.

Technical staff at the end of the year stood as follows:—

	<i>Headquarters</i>	<i>Singapore</i>	<i>Federation of Malaya</i>
Director	1	—	—
Assistant Director ...	1	—	—
Meteorological Officers ...	1 (2)	4 (4)	— (4)
Meteorological Assistants and Cadets ...	3 (7)	7 (12)	16 (32)
Junior Technical Assistants	1 (5)	7 (8)	34 (50)

The figures in brackets denote the approved establishment.

Recruitment has been slow, particularly into the meteorological cadet scale where uncertainties regarding future condition of service have made it difficult to make firm offers to incoming applicants. This matter should be clarified with the introduction of new schemes of service in 1949.

The worldwide shortage of trained scientific officers has prevented the filling of the vacant meteorological officer posts, only one candidate coming forward to fill the six vacant posts. The position is a serious one as the demand for meteorological facilities for civil aviation will continue to increase with the expansion of the existing and commencement of new services, and during 1948 the meteorological capacity of the department was already stretched to breaking point.

Appendix II shows the expenditure for the year 1948.

APPENDIX I

CLIMATE OF MALAYA

The characteristic features of the climate of Malaya are uniform temperature, high humidity and copious rainfall, and they arise mainly from the maritime exposure of the Peninsula. By uniform temperature is meant the lack of serious temperature variation throughout the year; the daily range of temperature is large, being from 10° to 15°F at the coastal stations and from 15° to 20°F at the inland stations. The variation of temperature throughout the year is very small and the excessive temperatures which are found in continental tropical areas are never experienced. In this connection it may be noted that an air temperature of 100°F. has very rarely been recorded in Malaya under standard conditions.

The variation of rainfall is the most important feature in the seasonal division of the year, but this is not the same everywhere and as it is due to the more uniform periodic changes in the wind, the wind changes are usually spoken of when seasons are mentioned. There are four seasons which we can distinguish, namely, that of the South-West Monsoon, that of the North-East Monsoon and two shorter seasons separating the end of each of these from the commencement of the other. The beginning and end of the monsoon seasons are usually not well-defined, though the onset of the North-East Monsoon may be fairly definite.

The South-West Monsoon as experienced in Malaya is due to a frictional effect, whereby the atmosphere moves in conformity with the South-West Monsoon current of the Indian Ocean, but to a smaller extent. While it cannot as yet be said definitely, there are indications that the movement dies out altogether in the region of Malacca, and south of this the prevailing wind direction is probably south-east at this time of the year. The winds of the South-West Monsoon, as experienced in Malaya, are very light and at the ground are almost completely lost in stronger local circulations such as the land and sea breezes which are a regular feature. At a height of 2,000 to 3,000 feet, however, the prevailing direction is south-westerly.

The North-East Monsoon occurs at the season which corresponds with the winter of northern latitudes. This wind is actually the normal North-East Trade wind which moves south at this time of the year and is strengthened by the low temperature on the continent of Asia. As a consequence it is a much stronger and steadier wind than the South-West Monsoon so far as Malaya is concerned.

The times of commencement of the monsoons vary to some extent. The South-West Monsoon is usually established in the latter half of May or early in June and ends in September. The North-East Monsoon usually commences in late October or November and ends in March. There are thus two periods, each of about two months in length, between the ending of one monsoon and the beginning of the opposite one, corresponding roughly with the equinoctial seasons. The average rainfall of every district is largely governed by this seasonal division, although the same characteristics do not appear everywhere at the same seasons. On the East Coast there is also a distinct temperature variation with the monsoons, although it is not very great.

The seasonal variation of rainfall in Malaya is of three types. Along the East Coast, and for a few miles inland, the maximum rainfall occurs with the North-East Monsoon, the remainder of the year being comparatively dry. There is a steady increase of rainfall month by month from June or July to December, followed by a steady decrease on to the middle of the year. Over the inland districts and along the greater part of the West Coast the maximum rainfall usually occurs in October and November. A second rainy season, though not so pronounced, occurs in March and April, the middle periods of the monsoons being comparatively dry. Along a limited length of coast in the region of Malacca, the wettest portion of the year is at the height of the South-West Monsoon, the lowest rainfall occurring in December and January. The change from minimum to maximum is fairly regular, as is also the reverse.

The yearly rainfall is high over the whole of Peninsula, the driest station of those at which records have been kept being Jelebu, with an average for the forty-seven years 1891-1937 of 65 inches. The highest rainfall recorded occurs in the Larut Hills near Taiping where the average at "The Cottage" (4,513 feet) for the 34 years 1904-1937 is 232 inches. Taiping itself, at the foot of these hills, has the highest rainfall of the low-level stations with an average of 166 inches. The high rainfall of this area is exceptional and at other hill stations at approximately the same height, but situated in the main range of mountains, the rainfall is considerably less; the average at Fraser's Hill being 109 inches and that at Cameron Highlands 106 inches.

Considering the Peninsula as a whole, the heaviest yearly rainfall is experienced along the East Coast where the average is about 120 inches. This average decreases going inland from the coast and is about 100 inches at the foot of the range on the eastern side. Between the range and the West Coast the distribution is more irregular. In North Kedah the rainfall continues to decrease as the West Coast is approached but in South Kedah and Perak there is a notable increase in the rainfall before the coast is reached. The Taiping area has already been mentioned but again at Tapah 146 inches is the average year's fall. Along the West Coast the rainfall decreases fairly uniformly from 106 inches at Penang to 80 or 85 inches on the coasts of Selangor and Negri Sembilan. The eastern part of Negri Sembilan is comparatively dry with an average rainfall of not much more than 70 inches.

The differences in temperature in Malaya are comparatively small, whether temperature variations throughout the year at one place or differences from place to place at the same time of the year are considered. They are, nevertheless fairly definite in some respects and are worthy of mention. The average day temperature in the districts to the east of the main mountain range is lower than in otherwise similar districts west of the range. The difference in the average values in the east and west are

due almost entirely to the low day temperature experienced in the Eastern districts during the North-East Monsoon. At Kuala Pahang, for example, the day temperature rarely approaches 90°F . during the North-East Monsoon and often fails to reach 80°F . A number of occasions have been recorded on which the temperature did not rise above 75°F . which is not infrequently the lowest temperature reached during the night in most districts. Night temperatures do not vary to the same extent, the average usually being between 70°F . and 75°F . Individual values fall much below this at nearly all stations, the coolest nights commonly following some of the hottest days. The lowest temperature recorded in the plains is 60°F . which occurred at both Kulim and Lenggong in 1937. The coast stations do not show quite such low temperatures but even here the night temperature falls below 70°F . from time to time.

The nights are thus seen to be reasonably cool everywhere and although the days are frequently hot, and, on account of the high humidity somewhat oppressive, it very rarely happens that refreshing sleep is not obtained at night.

At the hill stations conditions are very different. Uniformity of temperature is still found but the temperature itself is naturally much lower. The highest temperature experienced during the thirteen years 1925-1937 at Fraser's Hill (4,200 feet) was 81°F . and at Tanah Rata, Cameron Highlands (4,750 feet), 79°F . The coolest night at Fraser's Hill during this period was 53°F . and at Tanah Rata 36°F . or only 4°F . above freezing point.

The general character of the winds of the Peninsula has already been outlined. Apart from the North-East Monsoon the surface winds are very light. The North-East Monsoon itself rarely, if ever, reaches gale force except in gusts, but between April and November the west coast is liable to be struck by violent squalls known as "Sumatras". Being squalls they are of short duration but until they have passed winds up to 65 miles per hour may be experienced. A "Sumatra" is usually experienced as a sudden change of wind direction from South to West, or North-west, together with a sudden rise in wind speed from perhaps ten miles per hour to thirty or forty miles per hour. This is accompanied by a sudden small rise in the barometer and a sudden fall of temperature which may be as much as 15°F . The whole change takes place in a few seconds and happens simultaneously along a more or less straight line which may be 200 miles or more in length. This line runs approximately from North-west to South-east and the whole squall moves in a north-easterly direction at a speed corresponding to the speed of the squall wind.

APPENDIX II

STATEMENT OF EXPENDITURE FOR THE YEAR 1948

HEADQUARTERS.		\$	c.	\$	c.
1.	Personal Emoluments, M.E.O. ...	23,086	12		
	Personal Emoluments, Non-M.E.O. ...	10,557	15		
2.	Cost of Living Allowance ...	17,288	54		
3.	Expatriation Allowance ...	4,478	15		
4.	Instruments, Materials and Stationery ...	394	00		
5.	Meteorological Investigations ...	316	50		
6.	Miscellaneous ...	312	79		
7.	Printing of Records and Researches ...	5,000	00		
8.	Purchase and binding of Periodicals and Books ...	—			
9.	Telephones and Telegrams ...	665	22		
10.	Transport and Travelling ...	5,981	27		
11.	Office Equipment ...	983	40		
12.	Installation of New Equipment ...	1,580	98		
				70,644	12
SINGAPORE.					
1.	Personal Emoluments, M.E.O. ...	24,289	03		
	Personal Emoluments, Non-M.E.O. ...	18,027	80		
2.	Cost of Living Allowance ...	27,957	41		
3.	Expatriation Allowance ...	6,062	90		
4.	Instruments, Materials and Stationery ...	1,877	27		
5.	Miscellaneous ...	130	69		
6.	Telephones and Telegrams ...	10,379	13		
7.	Transport and Travelling ...	132	87		
8.	Wireless Services ...	119,613	73		
9.	Cocos Island Weather Reports ...	1,620	35		
				210,091	18
FEDERATION OF MALAYA.					
1.	Personal Emoluments, Non-M.E.O. ...	48,847	15		
2.	Cost of Living Allowance ...	27,408	65		
3.	Rent Allowance ...	713	35		
4.	Incidental Expenses ...	1,179	53		
5.	Instruments, Materials and Stationery ...	76,874	14		
6.	Rent ...	130	00		
7.	Telephones ...	7,837	20		
8.	Transport and Travelling ...	4,603	61		
9.	Upkeep of Meteorological Stations and Quarters ...	7,486	81		
10.	Wireless Services ...	9,929	84		
11.	Training of Meteorological Observers ...	3,181	54		
12.	Installation of Equipment ...	2,963	67		
13.	Furniture for Stations and Quarters ...	5,837	50		
				196,992	90
				TOTAL ...	477,728 29

Annex 17

Malayan Naval Force Ordinance 1948
(Colony of Singapore)



COLONY OF SINGAPORE.

No. 40 of 1948.

I assent,

(LS)

F. C. GIMSON,
Governor and Commander-in-Chief.

24th December, 1948.

An Ordinance to provide for the establishment and maintenance of a Force styled the Malayan Naval Force and for matters incidental thereto.

It is hereby enacted by the Governor of the Colony of Singapore with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Malayan Naval Force Ordinance, 1948. Short title.

2. In this Ordinance unless the context otherwise requires— Interpretation.

“the Admiralty” means the Lord High Admiral of the United Kingdom for the time being or the Commissioners for the time being for executing the office of Lord High Admiral of the United Kingdom;

“Federal Citizen” means a Federal Citizen as defined by any written law for the time being in force in the Federation of Malaya;

“Flag Officer” means the Flag Officer, Malayan Area, for the time being;

“the Force” means the Malayan Naval Force raised under this Ordinance;

“instructor” means any person appointed under section 8 of this Ordinance to serve as an instructor to the Force;

“member of the Force” means any person accepted for service in the Force;

“officer” means any officer appointed to the Force under section 8 of this Ordinance;

“rating” means any member of the Force not being an officer or instructor;

“Secretary of State” means one of His Majesty’s Principal Secretaries of States;

“the Senior Officer” means the Senior Officer, Malayan Naval Force, appointed to be in executive command of the Force.

Establishment of a Malayan Naval Force.

3. It shall be lawful for the Governor to raise and maintain a force for the naval defence of the Colony within its territorial waters to be called the Malayan Naval Force.

Force to be established and maintained at the expense of the Colony.

4. The Force shall be raised and maintained at the expense of the Colony out of moneys provided by the Legislative Council.

Period of engagement.

5. Every person entered in the Force other than officers and instructors shall be entered for such a term of engagement as may be prescribed.

Force to consist of units.

6. The Force shall consist of such units as the Governor may from time to time by notification in the *Gazette* appoint.

Constitution of the Force.

7. The Force shall consist of such numbers of officers and men as the Governor may from time to time decide.

Officers and instructors.

8.—(1) Officers and instructors may be appointed to the Force by the Secretary of State and shall serve on such terms as the Governor, subject to the approval of the Secretary of State and, in the case of officers on the active list of the Royal Navy, of the Admiralty, shall from time to time determine.

(2) Officers of the Force, other than officers appointed under sub-section (1) of this section, shall receive either commissions or warrants from the Governor. Such

officers shall serve on such terms as the Governor shall from time to time determine and such commissions or warrants shall not be deemed to be vacated by the death or retirement from office of the Governor by whom the same were issued.

9. Members of the Force shall be entitled to such pay and allowances as may be prescribed. Pay and allowances.

10.—(1) The Force shall be under the orders and direction of the Flag Officer who shall be responsible to the Governor for the naval administration, discipline, training and operation of the Force. Command of the Force.

(2) The executive command of the Force shall be vested in the Senior Officer appointed as such under sub-section (1) of section 8 of this Ordinance who shall be responsible to the Governor in matters of local administration affecting recruiting, promotion, conditions of service, works, repairs and finance.

11. Every male person who is a British subject or a Federal citizen shall subject to the provisions of this Ordinance and of any regulations made thereunder, be eligible for entry into the Force. Persons eligible for entry.

12. The Governor may at any time, with the approval of the Secretary of State, terminate the appointment of any officer or instructor without notice. Governor may dispense with services.

13. The Senior Officer may discharge any rating on the grounds of misconduct, neglect of duty or incompetence. Senior Officer may discharge.

14. The Flag Officer may cause any member of the Force to serve and to be instructed and trained on shore or on board any ship or vessel or partly on shore and partly on board any ship or vessel within the limits of the Colony and of the territorial waters thereof. Service.

15. Any person who wilfully obstructs any portion of the Force or any member thereof in the performance of any service or duty under this Ordinance or regulations made thereunder shall be guilty of an offence. Obstructing the Force.

16. Any person who—

(a) agrees with, or induces or attempts to induce any member of the Force to neglect or to act in conflict with his duty as a member of the Force; or Obstructing the Force and aiding or inducing members of Force to dereliction of duty.

(b) is a party to, or aids or abets, or incites to the commission of any act of indiscipline or any

act whereby any lawful order given to any member of the Force or any law or regulation with which it is the duty of any member of the Force to comply, may be evaded or infringed; or

- (c) supplies or is a party to supplying any member of the Force with intoxicating liquor when such member is prohibited by any orders or instructions from receiving or taking intoxicating liquor,

shall be guilty of an offence.

Organisa-
tion, con-
ditions of
service,
etc., to be
prescribed
by regula-
tions.

17. Without prejudice to the provisions of this Ordinance the government, organisation, administration and training of, and the qualifications for entry into and conditions of service in, the Force shall be prescribed by regulations made by the Governor. Such regulations may in particular provide for all or any of the following matters or things—

- (a) the numerical establishments of units of the Force and the grades, ranks and ratings therein;
- (b) the seniority of officers of the Force and the appointment to, promotion to and tenure of commissioned or warrant rank in the Force;
- (c) the advancement to or reversion from petty officer rating of members of the Force;
- (d) the conditions as to physical fitness required of members of the Force and of persons applying for entry into the Force;
- (e) the manner in which, and the conditions subject to which persons desiring to enter the Force may offer themselves under this Ordinance and the form of engagement to be completed by such persons;
- (f) the classes of persons eligible for entry into the Force;
- (g) the establishment and conduct of institutions for providing recreation and refreshment to members of the Force;
- (h) the requisitioning of goods or accommodation in time of war or emergency;
- (i) any matter or thing which under this Ordinance is to be prescribed;
- (j) generally for the better carrying out of the provisions of this Ordinance.

18. The Senior Officer may with the approval of the Governor make orders consistent with this Ordinance providing generally for the equipment, general organisation and administration of the Force. Senior Officer may make orders.

19. Any person who is guilty of an offence under this Ordinance for which no special penalty is provided shall be liable on conviction to a fine not exceeding five hundred dollars and in default of payment to imprisonment for a term not exceeding three months. Penalties.

20. All members of the Force if acting *bona fide* and in the course of their duty shall be exempt from all Ordinances providing for the possession, carrying or storage of fire-arms, ammunition or explosives. Exemption from certain civil liabilities.

Passed this 21st day of December, 1948.

L. W. DONOUGH,
Clerk of Councils.

Annex 18

Malayan Naval Force and Defence Ordinance 1949
(Colony of Singapore)



COLONY OF SINGAPORE.

No. 13 of 1949.

I assent,

(LS)

F. C. GIMSON,
Governor and Commander-in-Chief.

28th April, 1949.

An Ordinance to establish a Malayan Naval Force for the Naval Defence of the Colony.

Whereas by the Colonial Naval Defence Acts, 1931 and 1949, it is provided that the legislature of any colony may, with the approval of His Majesty in Council, make provision, either in conjunction with any other colony or territory in which His Majesty has jurisdiction, other than a territory for the time being administered by His Majesty's Government in a Dominion within the meaning of the Statute of Westminster, 1931, or not, for maintaining vessels of war; and that where the legislature of any colony has made provision for raising a force for the naval defence of the colony within its territorial waters, that legislature may, with the approval of His Majesty in Council, further make such provision regarding the discipline and service of officers and men of that force as is contained in this Ordinance:

And whereas by the said Act it is further provided that His Majesty in Council may, on such conditions as he thinks fit, authorise the Admiralty to accept any offer made by the Government of a colony to place at

His Majesty's disposal for general service in the Royal Navy, vessels of war maintained, or officers or men of such force as aforesaid raised, by the Colony :

And whereas by the Malayan Naval Force Ordinance, 1948, provision has been made for raising and maintaining a force for the naval defence of the Colony called the Malayan Naval Force :

And whereas by an Order of His Majesty in Council dated the 28th day of January, 1949, intituled the Malayan Naval Force Order, 1949, approval has been given to the making by the legislature of the Colony of Singapore of provision as aforesaid :

It is hereby enacted by the Governor of the Colony of Singapore with the advice and consent of the Legislative Council thereof as follows :—

- Short title** 1. This Ordinance may be cited as the Malayan Naval Force and Defence Ordinance, 1949, and this Ordinance and the Malayan Naval Force Ordinance, 1948, may be cited together as the Malayan Naval Force and Defence Ordinance, 1949.
- Interpre-
tation.** 2.—(1) In this Ordinance "The Force" means the Malayan Naval Force raised under the Malayan Naval Force Ordinance, 1948.
- (2) This Ordinance shall be construed as one with the Malayan Naval Force Ordinance, 1948.
- Vessels of
War.** 3.—(1) The Governor in Council may provide for maintaining and using vessels of war either in conjunction with any other Colony or with the Federation of Malaya, or independently.
- (2) The Governor in Council may, by agreement with such other Colony or the Federation of Malaya, if any, offer to place at His Majesty's disposal for general service in the Royal Navy any vessel of war so maintained.
- Service and
training
outside
Colony.** 4. Officers and men of the Force shall be liable to service and training in any ship, establishment or other place without the limits of the Colony or its territorial waters whether belonging to the Colony or not.
- Enactments
and Regu-
lations of
Royal Navy
to apply to
Malayan
Naval
Force.** 5. All the enactments and regulations for the time being in force for the enforcement of discipline in the Royal Navy shall apply, with the modifications set out in the Schedule to this Ordinance, to the officers and men of the Force whether ashore or afloat or within or without the limits of the Colony.

MALAYAN NAVAL FORCE [13 OF 1949]
AND DEFENCE

3

6. All or any of the officers and men of the Force may be entered into the Force on the express terms of accepting general service in the Royal Navy in case of emergency.

Entry for service with Royal Navy in emergency.

7. The Governor in Council may offer to place at His Majesty's disposal for general service in the Royal Navy in case of emergency all or any officers and men of the Malayan Naval Force.

General service of the Malayan Naval Force in Royal Navy.

SCHEDULE.

(Section 5).

1. Where in the Naval Discipline Act and in the King's Regulations and Admiralty Instructions, in so far as the same are applicable to the officers or men of the Force any power or duty is vested in or imposed upon the Admiralty, such power or duty shall, in respect of the Force, be vested in, exercised or performed by the Governor.

2. Where not inconsistent with the subject matter of the Naval Discipline Act, the word "Colony" shall be read in place of the words "England" or "United Kingdom" or "United Kingdom of Great Britain and Ireland" wherever they occur.

3. All regulations and orders made under sections 17 and 18 of the Malayan Naval Force Ordinance, 1948, shall be deemed to modify the regulations and orders of the Royal Navy where they conflict with the said regulations and orders.

4. Commissioned and Warrant Officers on the active list of the Royal Navy lent for duty with the Force will for the purpose of command rank as officers superior to locally commissioned or local warrant officers of the same rank.

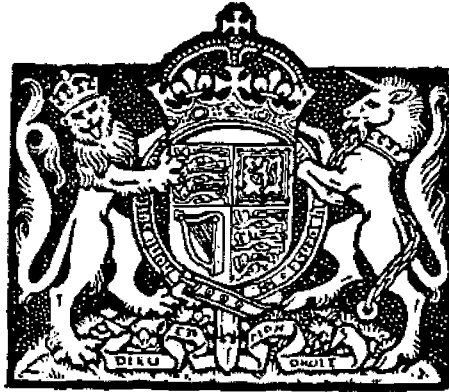
5. Instructors on the active list of the Royal Navy lent for duty with the Force will for the purpose of command rank as officers superior to all locally recruited ratings.

Passed this 12th day of April, 1949.

L. W. DONOUGH,
Clerk of Councils.

Annex 19

Annual Report of the Malayan Meteorological Service 1949



ANNUAL REPORT OF THE MALAYAN METEOROLOGICAL SERVICE, 1949

BY

H. B. F. MOORHEAD,
Director,
Malayan Meteorological Service

PRINTED AT THE GOVERNMENT PRINTING OFFICE, SINGAPORE,
BY V. C. G. GATSELL, GOVERNMENT PRINTER

1950

ORGANIZATION

The Headquarters office is responsible for the administrative work within the department and the climatological work of the Federation and Singapore. The number of enquiries for meteorological information from other Government departments, private firms and individuals was varied but considerable, and in many cases entailed the analysis of large quantities of data.

The principle of maintaining one Forecast office at Kallang airport to serve both the needs of the Federation and Singapore was continued because sufficient senior officers were not available to staff two offices. With the continual expansion of civil flying and the possible diversion of traffic from Tengah to Kallang it is improbable that this one forecast office can continue to meet the needs of civil aviation for the region as a whole. The region must now be taken to include the Borneo territories. Under the existing system there are certain peak or rush hours during the day when the meteorological requirements for flying reach a maximum; the chief of these periods is that covering dawn departures of aircraft. While it may be possible to serve the immediate increase in future requirements by "doubling up" the staff at these periods, such an arrangement will not prove satisfactory and cannot be extended beyond a reasonable limit. The need for the establishment of a dependant forecast office elsewhere in Malaya must be accepted as a necessity in the near future.

WEATHER MAP

The weather map at the Forecast office, Kallang, covers an area which extends over 3,500 miles, *i.e.* from Japan in the East to Aden in the West. This synoptic map is plotted from information supplied by a large number of observing stations from many countries. The main hours for the taking of these reports are fixed at standard times throughout the area, these being 0130, 0730, 1330 and 1930 hours local time. Intermediate hours of observation are 0430, 1030, 1630 and 2230 hours, and certain of the more important stations issue hourly reports throughout the twenty-four hours. Generally speaking the amount of information now supplied from different countries shows a marked increase on that of the previous year, but there still remain certain isolated areas where the information is scarce and incomplete.

AVIATION SERVICES

The Forecast office at Area Control, Kallang, has been open throughout the twenty-four hours, but it was not possible to maintain a qualified meteorological officer on watch the whole time and the services of the duty forecaster were only available over the "dawn to dusk" period: during the remaining hours this officer was "on call". The Borneo territories lie within the Singapore Flight

Information Region. The opening up of services by Malayan Airways Limited, and Qantas Empire Airways to these countries, has increased the work of the forecast office, which is required to provide information and advice over relatively new and extensive areas where observations are sparse and, in the early stages, were incomplete.

During the past two years there has been a gradual but noticeable increase in the height at which civil aircraft operate in this region with the result that it is difficult to provide the necessary information of upper conditions to heights of 20,000 feet. As a temporary measure it is proposed to try to obtain upper wind information at greater heights by using larger balloons and increased lift. Preliminary enquiries have been instituted in regard to the provision of radar wind finding equipment. The setting up and operation of this equipment will entail expert technical advice and considerable funds will be required to put any programme into operation.

SHIPPING

During the year there has been a gratifying increase in the number of ships reporting regularly to Penang and Singapore. This improvement is attributed primarily to instructions issued to British shipping in the Marine Observer's guide through the courtesy of the Meteorological Office, London.

Shipping forecasts were issued daily for the Straits of Malacca, Gulf of Siam, South China Sea (West), and South China Sea (East). Similar information was also made available to the naval authorities.

SUMMARY OF FORECASTS

A summary of forecasts issued from Singapore during 1949 is as follows:—

Forecasts to aircraft crews (briefing)	..	..	3,065
Forecasts to aircraft in flight	..	..	1,572
Forecasts to Malayan stations (for aircraft)	..	..	2,476
Shipping forecasts	..	..	1,096
Analysis	..	..	365
Advisory forecasts to Darwin	..	..	1,195
Advisory forecasts to Batavia	..	..	1,858
Advisory forecasts to Bangkok	..	..	1,735
Advisory forecasts to Rangoon	..	..	65
Advisory forecasts to Hongkong	..	..	328
Advisory forecasts to Calcutta	..	..	1,138
Advisory forecasts to Colombo	..	..	296
Advisory forecasts to Saigon	..	..	102
Advisory forecasts to Borneo Territories	..	..	158
Miscellaneous forecasts to aviation	..	..	42
			15,491

This figure shows an increase of 3,607 forecasts over the previous year or approximately thirty per cent.

GENERAL WEATHER OF MALAYA

Rainfall averages about one hundred inches a year, though the annual fall varies considerably from place to place and year to year.

Jelebu, in Negri Sembilan, recorded the least rainfall in 1949 with a total of 76.34 inches and Kampar, in Perak, the most with 175.35 inches.

The average maximum temperature in the plains is rather less than 90° F and the minimum about 70° F. At the hill stations temperatures are considerably lower: at Cameron Highlands the extremes for 1949 were 78° F and 46° F, and at Fraser's Hill 79° F and 56° F. More detailed rainfall and temperature figures are shown in Appendix II.

Kuala Lumpur conditions during 1949

The annual rainfall for the year 1949 was 100.50 inches against a normal of 94.54 inches. The wettest month was October with 12.83 inches. The driest month was January with 0.82 inches. The highest temperature 96° F was recorded on 1st January and again on 9th March.

Singapore conditions during 1949

The annual rainfall for the year was 93.38 inches against a normal of 94.99 inches. The wettest month was December with 12.56 inches of rain. The driest month was March with 2.91 inches of rain. The highest temperature was 94° F on 23rd March and 6th April. The lowest temperature was 71° F on several occasions.

METEOROLOGICAL STATIONS

The number of first order meteorological stations remains unchanged at sixteen and nine of these are adjacent to, or actually on, aerodromes. The station offices at Kuala Lumpur and at Kota Bharu are in temporary buildings so that it has not been practicable to set up all the recording instruments or to decide on the permanent site for the instrument enclosure.

With the exception of the two stations named above a continuous record is maintained of the following elements by autographic instruments:—

Wind, direction and speed	Rainfall
Temperature	Sunshine
Relative Humidity	Barometric pressure

These records of autographic instruments have to be supplemented and controlled by eye observations at fixed hours. The full programme of fixed hour observations, to fit in with international times for synoptic weather reports, would require observation at three hourly intervals throughout the twenty-four hours. At most

Malayan stations, however, it was only possible to conform to the following hours 4.30 a.m., 7.30 a.m., 10.30 a.m., 1.30 p.m., 4.30 p.m. and 7.30 p.m. To comply with I.C.A.O. requirements an endeavour was made to carry out a full twenty-four hour reporting system at Bayan Lepas, Penang. While this service was maintained throughout almost the full year there were short periods when, owing to sickness, the programme had to be temporarily abandoned. At Kallang observing station it was necessary for the essential duties to be taken over by the Forecast office staff during the night hours. The observations taken at these fixed hours comprised readings of the barometer, dry and wet bulb thermometers and rain gauge, together with detailed observation of the general weather, the type, direction and speed of clouds at different heights and the visibility.

Pilot balloon observations were carried out twice daily at Penang, Kota Bharu, Port Swettenham and once a day at Kuantan. At Singapore two daily ascents were made. To meet local requirements and to conform to international standards it will be necessary to increase the number of pilot balloon observations to four a day at four stations in Malaya. It is of interest to observe that a pilot balloon was followed to the unusual height of 70,000 feet by the observing staff at Kota Bharu in April. A total of 41,101 weather reports and 2,128 forecasts were sent out to aircraft. The figure of 41,101 weather reports compares with 28,436 for 1948, an increase of over forty per cent. Of these 41,101 reports just under half were issued from Kallang.

As in previous years the inspections of outlying stations by senior officers of the Survey Department have been of great assistance.

Surface weather reports and pilot balloon reports were received regularly throughout the year from Cocos, Keeling Island, where the observations are carried out by the staff of Messrs. Cable and Wireless, Limited. Such reports are of great value, both from the point of view of synoptic meteorology and climatology. During the past year these messages were of special significance on account of "proving" flights from Australia to Africa undertaken by Qantas Airways, Limited and also during the operation of an air service by K.L.M. for a short time across the Indian Ocean to Java.

AUXILIARY STATIONS

A start has been made in the re-equipping of these auxiliary stations throughout Malaya and meteorological equipment has been supplied to many hospitals throughout the country where regular observations of temperature and rainfall are now being made twice daily: records from these stations will prove of considerable value for an increased climatological knowledge of the country. Forty-two of these auxiliary stations have been set up, and this

compares favourably with the pre-war number of forty-seven. In addition rainfall reports are received from approximately fifty voluntary rainfall stations.

TRAVEL BY AIR

The recent decision to permit junior officers in the Federation of Malaya, proceeding on duty to the East coast, to travel by air has made the position much easier in regard to the provision of reliefs to meet normal leave and sickness movements. This is particularly the case in respect of meteorological stations at the airfields at Kuantan and Kota Bharu when officers have to be transferred from the West coast—the long and uncomfortable journey by road being an unwelcome feature during existing conditions.

CO-OPERATION

New International Codes and Station Index numbers designed to give greater uniformity throughout the world were introduced on 1st January, 1949. A great deal of work had first to be done in the preparation of instructions, manuals, forms and in training of personnel by all national meteorological services. The change over was effected smoothly and with the minimum of dislocation of services.

During the year Dr. C. A. Lea, Assistant Director, was designated as the Malayan representative on the international Commission for Aeronautical Meteorology.

The operation of air services to Sarawak and North Borneo called for improved meteorological facilities in those territories. The Malayan Meteorological Service was able to assist with the loan of essential equipment, the setting up of instruments and with the training of personnel towards the establishment of three observing stations in Sarawak and three in North Borneo: two of the North Borneo stations and one of the Sarawak stations make pilot balloon observations.

The establishment of these reporting stations has filled a long felt want in regard to synoptic meteorology in Region II (Asia) and the information now made available is of value not only to local air services but to forecasting services in adjacent countries. While the existing arrangement serves the immediate requirements, some more permanent system in regard to technical organization and supply of equipment will be necessary in the near future.

PUBLICATIONS

The printing of meteorological records was held over during the war for reasons of secrecy and economy, and in consequence a considerable back log of data has accumulated. The printing and distribution of all surface observations up to the end of the year 1941, the last war year for which records are available, has been completed. The next "Annual Summary of Observations" to be printed will cover the year 1946.

The printing and distribution of the "Monthly abstract of Meteorological observations" was resumed in May, and provides a means of supplying essential up to date information on temperature and rainfall throughout the country to interested departments and commercial firms.

A scientific paper entitled "The Equatorial Convergence Lines of the Malayan—East Indies Area" was written by Mr. I. E. M. Watts, Meteorological Officer, which paper was printed as "No. 3 Memoirs of the M.M.S.". A second paper "The Properties of the Upper Air over Singapore" by Mr. I. G. John was completed later in the year and will be published in 1950. It is a matter of great satisfaction that these papers should have been written at a time when the need for research in tropical meteorology is becoming of major importance, which need will increase considerably with the advent of fast high flying aircraft.

STAFF

The position in regard to senior officers showed improvement towards the end of the year and it is probable that most difficulties in this respect will be overcome in the near future.

The substitution of a number of assistant meteorological officer posts for meteorological officer posts on both the Federation and Singapore establishments has so far proved satisfactory. Six of these assistant meteorological officer posts in Division I were created and it is pleasing to state that the filling of the first of these appointments was effected by the promotion of Mr. K. C. Koruthu within the department; a second local appointment was that of Mr. Hwang Tiaw Sooi. Mr. W. G. Midowicz was appointed later in the year.

Mr. K. V. W. Nicholls, Meteorological Officer, was transferred to East Africa, his place being taken by Mr. P. Peterson who arrived in October.

Mr. I. G. John, Meteorological Officer, who had been in charge of the Forecast Centre at Kallang went on leave in October.

Recruitment to the junior grades has proved difficult, and although a number of candidates have come forward for interview in reply to advertised vacancies the position does not show much improvement. The net increase during the year was only two. There were three resignations.

Technical Staff at the end of the year stood as follows:—

	Headquarters	Federation	Singapore	Total 1949	Total 1948
DIVISION I					
Director	1	—	—	1	(1)
Assistant Director ..	1	—	—	1	(1)
Meteorological Officers ..	1	1	2	4	(5)
Assistant Meteorological Officers	—	1	2	3	(—)
DIVISION III					
Assistants and Cadets ..	4	19	7	30	(26)
Junior Technical Assts. ..	2	30	8	40	(42)

CONCLUSION

The shortage of senior and junior personnel which was such a difficult feature of 1948, continued throughout most of 1949, but the stress should now be laid on the need for junior staff. Service in the meteorological department has disadvantages, which to a certain extent discourage applicants who have the choice of several Government departments in which to enter. Many of the meteorological stations are far from towns, with consequent difficulty in regard to food, transport, accommodation, schooling, etc. and in addition, night duty and liability for service in both the Federation and Singapore are unpopular. Isolated applications have, however, increased and there is reason to hope that recruitment will improve in the next few months.

The immediate aim must be the expansion of the Forecast Office and the observing station at Kallang to enable them to deal fully with all aircraft requirements likely to be needed. Similarly certain meteorological stations in the Federation, notably Kuala Lumpur, Bayan Lepas, Kota Bharu and Kuantan must be in a position to supply increased information.

It has been possible during the past year to provide the bare essential services to aviation and to augment these services when absolutely necessary. To do this it was necessary at times, to utilise new personnel before they had completed a satisfactory period of training. For this reason it will be necessary to concentrate at an early date on raising the existing standard of efficiency by an intensive system of training and inspection, as soon as a senior officer can be spared to supervise this work.

When the consolidation of the existing services for aviation is effected the department will be in a position to undertake new investigation of problems connected with the needs of high and fast flying civil aircraft, which will be many and varied.

APPENDIX I

A SHORT HISTORY OF THE MALAYAN METEOROLOGICAL SERVICE

The earliest Malayan meteorological observations of which we have any knowledge are rainfall measurements which were made in Singapore in 1820. These observations were continued for five years and, so far as is known, were then stopped. A new series, very short-lived, was commenced after an interval of about fifteen years but it was not until the year 1869 that regular routine observations of pressure, temperature and rainfall were made. Since that time Singapore has, in one way or another, had a continuous record of these elements. This is the longest known series of observations in any part of Malaya, covering almost eighty years. Similar observations were instituted at Penang and Malacca in 1883. These stations were maintained by the Medical Department of the Straits Settlements, and they most probably had their origin in an effort on the part of the health authorities to observe any connection there might be between weather and epidemics. We find the Medical Department in the Malay States about this time also making itself responsible for meteorological observations. Kuala Lumpur was the first station to be commenced in 1879. In 1887 Seremban and Klang records commenced and in 1888 stations were started at Telok Anson, Batu Gajah, Kuala Kangsar, Taiping, Kuala Langat and Parit Buntar. Year by year the number of hospitals at which these observations were made was increased and by 1906 twenty-six hospital stations were making regular observations in the Federated Malay States. In 1907 the first station to be opened in a State outside the Federation, Alor Star, commenced observations. By 1915 Kedah had six stations, Johore six and Kelantan one, at Kota Bharu. Most of these stations still continue their observations at the present time. In addition to these stations which were maintained by the different Governments, numbers of rainfall stations were established privately, principally on rubber estates.

While this network of observing stations represented a very considerable effort in establishment and maintenance, it could not by any means be described as a meteorological service. Each administration carried on its observations without reference to any other; it may almost be said, in fact, that each station was carried on independently of any other. The observations were limited to those required for climatological purposes, and even inside this restricted sphere the data obtained were far too limited. There is no doubt that the observations were taken conscientiously by the various observers, but in the absence of any central control no attempt was made to ensure that they were made under standard conditions. It was only in the Straits Settlements that anything was observed beyond temperature and rainfall and even here much of the information recorded has been found to be not sufficiently reliable for use, particularly in regard to the observations of weather details. It is not conceivable, for example, that the average amount of cloud should be the same at 9 a.m., 3 p.m. and 9 p.m. not only for each observing hour but without variation throughout the year, yet such were the observations at one station, recorded and published. In the Malay States generally no daily record of weather phenomena was kept, and it is difficult to imagine how they could be kept adequately by observers whose meteorological duties were an addition to a normal day's work in another capacity.

With this system it is doubtful whether even the nucleus for a daily weather service existed. Above all, the need existed for unification over the whole Peninsula, so that with uniform exposure, uniform observation times and uniform methods, at least the records for any station would be comparable with those for any other station.

The first active steps towards unifying meteorological work in the Peninsula were taken about 1920 or 1921 and they were the result of a scheme which was being considered by the Government of the Federated Malay States for the establishment of a large hill station on Gunong Tahan, in Pahang. The anticipated expenditure on this scheme was of such magnitude that it was decided as a preliminary measure to obtain two years' climatological observations on the mountain, all due precautions being taken to ensure that these observations should be of the highest possible quality. With this object four trained observers were appointed specially from England in 1921 for the two years; at the end of this time one of these four, Mr. S. G. G. Kelliher, was re-appointed temporarily to

analyse the records. In the meantime Mr. H. C. Robinson, Director of Museums, who was in charge of the Gunong Tahan observations and who had a very great personal interest in the meteorology of Malaya, took the opportunity to impress once more on the Federated Malay States Government the unsatisfactory state of the meteorological stations. He suggested at the same time that Mr. Kelliher's services should be retained with the object of exercising a general supervision and control of these stations. In this matter he obtained the support of Sir George Maxwell, Chief Secretary to Government, with the result that Mr. Kelliher was appointed to the staff of the Museums Department as Meteorological Observer in 1924, this being the first purely meteorological appointment made in Malaya. Through the co-operation of Dr. Gilbert Brooke, Chief Health Officer in Singapore, the agreement of the Government of the Straits Settlements was obtained for Mr. Kelliher's supervision to be extended to include the stations in the Straits Settlements also.

The Meteorological Observer's duties at this time were principally concerned with overhauls of all the working stations, revision of the sites for proper exposure, replacement of defective apparatus and instruments and instruction of the observers. This in itself was a considerable undertaking, but with a fulltime officer in charge, it went forward steadily. Mr. Robinson was well aware, however, that the standardising of the equipment and observing of the existing stations was only part of what was necessary and he put forward tentative proposals for certain extensions which included a number of stations with paid observers and full-time computers. These proposals were not accepted at the time and a year or two later, after he had retired from Malaya he issued a pamphlet in collaboration with Sir George Maxwell, who had also retired, putting forward a comprehensive scheme for a Malayan Meteorological Service, including the appointment of a European scientific officer to direct it. In Malaya itself, however, this same question had been under consideration by Mr. V. A. Lowinger, the Surveyor-General, and, about the same time he produced a detailed plan for the establishment of an all-Malayan service to include seventeen first-order stations, manned each by two paid full-time observers, the whole to be directed by a Superintendent to be specially appointed in Great Britain. This plan was eventually accepted by all the Malayan Governments; at the beginning of 1927 the whole responsibility for meteorology in Malaya was transferred to the Surveyor-General, and the Meteorological Branch, Survey Department, was created as a Malayan unit.

The Meteorological Officer, Mr. Kelliher, had been in Great Britain for the greater part of the year 1926, and he had spent some months of this period at various establishments of the British Meteorological Office in order to gain practical knowledge with regard to modern equipment and methods. With this experience as a guide the establishment of the seventeen main stations of Mr. Lowinger's scheme was commenced in 1927 and by the end of March, 1930, the whole of the seventeen were completed and working, each with two full-time resident observers.

In June 1929, shortly before the completion of the last two or three of these stations, a senior scientific officer of the British Meteorological Office, Mr. C. D. Stewart, was appointed Superintendent of the Meteorological Branch, and, the end of the first stage of material development having been reached, attention was now given to founding the organisation necessary for a meteorological service capable of providing reliable information with regard to climate, daily weather and the specialised requirements of aircraft. A headquarters office was established in Singapore at the beginning of 1931 and steps were taken to obtain three more scientific officers from England of whom one took up his duties in November, 1931, and two more in March, 1932. In the meantime a telegraphic organisation for synoptic reports was commenced, charts being prepared twice daily in Singapore. Systematic forecasting was not yet practicable, although special forecasts were made for the Royal Air Force in Singapore from time to time.

The year 1933 saw the initiation of regular services for aviation. With the commencement of the Imperial Air Mail Services to Singapore, the increase of the Royal Air Force and the Holland-Java air services it became necessary to establish routine aircraft reports, including route forecasts before flight, and wireless reports to aeroplanes in flight of weather conditions in the vicinity of the chief landing grounds. It was during this year also that an important principle was accepted, namely, that, as far as possible, official meteorological stations should be established near the principal aerodromes.

Conferences were held early in 1935 in Bangkok and Batavia which resulted in the rapid establishments of daily international broadcasts of observations from Siamese and Netherlands Indies stations. The absence of reports from these countries both of which are on the main air-route had hitherto been a great handicap in dealing with air services. Malayan broadcasts had already been in operation for some time. Towards the end of this year the new standing of the Malayan Meteorological Service in international meteorology was recognised by the election of the Superintendent to the International Meteorological Committee.

During this period of development from 1929 onwards the responsibility for and control of the technical side of the work was naturally transferring itself from the Surveyor-General to the Superintendent and in 1937 it was decided that the functions of the latter officer were better denoted by the title of Director, Malayan Meteorological Service, and this change was accordingly made in 1938.

In 1937 the Singapore Civil Airport was opened for traffic and a large office in the terminal building was allotted to the Meteorological Branch. The whole of the daily weather service, forecasting and aviation, was removed to this office, and the work of the department was re-constituted in two divisions, forecasting and aviation at the Airport and climatology at the headquarters office in Singapore, each in charge of a senior officer; a separation which had not proved practicable while all the work was being done in the one office.

In October 1938 the Director, Mr. C. D. Stewart, who was largely responsible for the development of the Meteorological Branch, proceeded on leave prior to retirement Commander H. B. Moorhead, R.N. (retired) was appointed Director and assumed duty in December 1938.

With the outbreak of hostilities in Europe the broadcasts of meteorological information in international code ceased and the issue of meteorological data to the public was forbidden. Wireless broadcasts of synoptic information were, however, made in confidential code for the use of neighbouring British Empire and Allied countries.

Up to the beginning of 1941 the whole of the forecasting for Malaya continued to be carried out at the Civil Airport, Kallang. From this office were issued all forecasts, both routine and special, for the Navy, Army and Air Force and civil aviation. In order to prepare for increased demands which would be made in the event of hostilities in the Far East, both senior and junior staff were loaned from the Survey Department for training in forecast and observation work.

In May 1941 the R.A.F. requirements in Northern Malaya increased to such an extent that the establishment of a second forecast office at Kota Bharu became essential. Early implementation of plans enabled this office to function by September. To assist further with large R.A.A.F. commitments the Director of the Commonwealth Meteorological Service in Australia offered to supply two meteorological forecast units to supplement Malayan staff. This offer was accepted, but time did not permit the units to arrive in the area until after the commencement of the Far Eastern War. The first unit was established at Sembawang, but moved to the N.E.I. in January 1942.

With the start of the war with Japan all meteorological staff at the Forecast Office, Kallang airport were moved to Air H.Q. Far East, as civilians: some two weeks later they were mobilised and embodied in the Malayan Volunteer Air Force. Mr. Grimes, Meteorological Officer, was in charge of this section with the rank of Wing Commander. On the 10th February, 1942 the combined H.Q. at Sime Road was evacuated and the meteorological section of the Forecast office closed down.

Many of the meteorological stations and quarters in Malaya were situated on or adjacent to aerodromes; these latter were the object of early and repeated enemy bombing and machine gun attacks. In spite of the danger and other difficulties, great devotion to duty was shown throughout the period of active hostilities by the meteorological and survey personnel carrying out observing duties. Assistants continued to send off reports as long as communications remained opened. It was entirely due to the whole hearted co-operation of the staff and the initiative of the assistants in charge that the meteorological service was able to fulfill its functions to the R.A.F. and the military. The military authority concerned with "meteor telegram" reports stated later that he considered that the manner in which the issuing of information was continued to the anti-aircraft batteries up to the last hour preceding the surrender reflected great credit on the staff concerned.

In about April and May 1942, ex-meteorological assistants were instructed by the Japanese authority to report for work and in due course most of the observing stations were re-opened and records maintained throughout the period of the occupation. It was unfortunate that prior to their surrender the Japanese should have burned all their meteorological observations covering the period 1942-1945 inclusive, thus causing an irreparable break in the climatological records of the country.

Of the staff two senior officers and six junior officers died or were killed during the period of hostilities.

Immediately after the liberation of Malaya in September 1945, a rapid survey of all meteorological stations in the country was made by Dr. C. A. Lea who found that almost all the meteorological instruments and equipment in use pre-war had been destroyed or looted and that various station buildings and quarters had been demolished. A skeleton network of synoptic stations was organised and the necessary essential instruments were loaned by the R.A.F.

In July 1946 the Malayan Meteorological Service ceased to be a branch of the Survey Department and was constituted a separate department to serve both the Federation and Singapore. With the incorporation of Labuan in the Colony of North Borneo the meteorological station there ceased to be a responsibility of the Malayan Meteorological Service.

The years 1946 and 1947 were taken up with the establishment of the First Order stations throughout the country, this work being protracted owing to difficulties in supply of scientific equipment and transport.

Early in 1947 the Malayan Meteorological Service assumed responsibility for the forecast facilities at the Civil Airport at Kallang, but civil aviation requirements could only be met on a limited scale due to shortage of scientific staff. This shortage continued throughout 1948 and 1949. It was only possible to meet the needs of aviation by concentrating every effort in this direction, to the temporary detriment of climatological and other work associated with the department.

The increased requirements were clearly indicated by the number of reports issued to aircraft in Malaya; in 1938 this figure being 11,723 as against 41,101 for 1949.

The expansion of the department to meet modern requirements after the war even under normal peacetime conditions, would not have been easy. The fact that it was possible to reconstitute the service to deal with the large volume of air traffic was due, in no small extent, to the sound basic training of all members of the staff in the days before the war and the hard work and co-operation shown by them.

APPENDIX II

ABSTRACT OF METEOROLOGICAL OBSERVATIONS FOR THE YEAR 1949

	ALOR STAR				KOTA BHARU				BAYAN LEPAS, PENANG				KUALA TRENGGANU				IPOH				SITIAWAN			
	TEMPERATURE (°F)			Rainfall Totals (Inches)	TEMPERATURE (°F)			Rainfall Totals (Inches)	TEMPERATURE (°F)			Rainfall Totals (Inches)	TEMPERATURE (°F)			Rainfall Totals (Inches)	TEMPERATURE (°F)			Rainfall Totals (Inches)				
	MEANS OF		Mean of A and B		MEANS OF		Mean of A and B		MEANS OF		Mean of A and B		MEANS OF		Mean of A and B		MEANS OF		Mean of A and B		MEANS OF		Mean of A and B	
	Maximum	Minimum			Maximum	Minimum			Maximum	Minimum			Maximum	Minimum			Maximum	Minimum			Maximum	Minimum		Maximum	Minimum	Maximum	Minimum
January	91.3	71.1	81.2	0.05	72.5	71.0	71.8	80.0	73.4	81.2	2.00	72.3	70.0	71.2	2.07	92.1	70.8	81.5	4.25	88.5	71.9	80.2	4.83	
February	90.0	71.4	81.3	2.83	73.1	71.0	72.1	83.0	74.3	81.1	14.37	72.7	70.0	71.4	7.00	91.2	71.9	81.5	11.90	87.6	72.2	79.9	6.66	
March	93.5	71.7	82.6	5.60	72.4	71.0	71.7	80.2	74.7	81.9	6.35	72.3	70.0	71.2	4.03	93.3	72.0	82.7	6.36	80.2	72.7	80.0	3.74	
April	91.0	73.9	82.5	15.06	74.1	71.0	72.6	82.2	75.0	82.1	10.41	73.6	70.0	71.8	4.09	91.7	73.6	82.7	8.06	88.0	73.7	81.3	10.28	
May	88.0	75.1	82.0	12.39	74.0	71.0	72.5	87.9	75.3	81.6	9.50	74.0	70.0	72.0	6.77	92.2	73.5	82.9	10.88	89.3	73.6	81.5	4.17	
June	88.0	74.3	81.1	6.90	74.2	71.0	72.6	87.2	74.8	81.6	10.10	73.8	70.0	71.9	1.52	91.0	72.8	81.9	7.48	88.4	72.9	80.7	4.17	
July	88.6	73.6	80.1	11.43	73.5	71.0	72.3	86.2	74.0	80.1	17.09	72.5	70.0	71.3	3.64	90.9	72.0	81.5	10.04	87.6	72.1	79.9	7.52	
August	87.4	74.0	80.7	5.74	73.5	71.0	72.3	4.74	86.1	74.7	80.4	15.10	72.3	70.0	71.2	6.59	90.9	71.9	81.4	8.69	88.1	72.3	80.2	7.30
September	87.4	73.0	80.5	12.31	73.5	71.0	72.3	6.65	80.5	74.3	80.4	13.66	72.5	70.0	71.3	6.15	91.0	72.4	81.7	15.00	88.3	72.6	80.5	9.64
October	85.0	73.3	79.1	18.38	73.8	71.0	72.4	8.49	84.9	74.2	79.5	17.21	72.9	70.0	71.5	8.91	89.2	72.3	80.7	11.43	87.7	72.6	80.1	8.28
November	86.2	72.6	79.4	11.74	73.5	71.0	72.3	32.65	85.9	73.8	79.9	6.48	72.4	70.0	71.2	30.45	89.1	71.9	80.5	9.78	87.6	72.4	80.0	8.37
December	87.1	71.0	79.3	3.52	73.0	71.0	72.0	27.96	80.6	73.3	79.9	7.40	71.8	70.0	71.0	31.81	89.2	71.9	80.5	11.84	87.7	71.9	79.8	6.70
Mean:	88.9	73.0	80.9	..	73.5	..	..	..	87.1	74.4	80.7	..	72.7	..	..	91.0	72.3	81.7	..	88.2	72.6	80.4	..
Totals	105.75	112.17	130.33	113.12	114.21	83.76

APPENDIX II—continued

ABSTRACT OF METEOROLOGICAL OBSERVATIONS FOR THE YEAR 1949—continued

	KUALA LIPIS				KUANTAN				TEMERLOH				PORT SWETTENHAM				KUALA LUMPUR				MERSING			
	TEMPER- ATURE (°F)			Rainfall Totals (Inches)	TEMPER- ATURE (°F)			Rainfall Totals (Inches)	TEMPER- ATURE (°F)			Rainfall Totals (Inches)	TEMPER- ATURE (°F)			Rainfall Totals (Inches)	TEMPER- ATURE (°F)			Rainfall Totals (Inches)				
	MEANS OF		Mean of A and B		MEANS OF		Mean of A and B		MEANS OF		Mean of A and B		MEANS OF		Mean of A and B		MEANS OF		Mean of A and B		MEANS OF		Mean of A and B	
	Maximum	Minimum			Maximum	Minimum			Maximum	Minimum			Maximum	Minimum			Maximum	Minimum			Maximum	Minimum		Maximum	Minimum
January	86.1	70.0	78.1	5.08	86.3	69.6	77.9	3.31	71.1	72.2	4.02	90.8	71.3	81.1	3.35	91.3	72.1	81.7	0.82	82.2	74.3	78.3	10.00	
February	87.0	71.0	79.0	4.92	87.2	70.5	78.9	16.35	72.2	72.2	10.03	88.6	72.5	80.5	3.34	90.0	72.3	81.1	8.31	82.8	73.0	77.9	14.58	
March	89.7	71.6	80.7	2.90	90.0	70.1	80.1	5.97	72.7	72.7	4.46	90.4	72.1	81.3	8.13	91.5	72.8	82.1	12.65	85.5	73.4	79.5	2.48	
April	89.7	72.7	81.2	7.99	89.2	71.7	80.7	2.16	74.0	74.0	5.74	90.3	74.1	82.1	10.81	90.9	74.2	82.5	12.77	86.5	73.0	79.7	9.20	
May	89.5	72.3	80.9	9.98	89.8	72.6	81.2	6.09	73.8	73.8	7.65	90.2	74.1	82.1	3.53	90.4	74.5	82.5	11.53	87.5	72.7	80.1	5.06	
June	87.8	72.2	80.0	5.15	90.0	71.9	80.0	3.85	73.3	73.3	4.65	88.0	73.0	80.9	2.34	88.0	73.5	81.2	5.14	87.3	72.8	80.1	6.64	
July	87.8	71.5	79.7	9.51	89.0	71.5	80.7	4.72	72.9	72.9	4.13	88.6	72.6	80.6	10.53	88.0	72.8	80.9	5.98	86.9	72.0	79.5	3.64	
August	88.1	71.2	79.7	7.62	90.1	71.1	80.6	5.40	72.3	72.3	6.73	89.2	72.0	80.6	4.48	89.9	72.4	81.1	5.06	86.3	71.4	78.9	5.90	
September	88.2	71.3	79.7	10.83	89.3	71.4	80.3	8.77	72.6	72.6	5.61	88.5	72.3	80.4	8.79	89.2	72.5	80.9	7.19	86.9	71.7	79.3	5.77	
October	87.6	71.9	79.7	6.57	89.1	71.0	80.5	21.31	73.1	73.1	10.13	87.5	72.7	80.1	10.56	88.2	72.7	80.5	12.83	87.3	72.1	78.7	8.86	
November	85.8	71.0	78.4	22.47	87.1	70.2	78.7	18.56	72.9	72.9	11.08	87.5	72.1	79.8	7.01	87.7	72.5	80.1	11.37	84.4	72.3	78.3	14.97	
December	85.0	71.2	78.1	9.34	84.5	70.4	77.5	9.30	72.8	72.8	11.10	86.8	72.3	79.5	13.00	87.6	72.8	80.2	6.85	82.1	72.8	77.5	22.13	
Means	87.7	71.5	79.6	..	88.6	71.1	79.9	..	72.8	..	..	88.9	72.6	80.7	..	89.5	72.9	81.2	..	86.5	72.6	79.1	..
Totals	..	..	..	102.00	..	..	..	112.29	..	..	85.31	..	..	..	..	..	..	..	100.50	..	..	..	111.10

210850

APPENDIX II—continued

ABSTRACT OF METEOROLOGICAL OBSERVATIONS FOR THE YEAR 1949—continued

	MALACCA				KALLANG AERODROME, SINGAPORE				CAMERON HIGHLANDS				FRASER'S HILL			
	TEMPERATURE (°F)			Rainfall Totals (Inches)	TEMPERATURE (°F)			Rainfall Totals (Inches)	TEMPERATURE (°F)			Rainfall Totals (Inches)	TEMPERATURE (°F)			Rainfall Totals (Inches)
	MEANS OF		Mean of A and B		MEANS OF		Mean of A and B		MEANS OF		Mean of A and B		MEANS OF		Mean of A and B	
	Maximum	Minimum			Maximum	Minimum			Maximum	Minimum			Maximum	Minimum		
January	84.8	73.3	81.1	0.55	87.8	74.1	80.0	7.91	71.3	54.7	63.0	0.01	68.0	50.6	64.3	6.51
February	86.5	72.2	79.3	5.74	88.3	74.1	81.2	4.94	72.1	54.7	63.4	0.30	71.6	61.2	66.4	9.35
March	89.5	73.8	81.7	4.34	90.1	75.0	82.5	2.91	73.4	52.9	63.1	4.54	73.2	62.0	67.6	6.75
April	87.0	74.2	80.6	0.83	84.4	75.3	81.9	9.47	74.3	50.0	65.1	14.92	74.5	62.9	68.7	11.07
May	85.0	74.3	80.1	8.16	87.5	75.6	81.5	8.88	73.9	50.2	65.1	14.27	75.2	63.5	69.3	15.26
June	85.6	74.1	79.8	0.59	87.2	70.5	81.9	7.83	72.8	55.6	64.2	0.01	74.6	63.0	68.8	5.01
July	84.7	73.5	79.1	5.43	87.1	70.3	81.7	7.40	72.5	55.8	64.1	0.73	73.9	61.9	67.9	10.42
August	84.9	73.3	79.1	4.34	87.5	70.4	81.0	3.19	72.6	54.1	63.3	7.43	74.2	62.4	68.3	5.81
September	85.0	73.3	79.1	7.18	87.3	75.6	81.5	6.34	73.1	55.6	64.3	11.92	74.0	62.1	68.1	8.10
October	84.0	73.4	79.0	11.45	88.7	74.8	80.7	12.31	71.0	57.5	64.5	13.61	73.5	61.0	67.2	9.73
November	84.5	73.2	78.9	3.15	85.9	74.3	80.1	0.64	71.4	57.1	64.3	10.60	71.5	61.7	66.7	13.06
December	85.3	72.0	78.0	12.20	80.0	73.7	70.0	12.50	72.0	56.0	64.0	11.04	70.7	61.2	65.9	11.53
Means	85.0	73.4	79.7	5.2	87.5	75.1	81.3	6.2	72.0	55.5	64.1	6.8	73.0	61.0	67.5	9.2
Totals	850	730	797	81.04	875	751	813	93.98	720	555	641	110.28	730	610	66	107.52

APPENDIX III

STATEMENT OF EXPENDITURE FOR THE YEAR 1949

HEADQUARTERS.

	\$	c.	\$	c.
1. Personal Emoluments, M.E.O.	30,983	28		
Personal Emoluments, Non-M.E.O.	19,016	52		
2. Cost of Living and Singapore Allowances	25,056	08		
3. Expatriation Pay	5,931	61		
4. Housing Allowance	1,822	67		
5. Instruments, Materials and Stationery	797	12		
6. Meteorological Investigations	839	37		
7. Miscellaneous	539	28		
8. Printing of Records and Researches	4,954	80		
9. Purchase and binding of Periodicals and Books	287	69		
10. Telephones and Telegrams	1,291	80		
11. Transport and Travelling	2,455	08		
12. Office Equipment	832	50		
			94,807	80

SINGAPORE.

1. Personal Emoluments, M.E.O.	19,011	07		
Personal Emoluments, Non-M.E.O.	32,651	55		
2. Cost of Living and Singapore Allowances	26,316	47		
3. Expatriation Pay	3,950	64		
4. Housing Allowance	2,635	62		
5. Instruments, Materials and Stationery	5,529	88		
6. Miscellaneous	85	90		
7. Telephones and Telegrams	10,905	43		
8. Transport and Travelling	46	09		
9. Wireless Services	168,267	33		
10. Cocos Island Weather Reports	1,617	85		
11. Upkeep of Meteorological Station	650	41		
12. Office Equipment	925	00		
			272,593	24

FEDERATION OF MALAYA.

1. Personal Emoluments, M.E.O.	5,466	00		
Personal Emoluments, Non-M.E.O.	92,402	73		
2. Cost of Living Allowance	48,220	32		
3. Expatriation Pay	1,350	00		
4. Housing Allowance	2,327	29		
5. Incidental Expenses	1,178	89		
6. Instruments, Materials and Stationery	3,959	45		
7. Rent	213	33		
8. Telecommunications Services	13,723	81		
9. Telephones	6,184	23		
10. Transport and Travelling	7,760	95		
11. Upkeep of Meteorological Stations	8,447	48		
12. Installation of New Equipment	317	18		
13. Furniture for Stations and Quarters	998	00		
			192,549	66
	TOTAL ..		559,950	70

Annex 20

Extracts from
Malayan Royal Naval Volunteer Reserve Ordinance 1952
(Federation of Malaya)



FEDERAL
ORDINANCES
AND
STATE AND SETTLEMENT
ENACTMENTS

PASSED DURING THE YEAR

1952

INCLUDING

GENERAL INDEX

of Ordinances, Enactments, Proclamations,
etc., in force on the 31st December, 1952

PUBLISHED BY AUTHORITY

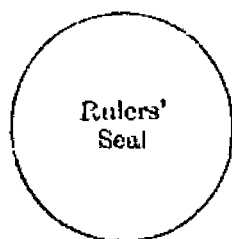
FEDERATION OF MALAYA.

No. 3 of 1952.

**THE MALAYAN ROYAL NAVAL VOLUNTEER RESERVE
ORDINANCE, 1952.**

Their Highnesses the Rulers of the
Malay States assent hereto

I assent



Witnesses to the affixing of the Rulers' Seal :

ABU BAKAR BIN ABDULLAH
(IN MALAY)
Sultan of Pahang.

G. W. R. TEMPLER,
High Commissioner.

RAJA YUSSUF *Sultan of Perak.*

19th April, 1952.

15th April, 1952.

An Ordinance to repeal and re-enact with amendments the Malayan Royal Naval Volunteer Reserve Ordinance, 1950.

[, 1952.]

WHEREAS it is desirable that volunteers should be raised in the Federation for the service of His Majesty and of Their Highnesses the Rulers in the naval defence of Malaya:

AND WHEREAS it is necessary for efficiency that such volunteers together with such volunteers as may be raised in the Colony for the service of His Majesty in the naval defence of Malaya should be organised as a unified force under a single command;

AND WHEREAS a force of volunteers known as the Straits Settlements Royal Naval Volunteer Reserve was established in 1934 in the Straits Settlements under the provisions of the Royal Naval Volunteer Reserve Ordinance of the Straits Settlements;

AND WHEREAS by the Defence (Royal Naval Volunteer Reserve) Regulations, 1941, of the Straits Settlements the name of such force was changed to "the Malayan Royal Naval Volunteer Reserve";

AND WHEREAS such change of name was continued by the Royal Naval Volunteer Reserve (Change of Name) Ordinance, 1947, of the Colony of Singapore;

AND WHEREAS under such name such force has continued to be raised and maintained by the Colony of Singapore since the dissolution of the Colony of the Straits Settlements;

AND WHEREAS it is intended that such force so raised and maintained in the Colony of Singapore should be incorporated as the Singapore Division in the unified force organised for the defence of Malaya hereinbefore mentioned;

AND WHEREAS it is intended that such part of the force of the Straits Settlements which was formerly raised and maintained in the Settlements of Penang and Malacca should form the basis of that part of the Federation Division of such unified force as is raised under this Ordinance in the Settlements of Penang and Malacca;

MALAYAN ROYAL NAVAL VOLUNTEER RESERVE. 13

AND WHEREAS it has been agreed between the Governments of the Federation and of the Colony, with the approval of Their Highnesses the Rulers, that such unified force should be known, both in the Federation and in the Colony, as the "Malayan Royal Naval Volunteer Reserve.";

AND WHEREAS it is necessary to provide for the establishment by law of the Malayan Royal Naval Volunteer Reserve and for the raising and maintenance of a Division thereof in the Federation and for the command and discipline thereof and for other matters incidental thereto.

IT IS HEREBY ENACTED by the High Commissioner of the Federation of Malaya and Their Highnesses the Rulers of the Malay States with the advice and consent of the Legislative Council as follows:

1. This Ordinance may be cited as the Malayan Royal Naval Volunteer Reserve Ordinance, 1952, and shall come into force on such date as the High Commissioner may, by notification in the *Gazette*, appoint. Short title.

2. In this Ordinance unless the context otherwise requires— Interpre-
tation.

"actual service" means service of a member of the Force whilst called out under the provisions of section 20 of this Ordinance or called out under the corresponding provisions of any written law of the Colony relating to the Force;

"the Commanding Officer" means the person appointed under section 7 of this Ordinance to be in executive command of the Federation Division;

"commanding officer" means the officer in command of a subdivision;

"Commissioned Officer" means an officer of the Force appointed under a commission from the High Commissioner or, in the case of an Officer of the Singapore Division, from the Governor of the Colony;

"the Federation Division" means the Division of the Force raised and maintained within the Federation under the provisions of section 3 of this Ordinance;

"the Flag Officer, Malayan Area" includes any officer for the time being exercising the functions of the Flag Officer, Malayan Area;

"the Force" means the Malayan Royal Naval Volunteer Reserve consisting of the Federation Division and of the Singapore Division;

“rating” means a member of the Force below the rank of Branch Officer;

“the Singapore Division” means such division of the Force as may be raised and maintained in the Colony under the provisions of any written law of the Colony relating to the Force corresponding to section 3 of this Ordinance;

“subdivision” means a subdivision of the Federation Division constituted under section 4 of this Ordinance or a subdivision of the Singapore Division constituted under the corresponding provisions of any written law of the Colony relating to the Force.

Constitution
of the
Federation
Division of
the Malayan
Royal Naval
Volunteer
Reserve.

3. (1) There shall be raised and maintained, in conjunction with the Colony, a force of Volunteers for the naval defence of Malaya to be known as the “Malayan Royal Naval Volunteer Reserve”.

(2) One Division of such force, to be known as “the Federation Division of the Malayan Royal Naval Volunteer Reserve”, shall be raised and maintained in the Federation and at the expense of the Federation, out of moneys provided by the Legislative Council.

(3) The High Commissioner in Council may provide for maintaining and using vessels of war or other vessels or equipment either in conjunction with the Colony or separately and may, from time to time, at his discretion and subject to such terms (if any) as may be agreed between the Government of the Federation and the Government of the Colony, place any such vessels or equipment at the disposal of the members of the Singapore Division for their use.

(4) In each year the expenditure proposed to be incurred upon the Federation Division shall be included in the total of the estimates of the expenditure proposed to be incurred upon local forces.

Constitution
of units of
the Federa-
tion Divi-
sion.

4. The Federation Division shall consist of such sub-divisions as the High Commissioner may from time to time direct.

Constitution
of a Special
Branch and
a Supple-
mentary
Reserve.

5. The High Commissioner may constitute for the Federation—

(a) a Special Branch for technical and administrative purposes which may consist of officers and ratings who are members of the Federation Division, but who need not be required to attend instructional training;

- (b) A Supplementary Reserve which shall consist of such members of the Force as may be prescribed by rules made under this Ordinance.

6. Officers of the Federation Division, other than officers transferred under the provisions of section 15 of this Ordinance, shall be appointed by the High Commissioner by commission on behalf of His Majesty and Their Highnesses the Rulers and such commission shall not be deemed to be vacated by the death or retirement of the High Commissioner by whom it was issued.

Officers
of the
Federation
Division.

7. (1) The Federation Division shall be under the orders and general direction of the Flag Officer, Malayan Area, of the Royal Navy:

Command.

Provided that—

- (a) where a state of emergency has been declared to exist and all or any part of the Federation Division has been called out under the provisions of section 20 of this Ordinance; or
- (b) where the Federation Division or any part thereof, though not called out, is operating with the Royal Navy,

the Flag Officer, Malayan Area, may place any ships or personnel of the Federation Division or any part thereof so called out or operating under the temporary command of any officer of the Royal Navy.

(2) The High Commissioner may appoint such person as he thinks fit to be the Commanding Officer of the Federation Division and such persons as he thinks fit to be commanding officers of any subdivision thereof.

8. (1) Every person who is a British subject or a Federal citizen shall, subject to the provisions of this Ordinance and of any rules and regulations made thereunder, be eligible for enrolment in the Federation Division:

Persons
eligible
for enrol-
ment.

Provided that no married woman shall be eligible for enrolment or to remain enrolled unless her husband is also a British subject or a Federal Citizen.

(2) The following persons shall not be eligible for enrolment:

Persons not
eligible for
enrolment.

- (a) persons serving as regular members of the Royal Navy, Army or Royal Air Force;

Annex 21

Extracts from
Malayan Royal Naval Volunteer Reserve Ordinance 1952
(Colony of Singapore)



COLONY OF SINGAPORE.

No. 11 of 1952.

I assent,

(LS)

W. L. BLYTHE,
Officer Administering the Government.

2nd April, 1952.

An Ordinance to establish a Volunteer Force for the naval defence of Malaya.

Whereas under the provisions of the Royal Naval Volunteer Reserve Ordinance (*Chapter 100*) there was established a force of volunteers known as "The Straits Settlements Royal Naval Volunteer Reserve":

And whereas by the Defence (Royal Naval Volunteer Reserve) Regulations, 1941, the name of such force was changed to "The Malayan Royal Naval Volunteer Reserve":

And whereas such change of name was continued by the Royal Naval Volunteer Reserve (Change of Name) Ordinance, 1947. Ord. 20 of 1947.

And whereas it is necessary for efficiency that such force together with such volunteers as may be raised in the Federation of Malaya for the service of Her Majesty and of Their Highnesses the Rulers of the Malay States in the naval defence of Malaya should be organised as a unified force under a single command:

[11 OF 1952] MALAYAN ROYAL NAVAL VOLUNTEER
RESERVE

And whereas it has been agreed between the Governments of the Colony and of the Federation, with the approval of Their Highnesses the Rulers, that such unified force should be known, both in the Colony and in the Federation, as "The Malayan Royal Naval Volunteer Reserve":

And whereas it is necessary to provide for the establishment by law of the Malayan Royal Naval Volunteer Reserve and for the incorporation therein of the Force heretofore maintained in the Colony and known as the Malayan Royal Naval Volunteer Reserve and for the command and discipline thereof and for other matters incidental thereto.

It is hereby enacted by the Governor of the Colony of Singapore with the advice and consent of the Legislative Council thereof as follows:—

Short title
and com-
mencement.

1. This Ordinance may be cited as the Malayan Royal Naval Volunteer Reserve Ordinance, 1952, and shall come into force on such date as the Governor may, by notification in the *Gazette*, appoint. *In force from 1-6-52 vide G.N. No. 5144/52.*

Interpreta-
tion.

2. In this Ordinance unless the context otherwise requires—

"actual service" means service of a member of the Force whilst called out under the provisions of section 20 of this Ordinance or called out under the corresponding provisions of any written law of the Federation relating to the Force;

"the Commanding Officer" means the person appointed under section 7 of this Ordinance to be in executive command of the Singapore Division;

"commanding officer" means the officer in charge of any sub-division: provided that if there are no sub-divisions "commanding officer" means "the Commanding Officer";

"Commissioned Officer" means an officer of the Force appointed under a commission from the Governor or, in the case of an officer of the Federation Division, from the High Commissioner of the Federation of Malaya;

"the Federation Division" means such division of the Force as may be raised and maintained in the Federation under the provisions of any written law of the Federation relating to the Force corresponding to section 3 of this Ordinance;

MALAYAN ROYAL NAVAL VOLUNTEER [1] OF 1952]
RESERVE

3

“the Flag Officer, Malayan Area” includes any officer for the time being exercising the functions of the Flag Officer, Malayan Area;

“the Force” means the Malayan Royal Naval Volunteer Reserve consisting of the Singapore Division and of the Federation Division;

“rating” means a member of the Force below the rank of Branch Officer;

“the Singapore Division” means the division of the Force raised and maintained within the Colony under the provisions of section 3 of this Ordinance;

“sub-division” means a sub-division of the Singapore Division constituted under section 4 of this Ordinance or a sub-division of the Federation Division constituted under the corresponding provisions of any written law of the Federation relating to the Force.

3.—(1) There shall be raised and maintained, in conjunction with the Federation, a force of volunteers for the naval defence of Malaya to be known as the “Malayan Royal Naval Volunteer Reserve”.

Constitu-
tion of the
Singapore
Division of
the Malayan
Royal Naval
Volunteer
Reserve.

(2) One Division of such force, to be known as “the Singapore Division of the Malayan Royal Naval Volunteer Reserve”, shall be raised and maintained in the Colony and at the expense of the Colony out of moneys provided by the Legislative Council.

(3) The Governor in Council may provide for maintaining and using vessels of war or other vessels or equipment either in conjunction with the Federation or separately and may, from time to time, at his discretion and subject to such terms (if any) as may be agreed between the Government of the Colony and the Government of the Federation, place any such vessels or equipment at the disposal of the members of the Federation Division for their use.

(4) In each year the expenditure proposed to be incurred upon the Singapore Division shall be included in the total of the estimates of the expenditure proposed to be incurred upon local forces.

4. The Singapore Division shall consist of such sub-divisions as the Governor may from time to time direct.

Constitu-
tion of sub-
divisions
of the
Singapore
Division.

Constitu-
tion of a
Special
Branch and
a Supple-
mentary
Reserve.

5. The Governor may constitute for the Colony—

- (a) a Special Branch for technical and administrative purposes which may consist of officers and ratings who are members of the Singapore Division but need not be required to attend instructional training;
- (b) a Supplementary Reserve which shall consist of such members of the Force as may be prescribed by rules made under this Ordinance.

Officers
of the
Singapore
Division.

6. Officers of the Singapore Division, other than officers transferred under the provisions of section 15 of this Ordinance, shall be appointed by the Governor by commission and such commission shall not be deemed to be vacated by the death or retirement of the Governor by whom it was issued.

Command.

7.—(1) The Singapore Division shall be under the orders and general direction of the Flag Officer, Malayan Area, of the Royal Navy:

Provided that—

- (a) where a state of emergency has been declared to exist and all or any part of the Singapore Division has been called out under the provisions of section 20 of this Ordinance; or
- (b) where the Singapore Division or any part thereof, though not called out, is operating with the Royal Navy,

the Flag Officer, Malayan Area, may place any ships or personnel of the Singapore Division or any part thereof so called out or operating under the temporary command of any officer of the Royal Navy.

(2) The Governor may appoint such person as he thinks fit to be Commanding Officer of the Singapore Division, and such persons as he thinks fit to be commanding officers of any sub-divisions thereof.

Persons
eligible for
enrolment.

8.—(1) Every British subject, every Federal citizen and every person born in any of the States or territories included in the Federation of Malaya, the Colony of Sarawak, the Colony of North Borneo or the State of Brunei shall, subject to the provisions of this Ordinance and of any rules or regulations made thereunder, be eligible for enrolment in the Singapore Division:

Provided that no married woman shall be eligible for enrolment or to remain enrolled unless her husband is also eligible for enrolment.

Annex 22

Malayan Naval Force (Change of Name) Ordinance 1952
(Colony of Singapore)





COLONY OF SINGAPORE.

No. 25 of 1952. ✓

I assent.

LS

J. F. NICOLL,
Governor and Commander-in-Chief.

25th August, 1952.

An Ordinance to change the name of the Malayan Naval Force raised under the Malayan Naval Force and Defence Ordinance, 1949 (No. 13 of 1949).

It is hereby enacted by the Governor of the Colony of Singapore with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Malayan Naval Force (Change of Name) Ordinance, 1952. Short title.
2. Wherever in any written law the expression "Malayan Naval Force" occurs such expression shall be read and construed as if there were substituted for that expression in each case the expression "Royal Malayan Navy". Change of name.

Passed this 19th day of August, 1952.

L. W. DONOUGH,
Clerk of the Legislative Council.

[No. 0183/45].

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1952

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Annex 23

Agreement between the United Kingdom and the Federation of
Malaya on External Defence and Mutual Assistance
dated 12 Oct 1957



BRITISH AND FOREIGN
STATE PAPERS

1957 - 58

VOL. 163

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of the Foreign Office*

LONDON
HER MAJESTY'S STATIONERY OFFICE
1966

behalf of Her Majesty ; and Their Highnesses the Rulers of the States of Pahang, Negri Sembilan, Selangor, Kedah, Perlis, Kelantan, Trengganu and Perak and the Ruling Chiefs of the State of Negri Sembilan and His Highness Tunku Ismail Ibni Sultan Ibrahim, D.K., S.P.M.J., S.P.M.K., K.B.E., C.M.G., the Regent of Johore, on behalf of His Highness the Sultan of the State and Territory of Johore, have hereunto set their hands and seals.

Done the 5th day of August, 1957, corresponding to the 9th day of Muharram, 1377.

[Here follow the signatures.]

AGREEMENT between the United Kingdom and the Federation of Malaya on External Defence and Mutual Assistance.—Kuala Lumpur, 12th October, 1957⁽¹⁾

Whereas the Federation of Malaya is fully self-governing and independent within the Commonwealth ;

And whereas the Government of the Federation of Malaya and the Government of the United Kingdom of Great Britain and Northern Ireland recognise that it is in their common interest to preserve peace and to provide for their mutual defence ;

And whereas the Government of the Federation of Malaya has now assumed responsibility for the external defence of its territory ;

Now therefore the Government of the Federation of Malaya and the Government of the United Kingdom of Great Britain and Northern Ireland have agreed as follows:

ARTICLE I

The Government of the United Kingdom undertake to afford to the Government of the Federation of Malaya such assistance as the Government of the Federation of Malaya may require for the external defence of its territory.

⁽¹⁾ Cmnd. 263. The Australian and New Zealand Governments proposed to associate themselves with the terms of this Agreement in so far as they concern them by Exchanges of Letters with the Federation Government. For the arrangements for the employment of Overseas Commonwealth Forces in emergency operations in the Federation of Malaya after Independence see Cmnd. 264.

ARTICLE II

The Government of the United Kingdom will furnish the Government of the Federation of Malaya with assistance of the kind referred to in Annex 1* of this Agreement, as may from time to time be agreed between the two Governments for the training and development of the armed forces of the Federation.

ARTICLE III

The Government of the Federation of Malaya will afford to the Government of the United Kingdom the right to maintain in the Federation such naval, land and air forces including a Commonwealth Strategic Reserve as are agreed between the two Governments to be necessary for the purposes of Article I of this Agreement and for the fulfilment of Commonwealth and international obligations. It is agreed that the forces referred to in this Article may be accompanied by authorised service organisations, and civilian components (of such size as may be agreed between the two Governments to be necessary) and dependants.

ARTICLE IV

The Government of the Federation of Malaya agrees that the Government of the United Kingdom may for the purposes of this Agreement have, maintain and use bases and facilities in the Federation in accordance with the provisions of Annexes 2* and 4* of this Agreement and may establish, maintain and use such additional bases and facilities as may from time to time be agreed between the two Governments. The Government of the United Kingdom shall at the request of the Government of the Federation of Malaya vacate any base or part thereof; in such event the Government of the Federation of Malaya shall provide at its expense agreed alternative accommodation and facilities.

ARTICLE V

The conditions contained in Annex 3* of this Agreement shall apply to the forces, the authorised service organisations, the civilian components and the dependants referred to in Article III while in the territory of the Federation of Malaya in pursuance of this Agreement.

* Not reproduced here.

ARTICLE VI

In the event of a threat of armed attack against any of the territories or forces of the Federation of Malaya or any of the territories or protectorates of the United Kingdom in the Far East or any of the forces of the United Kingdom within those territories or protectorates or within the Federation of Malaya, or other threat to the preservation of peace in the Far East, the Governments of the Federation of Malaya and of the United Kingdom will consult together on the measures to be taken jointly or separately to ensure the fullest co-operation between them for the purpose of meeting the situation effectively.

ARTICLE VII

In the event of an armed attack against any of the territories or forces of the Federation of Malaya or any of the territories or protectorates of the United Kingdom in the Far East or any of the forces of the United Kingdom within any of those territories or protectorates or within the Federation of Malaya, the Governments of the Federation of Malaya and of the United Kingdom undertake to co-operate with each other and will take such action as each considers necessary for the purpose of meeting the situation effectively.

ARTICLE VIII

In the event of a threat to the preservation of peace or the outbreak of hostilities elsewhere than in the area covered by Articles VI and VII the Government of the United Kingdom shall obtain the prior agreement of the Government of the Federation of Malaya before committing United Kingdom forces to active operations involving the use of bases in the Federation of Malaya; but this shall not affect the right of the Government of the United Kingdom to withdraw forces from the Federation of Malaya.

ARTICLE IX

The Government of the United Kingdom will consult the Government of the Federation of Malaya when major changes in the character or deployment of the forces maintained in the Federation of Malaya as provided for in accordance with Article III are contemplated.

ARTICLE X

The Government of the Federation of Malaya and the Government of the United Kingdom will afford each other an adequate opportunity for comment upon any major administrative or legislative proposals which may affect the operation of this Agreement.

ARTICLE XI

For the purpose of this Agreement, unless the context otherwise requires :

“ bases ” means areas in the Federation made available by the Government of the Federation of Malaya to the Government of the United Kingdom for the purposes of this Agreement and includes the immovable property and installations situated thereon or constructed therein ;

“ force ” means any body, contingent, or detachment of any naval, land or air forces, or of any such forces, including a Commonwealth Strategic Reserve when in the territory of the Federation pursuant to this Agreement but shall not include any forces of the Federation of Malaya ;

“ the Federation ” means the Federation of Malaya ;

“ Service authorities ” means the authorities of a force who are empowered by the law of the country to which the force belongs to exercise command or jurisdiction over members of a force or civilian component or dependants ;

“ Federation authorities ” means the authority or authorities from time to time authorised or designated by the Government of the Federation of Malaya for the purpose of exercising the powers in relation to which the expression is used ;

“ civilian component ” means the civilian personnel accompanying a force, who are employed in the service of a force or by an authorised service organisation accompanying a force, and who are not stateless persons, nor nationals of, nor ordinarily resident in, the Federation ;

“ authorised service organisation ” means a body organised for the benefit of, or to serve the welfare of, a force or civilian component or dependants ;

“ dependant ” means a person not ordinarily resident in the Federation who is the spouse of a member of a force or civilian

component or who is wholly or mainly maintained or employed by any such member, or who is in his custody, charge or care, or who forms part of his family ;

“ service vehicles ” means vehicles, including hired vehicles, which are exclusively in the service of a force or authorised service organisation ;

the expression “ of a force ” used in relation to “ vessels ” or “ aircraft ” includes vessels and aircraft on charter for the service of a force.

ARTICLE XII

This Agreement shall come into force on the date of signature.

In witness whereof the undersigned, being duly authorised thereto by their respective Governments, have signed this Agreement.

Done at Kuala Lumpur in duplicate, this 12th day of October, 1957.

For the Government of the United Kingdom of Great Britain and Northern Ireland :

G. W. TORY.

For the Government of the Federation of Malaya :

TUNKU ABDUL RAHMAN PUTRA.

EXCHANGE OF NOTES between the United Kingdom and Morocco concerning the Convention of Commerce and Navigation between Great Britain and the Shereefian Empire signed on 9th December, 1856.—Rabat, 1st March, 1957⁽¹⁾

(No. 1)—*Her Majesty's Ambassador at Rabat to the Moroccan Minister for Foreign Affairs*

Rabat, 1st March, 1957.

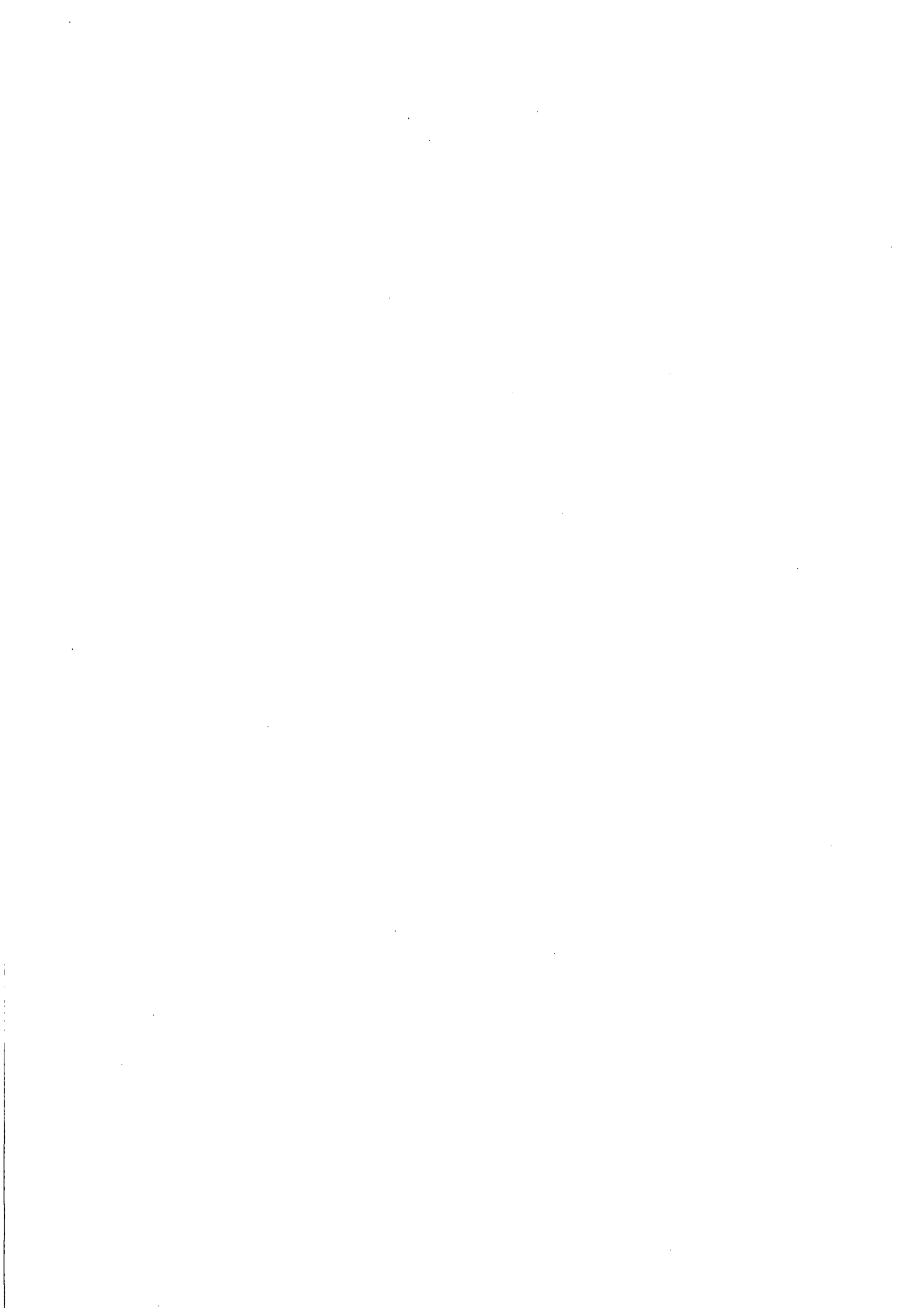
Monsieur le Ministre,

On the instructions of Her Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to inform your

⁽¹⁾ Treaty Series No. 38 (1957) (Cmd. 144).

Annex 24

Letter from Rickard R. L. (Master Attendant, Singapore) to
Permanent Secretary (Commerce & Industry)
dated 15 Feb 1958



31

Perm. Sec. C. & I.

Yes, I agree. Let us do a thorough job whilst we are about it. Minister's suggestion in his minute dated 12/2 all very sound.

Section 2 : Delete definition "waters of the Colony". It serves no purpose whatsoever and in fact read together with the existing section 6(4) means that the Board would not expend money on aids within port limits, which of course is not the intention of the Ordinance.

Section 3 : To be entirely re-written as follows:-

" 3(1). The owner, agent or master of every ship which in the course of any voyage calls at any port or place within the waters of the Colony, other than ships exempted in subsection (2) hereof, shall pay light dues according to the scale set out in the Schedule to this Ordinance to such officer (hereinafter referred to as "the collector") as may be appointed by regulations made under this Ordinance to collect same;

Provided that no ship shall be required to pay more than 20 cents a ton in any year.

(2) There shall be exempted from dues under this Ordinance -

- (1) ships putting in from stress of weather, or for the purpose of emergency repairs occasioned on the high seas, provided that they do not discharge or load cargo other than cargo discharged with a view to such repairs, and afterwards re-shipped;
- (ii) ships belonging to Her Majesty, Singapore Government or to a Commonwealth or Foreign government unless carrying cargo or passengers for freight or fare;
- (iii) ships of under 15 tons;
- (iv) fishing craft; and,
- (v) native sailing ships.

Section 6(4): For "navigational aids in the waters of the Colony" substitute "lighthouses, buoys, beacons and other navigational aids in the Colony including Pedra Branca (Horsburgh) and at Pulau Pisang, and for purposes ancillary thereto."

Schedule : Delete Item 3 "For ships registered in the Colony etc." as agreed, and substitute "For all ships optional annual payment not refundable ... 20 cents per ton."

2. The re-wording of section 3 as above removes the necessity for exemptions 1 and 2 dated 13.9.57, which accordingly may be cancelled.


3. Section 3(2) as re-worded includes exemptions for vessels putting in from stress of weather and for emergency repairs which I think is reasonable and the gesture would be much appreciated.

- 2 -

by the shipping community.

4. The re-wording of section 6(4) makes the duties of the Board more specific and includes beyond doubt lighthouses at Horsburgh and Pulau Pisang. Horsburgh lighthouse, some 35 miles to the eastward, is Colony territory whereas at Pulau Pisang, some 50 miles to the north-westward, Singapore has only a lease of the land on which the lighthouse is built.

5. If any of these amendments are not accepted, please refer back to me without fail.


(R.L. Rickard)
Master Attendant,
15.2.58.

HLR:wd:

Annex 25

Legislative Council Debates (Federation of Malaya) on
the Navy Bill 1958

FEDERATION OF MALAYA

LEGISLATIVE COUNCIL DEBATES

*Official Report*NINETEENTH MEETING OF THE THIRD SESSION OF
THE SECOND LEGISLATIVE COUNCIL

 THURSDAY, 19TH JUNE, 1958, AT 9.30 A.M.

PRESENT:

- The Honourable Mr. Speaker (DATO' HAJI ABDUL MALEK BIN YUSUF, Dato' Maha Kurnia).
- „ the Deputy Prime Minister and Minister of Defence (DATO' ABDUL RAZAK BIN DATO' HUSSAIN, Orang Kaya Indera Shabbandar).
- „ the Minister of Finance (MR. HENRY HAU SHIK LEE, J.P.).
- „ the Minister of Health (MR. V. T. SAMBANTHAN).
- „ the Minister of the Interior and Justice (ENCHE SULEIMAN BIN DATO' ABDUL RAHMAN).
- „ the Minister of Agriculture (ENCHE ABDUL AZIZ BIN ISHAK).
- „ the Minister of Works, Posts and Telecommunications (ENCHE SARDON BIN HAJI JUBIR).
- „ the Minister of Commerce and Industry (MR. TAN SIEW SIN, J.P.).
- „ the Minister of Education (ENCHE MOHAMED KHIR JOHARI).
- „ the Minister of Natural Resources (ENCHE BAHAMAN BIN SAMSUDIN).
- „ the Minister of Transport (ENCHE ABDUL RAHMAN BIN HAJI TALIB).
- „ the Mentri Besar, Trengganu (DATO' PERDANA MENTRI-DI-RAJA, HAJI KAMARUDDIN BIN HAJI IDRIS, M.C.S.).
- „ the Mentri Besar, Kedah (TUNKU ISMAIL BIN TUNKU YAHYA).
- „ the Mentri Besar, Johore (DATO' WAN IDRIS BIN IBRAHIM, S.P.M.J., P.I.S.).
- „ the Mentri Besar, Perlis (DATO' HAJI MOHAMED RAZALLI BIN HAJI MOHAMED ALI WASI, P.J.K., J.P., Orang Kaya Laxamana Raja Mahkota).
- „ the Mentri Besar, Pahang (ENCHE ABDULLAH BIN TOK MUDA HAJI IBRAHIM, P.K.T., M.C.S.).
- „ the Mentri Besar, Perak (ENCHE MOHAMAD GHAZALI BIN JAWI).

Malay Association at Cairo: A sum of \$2,572 is paid annually as grant to meet the rent of a club for the Association, but no hostel is available.

Malaya Hall, London: Four buildings at Bryanston Square have been leased to the Federation Government and they are turned into club and hostel, known as Malaya Hall.

The Federation Government pays \$143,186 this year towards expenditure on maintenance.

31, Leeson Park, Dublin. This is a hostel for Malayan students resident in the capital of Ireland. This is leased to the Federation Government, and this year we pay \$13,466 towards maintenance.

Clubs for Malayan students have been established at Melbourne and Sydney but at both these places we have no hostel.

The question of building a hostel for Malayan students at Cairo is under consideration and I am informed by the Honourable Mr. Devaser who had an interview with the President of the United Arab Republic that the President is prepared to provide a suitable site for a hostel. We are waiting for the time when the Government will establish its embassy at Cairo when the question can be further considered.

MALAY SECONDARY EDUCATION

4. **Tuan Haji Ahmad** asks the Minister of Education to state the number of Malay Secondary Classes which have been set up to date, the expenditure incurred in setting up these Classes, and how does this expenditure compare with the expenditure on English Standard Schools.

Enche' Mohamed Khir Johari: Fifteen Malay Secondary Classes have been established up to the present; no additional expenditure is incurred as most of these classes are Removed Classes. The expenditure for a Malay Secondary Class is about the same as the expenditure for a class in English Standard schools.

5. **Tuan Haji Ahmad** asks the Minister of Education to state the

Government's programme for increasing Malay Secondary Classes in 1959 and 1960.

Enche' Mohamed Khir Johari: Plans for future Malay Secondary Classes depend upon:

- (1) parents' choice of the type of school to which they wish their children to be admitted;
- (2) number of pupils eligible for entry into Secondary Schools;
- (3) number of trained teachers to teach the several subjects in Malay;
- (4) availability of text-books;
- (5) the progress made in Malay Secondary Classes already started in the Federation.

TEACHER TRAINING

6. **Tuan Haji Ahmad** asks the Minister of Education to state the number of teachers who are expected to graduate every year from all the Teachers' Training Colleges.

Enche' Mohamed Khir Johari: The number of teachers expected to graduate from Training Colleges and Training Centres is as follows:

Penang	...	...	...	180
Brinsford	...	...	...	150
Kirkby	...	...	...	150
Language Institute	...	...	...	180
Kota Bharu	...	...	...	150
Sultan Idris Training College				200
Malay Women's Training College	...	...	...	200
Training Colleges and Training Centres	...	...	...	1,470
				<hr/> 2,680 <hr/>

BILLS

THE NAVY BILL, 1958

Second Reading

Dato' Abdul Razak: I beg to move that a Bill intituled "an Ordinance to provide for the establishment, discipline and regulation of a Navy in the Federation" be read a second time. This Bill follows in general form parallel legislation in force in the Federation relating to the Military and Air Forces. Honourable Members will

in that respect remember the Air Force Ordinance which was passed at the last meeting of this Council. As I have stated then, it is the intention that this Bill and other military legislation will eventually be superseded by the Armed Forces Ordinance regulating all the Armed Forces which is now in draft but which will take some time to complete.

The main object of this Bill is to enable a navy to be raised and maintained in the Federation. This navy will be called "Tentera Laut di-Raja Persekutuan", or in English "The Royal Malayan Navy". Since, however, it is proposed that the present Royal Malayan Navy raised in Singapore should be transferred to the Federation very shortly to form the nucleus of the new Royal Malayan Navy, special provisions have been made in this Bill for the enlistment in the Federation Navy of officers and ratings of the Navy raised under the Singapore Ordinance.

Sir, before I deal with the Bill in detail, I would like to inform Honourable Members that negotiations with the Singapore Government for the transfer of the Royal Malayan Navy have now almost been concluded and the main terms of agreement are:

- (i) The Royal Malayan Navy will be transferred from the Singapore Government to the Federation Government on the 1st July of this year, or as soon as possible thereafter;
- (ii) The cost of the Navy, however, during the remainder of 1958 will be borne by the Singapore Government within the limits of the provision made in the Singapore Estimates for 1958; *(Applause)*
- (iii) And the Royal Malayan Navy will from that date operate from Federation bases, but will continue to occupy the barracks at Woodlands until the main base at Port Swettenham is completed;
- (iv) When the Navy is transferred, with effect from the 1st January, 1959, the Federation Government will pay

the Singapore Government a rental of \$200,000 per annum for the barracks at Woodlands and another \$200,000 in respect of other charges, including normal repairs and maintenance arising out of the occupation of the base at Woodlands;

- (v) No Royal Malayan Naval personnel, who agree to be transferred to the Federation Government, will be given less favourable terms and conditions of service than those in force immediately before their transfer and such terms and conditions will not be affected by the transfer.

The House will, therefore, see that as a result of this agreement complete operational control of the Royal Malayan Navy will pass to the Federation Government on transfer, and the Royal Malayan Navy will then become one of the Armed Forces of the Federation. This Bill is, therefore, intended to give legal effect to this situation.

Now, Sir, the main points in the Bill to which I would like to draw Honourable Members' attention are as follows:

- (a) *Section 3* deals with the establishment of the Navy and also states the title of the Navy which has been approved by His Majesty.
- (b) *Section 4* enables the Armed Forces Council by Order to lay down the number of ships and establishments of which the Navy shall consist.
- (c) *Section 5* provides for His Majesty to appoint a Naval Officer to command the Navy, and it is proposed that the present Senior Officer of the Royal Malayan Navy should so be appointed.
- (d) *Section 6* provides that no person shall be appointed, commissioned or enlisted in the Navy unless he is a citizen of the Federation but this section is qualified by Section 19 to which I would like to draw Honourable Members' attention.

(e) *Section 19* provides that any officer or rating who was duly appointed, commissioned or enlisted in the Royal Malayan Navy on the day preceding the date on which this Ordinance comes into force may be appointed, commissioned or enlisted, as the case may be, in the Navy. In this respect the Federation Government has agreed that any person who is not a citizen of the Federation of Malaya will not be required to become a citizen during his present engagement. In other words, such a person may continue to serve the Royal Malayan Navy until his present engagement has been completed.

(f) *Section 10* applies to the Royal Malayan Navy all Enactments and Regulations for the time being in force in the Royal Navy, subject to the modifications set out in this Ordinance and in the Schedule.

Also Honourable Members will note that under *Section 11*, the Armed Forces Council is given the power to amend by Order any such Enactments or Regulations.

Honourable Members will appreciate that there are hundreds of Regulations governing the operation and control of the Navy, and it would be quite impossible for the Federation Government, within a reasonable period, to provide or produce similar legislation. Therefore, for the time being, we will have to apply the Regulations of the Royal Navy to the Royal Malayan Navy; and I understand that all countries of the Commonwealth operate their Navies under Regulations applying to the Royal Navy.

(g) *Section 20* is a transitory provision to provide for the punishment after transfer of any offence that has been committed before transfer.

(h) *Sections 21 and 18 (2)* give powers to seconded Royal Naval Officers and ratings under the Ordinance to exempt them from the disciplinary provisions of this Ordinance in view of the fact that they remain subject to the United Kingdom Naval Discipline Act during the period for which they are lent to the Federation—and these arrangements apply to other officers in other branches of the Armed Forces.

I might mention here that the Federation Government is also negotiating with the United Kingdom for the transfer of ships and equipment and for the continued loan of Royal Naval personnel as may be required. There is no doubt that these negotiations will be brought to a rapid and happy conclusion.

Sir, while initially for financial reasons, we may have to limit the size of the Royal Malayan Navy to its present strength, it is the intention of Government to expand the Navy and early consideration will be given to the provision of a frigate, which will serve as a flagship for the Navy.

I should like, Sir, in conclusion to take this opportunity of thanking on behalf of the Federation Government both Her Majesty's Government in the United Kingdom and the Singapore Government for the very generous contribution which they are making in respect of the Navy for the building up of the Federation's Armed Forces. (*Applause*).

Her Majesty's Government in the United Kingdom under the grant-in-aid programme are offering over \$20 million worth of ships and equipment and a substantial contribution in cash of over \$6 million towards the construction of a base in the Federation. (*Applause*).

The Singapore Government is transferring to us a trained Navy, which has been built up in the years since

the war as Singapore's contribution towards the defence of the Malayan area, (*Applause*) and I would like to point out to Honourable Members that if the Federation had had to start its own Navy from scratch, it would have cost us a considerable sum of money to have established and trained a comparable force. I would like, Sir, to take this opportunity to pay particular tribute to the Chief Minister of Singapore, the Honourable Mr. Lim Yew Hock, who has been largely responsible for this generous gesture, which will go a long way towards maintaining the good relations and co-operation between our Government and the Singapore Government. (*Applause*).

Finally, I would like to extend on behalf of the Government, on behalf of this House and the people of the Federation a very warm welcome to the officers and ratings of the Royal Malayan Navy who are being transferred to us. (*Applause*). We know that they will prove to be a loyal and valuable addition to His Majesty's Armed Forces, and in return I can assure them that their interests will be fully safeguarded. We shall all look forward to them entering our ports in future in His Majesty's Ships flying proudly the Ensign of the Federation. (*Applause*).

Sir, I beg to move.

Mr. T. V. A. Brodie: I beg to second the motion.

Tuan Sheikh Ahmad (*Translated from Malay*): I rise with pleasure to give my full support to the Bill. We the inhabitants of the Federation who have pledged our loyalty to this country and this country only, feel proud over the establishment of the Malayan Royal Navy, the pride of our country which has just achieved independence. Every independent country must have fully equipped fighting forces, naval, military and air forces, however small they might be at the beginning.

I would like to draw the attention of the Honourable the Minister of Defence to the question of recruitment into the Navy, to bear in mind that

what happens in the Federation Regiment should not happen here—there, the Malays dominate the rank and file while the officer ranks are held by non-Malays. The same thing happens in the Police Force. This state of affairs cropped up during the colonial administration. But we are now independent. It is unfair for one section of the community to respond to the call of Government and join the lower ranks while other sections of the community choose the upper ranks.

Sir, the Royal Malayan Navy is the guardian of the country and its people against external enemy attack and against the import of contraband commodities. Those young men who wish to join the Navy should be carefully screened, they should be citizens of the country with undivided loyalty, whose parents should be subjects of the Malay Rulers—and not those who acquired first class citizenship while their parents are not subjects of the Rulers. For in my opinion such people are not 100 per cent citizens, but fifty per cent.

Sir, I would like clarification from the Honourable Minister about the Commander of the Navy. In the *Straits Times* of June 17th it was reported that Captain E. D. Norman will be the Commander. I do not object to the appointment as I know that countries that have gained independence borrow the services of experts from foreign countries, to be Commander of their fighting forces to train local men as is done by the Governments of India and Pakistan. I am sorry why the same officer is appointed Deputy Chief of Staff and not as Adviser as in the case of the Air Force. For the information of Honourable Members I will read the relevant portion of the article in the paper as follows:

"Captain E. D. Norman will take command of the Navy and will also become Malaya's first Deputy Chief of Staff (Navy). The Air Force Commander will be Air Commandore Noel Hyde who will be Air Adviser to the Government."

The commanders of the two forces appear to be of unequal rank, one as Adviser and the other with full authority, and I think the Deputy Chief of Staff should be only as Adviser as in the case of the Royal Malayan Air Force.

Annex 26

Singapore Legislative Assembly Debates on
the Immigration (Amendment) Bill 1959

Volume 3
No. 23

Tuesday
3rd March, 1959



SINGAPORE
LEGISLATIVE ASSEMBLY
DEBATES
OFFICIAL REPORT

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[Continued overleaf]

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fathers of illegitimate children, and is consequential on the provision that will be made by clause 2.

Sir, I beg to move.

Question put, and agreed to.

Bill accordingly read a Second time and committed to a Committee of the whole Assembly.

Assembly immediately resolved itself into a Committee on the Bill.—
[*Mr. Shanks*].

Bill considered in Committee; reported without amendment; read the Third time and passed.

IMMIGRATION (AMENDMENT) BILL

Order for Second Reading read.

10.36 a.m.

The Minister for Labour and Welfare (Tun Lim Yew Hock): Mr. Speaker, Sir, I beg to move, "That the Bill be now read a Second time."

Sir, in the light of constitutional changes and of experience gained over the past few years in the administration of the Immigration Ordinance, 1953, it is imperative that certain amendments should be made in the law to meet changed conditions and to close the loopholes that have been discovered over a period. To this end there have been several consultations with the Federation Government at ministerial as well as official levels.

Hon. Members are aware that since 1953 the policy on immigration has been Pan-Malayan, and I am happy to report that as a result of these consultations it will continue to be so.

The Federation is an independent territory now and Singapore will soon have internal self-government, but despite the difference in status, the Federation Government has agreed to maintain a Pan-Malayan approach to this very important legislation. There will be no change in the freedom of movement between the two territories along the Causeway other than in the case of those citizens who are specifically prohibited by order of either Government.

The provisions incorporated in this Bill are the result of consultations referred to by me. A new Bill incorporating these amendments was passed by the Federal Legislative Council about a fortnight ago. The Federation Government is now awaiting the passing of our Bill so that the new law can be brought into operation simultaneously.

Reference to the Explanatory Statement to the Bill will disclose the reasons for the proposed amendments.

Clause 4, the most important clause, seeks to amend the provisions of section 7 of the Immigration Ordinance in that the right of entry is now confined to citizens of Singapore and of the Federation, and I am sure hon. Members will welcome this move. Persons other than citizens of Singapore and of the Federation will have to apply for a permit or pass in order to enter Singapore from outside Malaya. I wish to stress that this will refer to those who will be seeking entry into Malaya after the coming into force of this amendment. This amendment will not affect persons already resident in Singapore on entry permits or passes.

Sir, in regard to those categories of persons who at present are entitled to enter by virtue of section 7 (1) (b) of the Ordinance, namely, persons in the specific employment of the Government or of the City Council, consular representatives or members of the Diplomatic Corps, and members of Her Majesty's Forces serving in Singapore, they will be covered by an Immigration (Exemption) Order which it is proposed to make if this Bill is passed. This Exemption Order will be authorised under section 55 of the Ordinance as amended. Clause 27 of the Bill seeks such an amendment to section 55 so as to empower the Minister, when he makes an Order exempting any person or class of persons from the provisions of the Immigration Ordinance, to impose conditions on such exemption. It is intended that such an Order, when made, will make it obligatory on the part of persons qualified for exemption to apply for an entry permit or pass, if the specific reason for the exemption ceases to

[TUN LIM YEW HOCK.]

hold good. Such persons could then be treated as if they were applying for first entry into Singapore if they wish to remain here after their diplomatic or consular status ceases, or their service with the Armed Forces or the Government or the City Council is terminated, as the case may be. The Government feels that this amendment is vitally necessary in order that when the new Exemption Order is introduced, there will be a system of control, which will enable it, in consultation with the Federation Government if need be, to have the power to refuse or to allow such persons to remain in Malaya when the reasons for exemption have ceased to be valid in their cases. The present law gives no such power once they have entered Singapore under the entitlement conferred under section 7 (1) (b) of the Ordinance. It will therefore be in the interests of Singapore to have this control in order that permission to stay here either on an entry permit or pass would be regulated by considerations of contributions which such persons would make for the economic betterment or otherwise of Singapore or of Malaya as a whole.

Sir, Singapore now has overwhelming problems of a fast expanding population and of a totally inadequate number of employment opportunities created from time to time to absorb the large numbers of young persons coming into the employment market every year. At the same time, the Government is only too conscious of the need to attract capital and technological know-how for industrial development, and to expand and improve the productivity of existing industries, while maintaining to the full the enviable position which we have gained through our entrepot trade. It is, therefore, necessary that there should be a balance struck somewhere between the need to curtail the entry of persons seeking employment in Singapore and the necessity to have recourse to steps to invite foreign capital or experts, whether it is in the scientific, technological or professional spheres, who

could contribute to Singapore's economic, social or industrial development.

With the introduction of this control, Sir, emphasis will be placed more and more on the economic benefit of Singapore. Positive steps will have to be taken to encourage people to invest in Singapore and to protect that investment with their presence here. As an important corollary to this better system of immigration control, it is proposed that the present Immigration (Prohibition of Entry) Order, which includes the category of persons under paragraph (b) of the Schedule to the Order enabling a contract employee to be granted an entry permit if he has a contract of employment guaranteeing a salary of \$500 per month for two years, should be replaced. Accordingly a new order will be issued, deleting paragraph (b) of the Schedule, as well as another category in paragraph (c) which refers to skilled artisans being allowed entry for employment in the trade or occupation if there are not sufficient skilled artisans already resident in Malaya, and if such entry is in the economic interests of Singapore, and to cover these two categories of persons by the issue of Employment Passes. Such Employment Passes will be authorised under new Immigration regulations which it is also proposed to make. Such an Employment Pass may be issued by the Controller to any person other than a prohibited immigrant who satisfies the Controller that he wishes to enter Singapore in order to take up employment in Singapore under a contract for a minimum period of two years and up to a maximum of five years (with extensions to be granted at the discretion of the Controller) with a company or firm, such contract guaranteeing an emolument of \$1,200 per month. It is further proposed that there should be a proviso that where the Controller is satisfied that no person resident in Singapore is available to undertake employment of the kind referred to in such contract and that it will be unreasonable to expect an employer to pay such a salary in the particular circumstances of the job or post, he may waive

the requirements of this stipulation that the employee should be paid a salary of \$1,200 per month.

Mr. Speaker, Sir, I must ask hon. Members to bear with me if I appear to dwell too long on this part of the proposed provision. There has been some considerable disquiet on the part of the commercial and trading community as to the Government's intentions, and I hope this statement will allay the fears that the Government is seeking to exclude contract employees altogether.

Quite apart from the necessity to provide and preserve employment opportunities for local people, there is of course the recognized need to maintain confidence in the ability of Singapore to cope with the demands of what we hope will be an expanding economy. Contract employees will therefore be allowed entry and even welcomed if they are personnel of a high calibre of attainments that are not to be found amongst local qualified persons, and if they will bring special talents, whether it be in the business, industrial, scientific or technological fields. In the process of raising the figure from \$500 a month to \$1,200 a month, it is the Government's hope that indirect inducement will thus be offered to firms and companies to encourage or promote local persons to take the places of the junior executive grades whom they, up to the present, find it expedient to recruit from overseas. We believe that many firms of repute and standing in Singapore have already embarked on programmes of training local people to take over posts of responsibility even without any such inducement. Therefore, I wish to give an assurance to such firms and to others which recognize sympathetically the need of Singapore to preserve employment opportunities as far as possible to its citizens, that there is no present intention to influence them to Malayanise the senior executive posts.

I need hardly stress that if this proposed immigration control is exercised over the coming years with the broad imaginative objectives which we have in mind, there will be much greater appreciation of the benefits of Singapore citizenship, and communities

will become close-knit and integrated. The building up of a Malayan consciousness and loyalty will be greatly accelerated thereby. With the Federation, this Government agrees that at this juncture we will not be unduly restrictive over the issue of Employment Passes provided that employers can show that they are making genuine attempts to cooperate with the Government to see that as far as possible local people are being employed or being trained for higher posts, so that the need for overseas recruitment is reduced to the minimum. As the proposed orders to be made will not be retrospective but will come into force on the dates they are made, persons already resident on entry permits, whether they be contract employees or specialists or professional consultants under paragraph (a) of the Schedule to the Prohibition of Entry order, will not be affected.

Sir, clause 3 of the Bill proposes an amendment to subsection (2) of section 6 of the Immigration Ordinance in order to prohibit the entry into Singapore from the Federation of any person other than a citizen of Singapore who has been prohibited entry by order made under section 9 of the Ordinance, or who has entered the Federation of Malaya on a pass issued under the provisions of any written law for the time being in force in the Federation, and endorsed as not valid for entry into Singapore. Hon. Members will appreciate that this amendment will enable the Government to have the right, which it is hoped will be rarely exercised, to exclude visitors to Singapore from the Federation, whether for security or other reasons, because their presence is objected to in Singapore, but not in the Federation. The Federation Bill has such a parallel provision to exclude visitors from Singapore to the Federation.

Clause 7 of the Bill seeks to amend section 10 of the Immigration Ordinance to make the issue of an Entry Permit discretionary instead of mandatory. I have already explained that this will now prove absolutely necessary if immigration control in the interests of Singapore which we seek is to be implemented.

2009

3 MARCH 1959

2010

[TUN LIM YEW HOCK.]

Clause 8 similarly seeks to amend section 11 (2) of the Ordinance to make the issue of Re-entry Permits discretionary instead of mandatory.

Clause 12 seeks to repeal and re-enact section 15 of the Ordinance to give power to the Controller to declare the presence of a person who has entered Singapore on a permit or certificate to be unlawful after his arrival, if it is proved subsequently that he obtained either document by misrepresentation or that he is a prohibited immigrant. The certificate in question is the Certificate of Citizenship status issued to someone outside Singapore who claims to be a citizen of Singapore by birth or otherwise. This power to cancel will be exercisable within two years of the person's arrival.

Clause 13 proposes an amendment to section 16 of the Ordinance to make it quite clear that once a person's presence in Singapore is declared unlawful, it would be unlawful for him to remain here.

Clause 23 seeks to amend section 48 of the Ordinance to make the master, owner, charterer or agent of a vessel or aircraft liable for expenses of removal from Malaya of persons illegally entering Singapore from such vessel or aircraft.

Clause 24 reinforces this provision by seeking to amend section 49 by increasing the period of liability to return a person illegally entering to his port of embarkation from three months to one year from the date of entry. This latter provision is to ensure that the necessary lengthy enquiries that may be required in some cases do not result in the owner of the vessel or aircraft repudiating liability.

Clause 25 introduces a new section to facilitate interrogation and investigation in cases where persons are liable to be removed from Singapore under any of the provisions of the Ordinance.

Sir, I wish, in conclusion, to acknowledge with gratitude the part played by Tunku Abdul Rahman, Prime Minister of the Federation, in all this. I must also thank Dato Abdul Razak and Dr.

Ismail for the friendly understanding and close co-operation in many problems which we have had to discuss and solve over these matters. It is an example of close consultations which we hope will be achieved in many other fields where the two territories inevitably have to examine the plans in the light of interdependence of one on the other, and to give effect to the over-riding considerations of maintaining a Malayan outlook, so that to the greatest extent possible we will be marching in step with each other, and to our mutual benefit.

Sir, I beg to move.

Question proposed.

10.51 a.m.

Mr. R. Jumabhoy (Telok Ayer): Mr. Speaker, Sir, every Singaporean will no doubt support the protection of the interests of Singapore citizens in getting employment in his own country. I have no objection to that.

Sir, the Hon. the Chief Minister mentioned in his speech that he wants foreign capital. I think all Parties need it, and have already spoken about it. But how is foreign capital going to come? Unless you allow the managers or partners to run the business. They are not going to send capital here and hand it over to somebody and say, "Look here, you take this capital of \$100,000, and run the business for us." That is not possible, because those who invest their capital in this country want to see their capital under their control and invested in lines of their own interests. This being the case, the managers and partners should be allowed to stay here to manage the affairs of their businesses. Of course, they will have to employ local men in the big businesses, especially the industrial side, and they must also train the local people in order to form the majority of the employees.

Sir, I have one more question. Many firms have been established here for years. Their businesses are vast and they have branches in many parts of the world, with their managers or their partners running these businesses. The

Annex 27

Letter from Ministry of Defence (Federation of Malaya) to
Ministry of Home Affairs (Singapore)
dated 27 Aug 1959



COPY

Telegraphic Address:
MINDEF
Kuala Lumpur

MINISTRY OF DEFENCE
FEDERATION OF MALAYA
RIFLE RANGE ROAD
KUALA LUMPUR

Telephone: K.L. 87731

No. MIDS.O.22/40/21

27th August, 1959.

CONFIDENTIAL.

Permanent Secretary,
Ministry of Home Affairs,
SINGAPORE, 6.

Sir,

I am directed by the Minister of Defence to inform you that, in accordance with the agreement between our two Governments, the Royal Malayan Navy has been carrying out patrols of the territorial waters of Singapore. From time to time sampans and other small craft, acting in a suspicious manner, have been stopped and interrogated. If, as is often the case, the papers of the crew or of the cargo are not in order, then the vessel is handed over to the Singapore Marine Police.

2. In a recent incident, when an Indonesian sampan was stopped inside Singapore territorial waters, the occupants who had no papers stated that they intended landing in Singapore. When the Marine Police were informed, they asked that the sampan should be instructed to return to Indonesian waters. This was done and the sampan reluctantly complied.

3. I am to say that this procedure is likely to lead to difficulties since, without being fully acquainted with Singapore Government policy and legislation on all matters connected with immigration, customs and other similar subjects, it is not possible to give Commanding Officers of R.M.N. ships clear instructions on the action which they should take. In this particular case, for example, the instruction, if not complied with, could not have been enforced.

4. The Royal Malayan Navy is fully prepared to continue its patrolling on behalf of the Singapore Government, but it is proposed to instruct Commanding Officers that they should only stop, interrogate and report to the Singapore Marine Police any suspicious vessels. In the event of any further action being required it must then be taken by the Singapore authorities or the vessel must be released.

5. It would be appreciated if you would say whether this proposal is acceptable to the Singapore Government.

I am, Sir,
Your obedient servant,

Sd. Mohd. Bin Baba
for Secretary for Defence.

Annex 28

Extracts from Malayan Meteorological Service,
Summary of Observations for 1959



MALAYAN METEOROLOGICAL SERVICE

SUMMARY OF OBSERVATIONS

1959



f.s.c. 1000
Unit 1000

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MALAYAN METEOROLOGICAL SERVICE

SUMMARY OF OBSERVATIONS, 1959

INTRODUCTION

THIS ISSUE contains summaries for 17 First Order Stations in the Federation of Malaya, Singapore, Sarawak and North Borneo, 43 Auxiliary Stations in the Federation of Malaya and 29 Rainfall Stations in Singapore.

FIRST ORDER STATIONS

The main stations are equipped with self-recording instruments, the records from which are tabulated hourly. These hourly values are corrected before publication by comparison with all available eye readings of standard non-autographic instruments. The figures published for Singapore, Kuala Lumpur, Penang, Kota Bharu and Kuantan are the actual eye readings made every hour.

EQUIPMENT

The equipment of the main stations is uniform and includes the following instruments:—

Mercury barometer.

Stevenson Screen with dry and wet bulb psychrometer and maximum and minimum thermometers.

Five-inch raingauge of British Meteorological Office standard pattern.

Dines pressure tube anemometer recording direction and speed.

Thermograph, bi-metallic spiral spring.

Hair Hygrograph.

Recording raingauge, Dines tilting siphon pattern.

Campbell-Stokes sunshine recorder.

The following additional instruments are in use but their records are not included in the summaries:—

Barograph.

Besson Nephoscope.

Maximum and Minimum wet bulb thermometers.

Grass Minimum thermometers.

Earth thermometers at depths of one foot and four feet.

Evaporimeter.

The exposure of instruments at all stations is conventional.

HOURS OF OBSERVATION

The stations on the airfields at Singapore, Kuala Lumpur, Penang, Kota Bharu and Kuantan make observations every hour. At Malacca and Sitiawan the hours of observation are 0100, 0400, 0700, 1000, 1300, 1600 and 1900 Station Time, while at Ipoh, Alor Star, Kuala Trengganu and Mersing the hours of observation are 0700, 1000, 1300, 1600 and 1900 Station Time. Station Time is seven hours in advance of Greenwich Mean Time.

In Sarawak and North Borneo, the hours of observation are 0500, 0800, 1100, 1400, 1700 and 2000 Station Time. Station Time is eight hours in advance of Greenwich Mean Time.

AUXILIARY STATIONS

The equipment of the Auxiliary Stations consists of a standard Stevenson Screen, with dry and wet bulb psychrometer, and maximum and minimum thermometers together with a standard raingauge of either eight or five inches diameter.

The times of observation are 0700 and 1300 Station Time. Station Time is seven hours in advance of Greenwich Mean Time.

SINGAPORE RAINFALL STATIONS

The Rainfall Stations are equipped with a five-inch raingauge of British Meteorological Office standard pattern. Thirteen of the twenty-nine Rainfall Stations are also equipped with recording raingauges, Dines tilting siphon pattern.

The time of measurement of rainfall varies at different stations and is mentioned in each summary.

SARAWAK AND NORTH BORNEO STATIONS

Records from stations in Sarawak and North Borneo are included under First Order Stations.

CLIMATE

The characteristic features of the climate of Malaya are uniform temperature, high humidity and copious rainfall, and they arise mainly from the maritime exposure of the Peninsula. By uniform temperature is meant the lack of serious temperature variation throughout the year; the annual variation is not more than 4°F. The daily range of temperature is large, being from 10° to 15°F. at the coastal stations and from 15° to 20°F. at the inland stations but the excessive day temperatures which are found in continental tropical areas are never experienced. It may be noted that an air temperature of 100°F. has very rarely been recorded in Malaya under standard conditions. The nights are reasonably cool everywhere although the days are frequently hot and on account of the high humidity somewhat oppressive, it very rarely happens that refreshing sleep is not obtained at night.

The highest temperatures on record were observed in the northern part of the Peninsula on 26th and 27th March, 1931, when 103°F. was recorded at Pulau Langkawi on the 27th, and 101°F. at Sungei Patani on 26th and 27th and Kangar on 27th. In the southern part of the Peninsula the highest temperature ever recorded was 103°F. at Segamat on 11th July, 1958.

At the hill stations conditions are very different. Uniformity of temperature is still found but the temperature itself is naturally much lower. The highest temperature on record at Fraser's Hill (4,200 feet) is 82°F. and at Tanah Rata, Cameron Highlands (4,750 feet), 80°F. The coolest night on record at Fraser's Hill is 53°F. and at Tanah Rata 36°F. or only 4°F. above freezing point.

2. The differences in temperature in Malaya are comparatively small, whether temperature variations throughout the year at one place or differences from place to place at the same time of the year are considered. They are, nevertheless fairly definite in some respects and are worthy of mention. Over the whole Peninsula, there is a definite variation of temperature with the monsoons and this is accentuated in the East Coast districts. April and May are the months with the highest average monthly temperature in most places and December and January the months with the lowest average monthly temperature. The average daily temperature in most districts to the east of the Main Range is lower than in similar districts west of the Main Range. The differences in the average values in the east and west are due almost entirely to the low day temperature experienced in the Eastern districts during the North-East Monsoon. At Kuala Trengganu, for example, the day temperature rarely reaches 90°F. during the North-East Monsoon and often fails to reach 80°F. A number of occasions have been recorded on which the temperature did not rise above 75°F. which is not infrequently the lowest temperature reached during the night in most districts. Night temperatures do not vary to the same extent, the average usually being between 70°F. and 75°F. Individual values fall much below this at nearly all stations, the coolest nights commonly following some of the hottest days. The lowest temperature recorded in the plains is 60°F. which occurred at both Kulim and Lenggong on 6th January, 1937. The coast stations do not quite show such low temperatures but even here the night temperature falls below 70°F. from time to time.

3. The variation of rainfall is the most important feature in the seasonal division of the year, but this is not the same everywhere and as it is due to the more uniform periodic changes in the wind, the wind changes are usually spoken of when seasons are mentioned. There are four seasons which we can distinguish, namely, that of the South-West Monsoon, that of the North-East Monsoon and two shorter seasons separating the end of each of these from the commencement of the other. The beginning and end of the monsoon seasons are usually not well-defined, though the onset of the North-East Monsoon may be fairly definite.

4. The times of commencement of the Monsoons vary to some extent. The South-West Monsoon is usually established in the latter half of May or early in June and ends in September. The North-East Monsoon usually commences in late October or November and ends in March. There are thus two periods, each of about two months in length, between the ending of one monsoon and the beginning of the opposite one, corresponding roughly with the equinoctial seasons. The average rainfall of every district is largely governed by this seasonal division, although the same characteristics do not appear everywhere at the same seasons.

5. The seasonal variation of rainfall in Malaya is of three types. Over the East Coast districts the maximum rainfall occurs with the North-East Monsoon, the remainder of the year being comparatively dry. There is a steady increase of rainfall month by month from June or July to December, followed by a steady decrease on to the middle of the year. Over the inland districts and along the West Coast the maximum rainfall usually occurs in October and November. A second rainy season, though not so pronounced, occurs in March and April, the middle periods of the monsoons being comparatively dry. Inland and along the central portion of the West Coast, the driest months are usually June and July but along the coast in the South-West and the North-West the driest month is usually February.

6. The yearly rainfall is high over the whole of the Peninsula, the driest station of those at which records have been kept being Jelebu, with an average of 65 inches. The highest rainfall recorded occurs in the Larut Hills near Taiping where the average at "The Cottage" (4,513 feet) is 232 inches. Taiping itself, at the foot of these hills, has the highest rainfall of the low-level stations with an average of 166 inches. The high rainfall of this area is exceptional and at other hill stations at approximately the same height, but situated in the main range of mountains, the rainfall is considerably less; the average at Fraser's Hill being 106 inches and that at Cameron Highlands 104 inches.

7. Considering the Peninsula as a whole, the heaviest yearly rainfall is experienced over the East Coast districts where the average is about 120 inches. This average decreases inland to less than 100 inches over the central lowlands between the Eastern and Main Ranges. Between the Main Range and the West Coast the distribution is more irregular. In North Kedah the rainfall decreases towards the West Coast, but in South Kedah and Perak, there is a notable increase in the rainfall over the region immediately to the West of the Ranges before a decrease towards the West Coast. In this region lie the Taiping area which has been mentioned and the Tapah area with 144 inches as the average year's fall recorded at Tapah. Along the West Coast the rainfall decreases fairly uniformly from 107 inches at Penang to less than 80 inches along the coast of Selangor. Further south the distribution is irregular but increases to a little more than 110 inches at the extreme south of the Peninsula. The eastern part of Negri Sembilan is the driest area in Malaya with an average rainfall of less than 70 inches.

8. The surface winds are generally light except during the North-East Monsoon when the exposed East Coast of Malaya may experience steady winds of 20 miles per hour or more, gusting to much higher values, for spells of a few days. From April to November line squalls, known as "Sumatras", accompanied by heavy thunderstorms, develop in the Malacca Straits in the night and move with the prevailing Southwesterly winds aloft on to the West Coast, generally in the early hours of the morning. These "Sumatras" have been known to exceed 150 miles in length.

SINGAPORE RAINFALL — AUXILIARY STATIONS

Amount in inches

1959	Station: Sembawang Police Station Lat: 1° 27' N. Long: 103° 50' E. Ht. above M.S.L. —				Station: Royal Air Force, Seletar Lat: 1° 26' N. Long: 103° 32' E. Ht. above M.S.L. —				Station: Ama Keng Police Station Lat: 1° 24' N. Long: 103° 42' E. Ht. above M.S.L. —				Station: Seletar Reservoir Lat: 1° 24' N. Long: 103° 48' E. Ht. above M.S.L. —				Station: Nee Soon School of Health Lat: 1° 24' N. Long: 103° 49' E. Ht. above M.S.L. —				Station: Horsburgh Light-house Lat: 1° 24' N. Long: 103° 24' E. Ht. above M.S.L. —				1959
	Month	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Month			
January	8.06	16	2.85	11	10.17	21	3.48	11	5.58	20	1.96	11	7.92	13	3.00	11	13.50	14	4.25	12	6.00	11	2.42	13	January
February	6.51	11	1.69	3	5.82	11	1.67	24	6.08	14	1.98	4	8.95	11	1.90	5	11.11	10	2.16	6	0.47	3	0.35	24	February
March	12.96	15	4.68	10	12.56	18	2.76	10	13.38	22	2.37	10	9.91	15	1.82	29	11.59	15	1.84	22	4.89	14	1.36	21	March
April	13.48	23	2.38	26	20.11	23	3.88	17	13.20	21	1.97	11	18.35	19	2.87	4	23.42	21	3.20	5	10.16	17	2.36	13	April
May	8.87	12	1.96	15	8.75	16	1.76	4	5.28	14	1.29	11	4.81	13	1.20	26	6.87	11	1.25	26	3.71	9	1.45	19	May
June	9.60	18	1.60	16	13.47	17	4.37	11	9.10	16	1.68	16	9.13	15	2.20	26	11.58	15	1.90	11	3.38	13	0.68	24	June
July	7.13	13	2.71	17	5.82	13	1.74	17	8.90	14	1.93	31	7.79	12	2.37	17	10.06	12	3.01	17	3.66	13	0.84	31	July
August	6.09	13	2.02	16	4.22	14	0.91	8	6.50	15	1.86	26	6.77	11	1.98	39	8.90	9	2.56	29	9.07	17	2.24	14	August
September	3.82	10	1.53	28	6.53	15	3.12	28	1.51	12	0.61	12	4.16	10	1.00	17	..	..	..	..	6.38	14	1.40	28	September
October	6.38	17	3.28	29	9.41	17	2.25	29	7.39	18	2.47	29	6.02	14	2.00	29	..	..	..	..	5.84	11	1.74	16	October
November	8.45	21	1.19	6	11.19	20	2.18	29	6.95	16	1.59	16	10.26	18	1.83	29	..	..	..	..	7.17	16	1.96	19	November
December	14.89	24	2.38	28	14.22	27	1.73	9	15.10	22	1.74	4	11.53	22	1.66	28	..	..	..	..	6.84	19	1.06	7	December
Total	106.24	193	..	..	122.27	212	..	..	98.92	204	..	..	105.62	173	..	..	..	..	..	..	67.57	157	..	..	Total
Extremes	..	..	4.68	..	..	..	4.37	..	..	..	2.47	..	..	..	3.00	..	..	..	..	..	..	..	2.42	..	Extremes
Rainfall Measured Daily at ..	0830 S.T.				0700 S.T.				0830 S.T.				0730 S.T.				0830 S.T.				0830 S.T.				

1959

SINGAPORE RAINFALL — AUXILIARY STATIONS

1959

Amount in inches

1959	Station: Royal Air Force Tengah Lat: 1° 23' N. Long: 103° 43' E. Ht. above M.S.L. —				Station: Pierce Reservoir Lat: 1° 23' N. Long: 103° 50' E. Ht. above M.S.L. —				Station: Royal Air Force Changi Lat: 1° 23' N. Long: 103° 59' E. Ht. above M.S.L. —				Station: Tempenis Customs Station Lat: 1° 22' N. Long: 103° 54' E. Ht. above M.S.L. —				Station: Serangoon S.D.W. Lat: 1° 22' N. Long: 103° 57' E. Ht. above M.S.L. —				Station: Ulu Pandan S.D.W. Lat: 1° 21' N. Long: 103° 45' E. Ht. above M.S.L. —				1959
	Month	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Month			
January	5.78	19	1.98	11	10.15	16	3.20	11	6.15	17	2.28	12	10.97	19	1.90	11	8.00	9	1.90	11	6.95	..	..	..	January
February	7.64	16	1.37	4	9.91	9	3.30	4	2.79	13	0.69	4	5.95	10	2.06	6	3.80	4	2.90	7	6.94	..	..	..	February
March	15.35	21	3.34	24	14.66	18	2.95	10	11.29	16	2.35	12	13.10	16	1.60	20	6.70	8	1.50	12	14.35	..	..	..	March
April	11.72	21	2.79	11	13.27	20	2.40	4	7.02	18	1.58	7	10.93	17	2.28	4	8.60	8	2.50	5	9.30	..	..	..	April
May	6.91	16	1.48	19	6.46	11	2.60	17	8.34	14	2.61	26	12.62	16	3.20	16	10.11	10	3.50	17	3.21	..	..	..	May
June	10.87	20	2.52	11	11.56	17	3.00	11	8.71	18	2.22	16	11.33	16	2.26	11	16.65	9	5.30	11	10.16	..	..	..	June
July	7.08	13	1.65	31	7.06	10	2.80	17	7.47	13	2.59	25	4.85	11	1.43	17	5.20	5	2.05	31	8.01	..	..	..	July
August	6.71	14	1.42	26	4.97	11	2.12	17	7.50	13	2.11	23	11.72	14	3.14	26	5.40	5	1.90	20	7.31	..	..	..	August
September	2.18	12	0.89	21	4.53	9	2.60	20	2.85	10	0.91	12	6.39	13	3.55	28	3.80	5	1.25	12	3.22	..	..	..	September
October	7.45	15	2.03	20	7.82	12	1.65	29	5.65	14	2.17	29	9.64	17	2.50	15	4.05	4	1.70	29	9.40	..	..	..	October
November	6.70	21	1.45	8	9.73	17	1.60	21	7.66	23	1.61	20	8.24	22	2.36	14	7.03	14	1.05	19	9.74	..	..	..	November
December	14.09	28	1.54	12	13.31	22	3.65	30	19.60	29	4.75	16	24.39	24	4.60	30	8.30	13	1.40	27	11.63	..	..	..	December
Total	100.63	216	..	..	113.43	172	..	..	95.03	198	..	..	130.13	195	..	..	87.64	94	..	..	100.22	..	..	..	Total
Extremes	3.34	3.65	4.75	4.60	5.30	Extremes
Rainfall Measured-Daily at ..	6700 S.T.				0730 S.T.				0700 S.T.				0700 S.T.				0630 S.T.				0830 S.T.				

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SINGAPORE RAINFALL — AUXILIARY STATIONS

Amount in inches

1959	Station: MacRitchie Reservoir Lat: 1° 21' N. Long: 103° 51' E. Ht. above M.S.L. —				Station: Woodleigh Filters Lat: 1° 21' N. Long: 103° 52' E. Ht. above M.S.L. —				Station: Kim Chuan Road P.W.D. Lat: 1° 21' N. Long: 103° 53' E. Ht. above M.S.L. —				Station: Kim Chuan Road S.D.W. Lat: 1° 21' N. Long: 103° 54' E. Ht. above M.S.L. —				Station: Tuas Police Post Lat: 1° 19' N. Long: 103° 39' E. Ht. above M.S.L. —				Station: Rangoon Road S.W. Lat: 1° 19' N. Long: 103° 50' E. Ht. above M.S.L. —				1959	
	Month	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Month
January	9.28	21	2.53	11	9.34	16	2.07	1	7.52	22	1.85	12	8.10	14	2.50	10	..	..	..	..	2.50	10	0.55	9	January
February	6.80	11	3.03	4	7.27	10	2.23	4	4.46	11	1.83	6	4.64	8	1.50	3.5	..	..	..	..	5.15	10	1.60	2	February
March	12.41	16	2.81	10	12.66	17	2.65	10	11.74	16	1.93	7	13.04	15	2.30	24	..	..	..	..	6.25	9	1.80	24	March
April	7.93	18	1.92	4	7.20	15	1.90	4	7.65	15	1.72	5	5.28	12	1.25	26	..	..	..	..	4.25	12	1.05	16	April
May	4.09	14	1.60	26	5.14	12	1.22	4	4.56	14	0.94	10	2.67	7	1.00	3	3.54	9	1.02	10	3.45	8	1.80	3	May	
June	8.50	18	1.89	11	10.93	18	2.28	11	6.47	18	1.04	25, 26	8.49	12	1.25	12, 25	7.05	14	1.56	25	5.15	14	1.65	25	June	
July	5.31	10	1.87	17	3.77	7	1.45	31	3.21	12	1.10	31	3.18	9	1.15	30	4.99	12	1.10	31	3.15	7	1.75	17	July	
August	5.70	12	2.73	17	5.68	13	1.23	26	6.41	13	2.28	26	6.34	11	1.75	25	5.22	15	2.92	16	*1.55	*9	*0.50	6	August	
September	4.83	13	1.91	20	6.63	10	1.80	28	6.56	11	2.73	28	5.40	9	2.25	27	2.37	9	0.76	2	..	..	..	..	September
October	8.39	13	2.63	11	6.72	10	1.57	16	5.60	13	1.63	29	4.77	7	1.30	16	8.79	16	2.55	29	3.65	9	1.85	10	October	
November	10.82	20	2.11	29	10.28	19	1.79	20	7.10	17	1.46	20	7.11	12	2.10	19	7.20	16	1.68	7	4.90	14	0.85	28	November	
December	12.81	25	3.11	30	12.68	24	1.87	30	19.12	26	3.82	30	16.95	22	2.50	29	9.22	21	1.46	17	8.00	17	1.65	29	December	
Total	96.87	191	98.30	171	90.48	188	85.97	138	Total
Extremes	3.11	2.65	3.82	2.50	Extremes
Rainfall Measured Daily at ..	0730 S.T.				0730 S.T.				0830 S.T.				0630 S.T.				0830 S.T.				0630 S.T.					

*30 days only.

1959

SINGAPORE RAINFALL — AUXILIARY STATIONS

1959

Amount in inches.

1959	Station: Tanjong Kling Police Station Lat: 1° 18' N. Long: 103° 43' E. Ht. above M.S.L. —				Station: Botanic Gardens Lat: 1° 18' N. Long: 103° 49' E. Ht. above M.S.L. —				Station: Alexandra Road S.D.W. Lat: 1° 18' N. Long: 103° 50' E. Ht. above M.S.L. —				Station: Marine Police Station Lat: 1° 18' N. Long: 103° 51' E. Ht. above M.S.L.				Station: Fullerton Building Lat: 1° 18' N. Long: 103° 51' E. Ht. above M.S.L. —				Station: Ringwood Road S.W. Lat: 1° 18' N. Long: 103° 53' E. Ht. above M.S.L. —				1959
	Month	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Month			
January	5.15	17	1.36	11	9.78	19	2.04	6	8.30	14	1.30	5, 11	7.27	18	2.00	11	6.80	19	1.83	11	4.90	8	2.25	11	January
February .. .	6.21	15	1.86	16	3.88	10	0.85	4	2.75	8	0.70	26	2.81	11	0.64	4	2.65	11	0.62	4	3.95	6	2.35	3	February
March .. .	12.70	17	2.77	24	11.72	18	2.21	16	13.40	17	2.15	20	10.12	15	2.04	10	9.72	16	2.14	31	7.45	9	1.40	24	March
April .. .	7.99	15	2.00	9	8.65	13	2.68	6	6.10	10	1.40	4	5.87	14	2.00	28	5.58	15	1.82	28	4.30	5	1.75	28	April
May .. .	5.09	10	2.64	10	4.14	11	1.47	7	5.40	13	1.40	3	7.99	11	2.70	4	7.15	12	2.55	4	3.50	5	1.60	3	May
June .. .	8.09	16	1.96	16	11.25	18	3.17	11	6.90	11	1.65	25	9.18	18	2.00	10	8.71	19	1.98	10	6.20	14	1.00	24	June
July .. .	6.53	12	1.84	31	4.67	12	1.89	31	5.42	13	2.20	30	5.26	13	1.89	31	4.95	15	1.64	31	2.15	4	1.05	30	July
August .. .	4.66	12	1.90	16	3.64	13	0.88	16	2.42	10	0.85	5	4.41	14	1.67	6	4.13	14	1.65	6	3.90	11	1.10	6	August
September .. .	3.05	11	0.80	2	6.30	12	2.15	20	7.30	13	1.65	27	7.35	11	2.40	28	7.13	11	2.41	28	8.90	9	3.20	27	September
October .. .	5.09	17	1.15	29	5.28	13	1.14	29	5.35	13	1.40	23	4.33	14	1.15	23	4.02	16	1.12	23	2.80	8	0.60	13	October
November .. .	8.17	16	1.58	20	13.76	20	3.46	20	7.40	16	2.00	28	9.10	18	3.35	29	8.66	19	3.31	29	3.95	10	1.15	19	November
December .. .	12.12	21	2.39	17	12.95	23	1.78	30	13.00	18	1.60	29	12.14	22	1.96	28	11.35	22	1.99	28	8.30	15	1.10	26	December
Total .. .	84.85	179	..	..	96.02	182	..	..	93.74	156	..	..	85.83	179	..	..	80.76	189	..	..	60.30	104	..	..	Total
Extremes	2.77	3.46	2.20	3.35	3.31	3.20	..	Extremes
Rainfall Measured Daily at ..	0830 S.T.				0900 S.T.				2330 S.T.				0630 S.T.				0830 S.T.				0630 S.T.				

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SINGAPORE RAINFALL — AUXILIARY STATIONS

Amount in inches

1959	Station: Pulau Seraya Police Post Lat: 1° 17' N. Long: 103° 44' E. Ht. above M.S.L. —				Station: Pasir Panjang Power Station Lat: 1° 17' N. Long: 103° 46' E. Ht. above M.S.L. —				Station: Singapore Harbour Board, Gate 9 Lat: 1° 16' N. Long: 103° 49' E. Ht. above M.S.L. —				Station: Sultan Shoal Lighthouse Lat: 1° 14' N. Long: 103° 39' E. Ht. above M.S.L. —				Station: Raffles Lighthouse Lat: 1° 10' N. Long: 103° 44' E. Ht. above M.S.L. —				1959				
	Month	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greatest Fall in a Day		Date	Month		
January ..	6.13	16	1.97	4	7.57	20	1.40	11	7.92	17	1.55	11	3.15	14	1.09	11	2.95	14	0.85	12	..	..	..	..	January
February ..	5.16	15	0.98	16	2.64	12	0.80	24	3.03	10	1.08	24	3.84	14	1.11	25	2.19	11	0.61	11	..	..	..	..	February
March ..	12.65	22	2.80	31	13.06	18	3.10	31	9.24	16	1.80	31	7.32	14	1.58	24	6.02	15	2.07	26	..	..	..	..	March
April ..	8.76	13	2.06	6	9.52	12	1.85	1	5.61	12	2.61	1	6.24	13	1.45	13	4.81	16	1.13	6	..	..	..	..	April
May ..	5.25	11	2.23	10	6.98	7	1.90	17	6.53	10	1.78	4	3.54	12	1.22	10	4.46	16	1.29	9	..	..	..	..	May
June ..	10.34	17	2.12	16	13.25	17	2.48	13	10.15	17	2.26	13	8.93	13	1.61	15	7.51	13	1.43	26	..	..	..	..	June
July ..	6.02	12	2.47	31	7.19	10	2.92	31	5.56	12	1.70	31	3.39	13	0.94	31	4.63	11	2.47	31	..	..	..	..	July
August ..	3.42	14	0.91	16	3.95	9	1.00	6	3.18	10	1.25	6	7.33	13	2.10	16	2.80	14	0.88	26	..	..	..	..	August
September ..	3.08	13	0.77	2	6.03	11	1.60	12	6.56	13	1.52	28	2.59	11	1.28	28	7.43	9	2.58	38	..	..	..	..	September
October ..	4.67	13	1.76	15	7.12	17	1.90	24	5.91	13	1.94	24	8.08	16	2.10	6	5.36	12	1.45	31	..	..	..	..	October
November ..	8.46	14	1.82	23	7.54	17	1.75	29	9.03	14	2.50	29	4.78	15	0.74	4	6.03	19	1.01	22	..	..	..	..	November
December ..	11.62	22	2.35	30	14.92	19	2.43	24	14.47	22	1.87	30	6.70	17	1.32	17	6.97	14	1.53	16	..	..	..	..	December
Total ..	85.56	182	..	..	101.17	169	..	..	87.19	166	..	..	65.89	165	..	..	61.16	164	..	..	..	..	..	..	Total
Extremes	2.47	3.10	2.61	2.10	2.58	Extremes
Rainfall Measured Daily at ..	0830 S.T.				0800 S.T.				0730 S.T.				0830 S.T.				0830 S.T.								

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Annex 29

Memorandum Setting out Heads of Agreement for
a Merger between the Federation of Malaya and Singapore
dated 11 Nov 1961

**MEMORANDUM SETTING OUT HEADS OF AGREEMENT
FOR A MERGER BETWEEN THE FEDERATION OF
MALAYA AND SINGAPORE**

Cmd. 33 of 1961

**Presented to the Legislative Assembly by Command of
His Excellency the Yang di-Pertuan Negara**

Ordered by the Assembly to lie upon the Table:

15th November, 1961



PRIME MINISTER,
SINGAPORE.

11th November, 1961

Y.T.M. Tunku Abdul Rahman Putra Al-Haj, K.O.M., C.H.,
Prime Minister,
Federation of Malaya,
Kuala Lumpur

My dear Prime Minister,

You will recall that in our discussions on the constitutional framework to effect the merger of Singapore with the Federation of Malaya in the new Federation of Malaysia we agreed upon a memorandum which contains several heads of agreement, including State and Federal responsibilities, whereby Singapore will retain responsibility over Education and Labour and enjoy local autonomy in certain agreed matters as set out therein, without prejudice to the basic principle that there should be a strong Central Government for the Federation of Malaysia as a whole.

I shall be obliged if you will confirm that this letter and the memorandum correctly state the understanding between us in this matter. If you agree I propose that this letter and your reply should be regarded as placing that understanding on record.

Yours Sincerely
Lectura Jm.

Telegraphic Address—PERMENT
Telephone No. 84432 & 88228



PRIME MINISTER

Federation of Malaya,
Kuala Lumpur

11th November, 1961.

My dear Prime Minister

With reference to your letter of 11th November, 1961 regarding the memorandum forming the basic proposals for merger and the extent of local autonomy to be retained by Singapore, you wrote as follows:-

" You will recall that in our discussions on the constitutional framework to effect the merger of Singapore with the Federation of Malaya in the new Federation of Malaysia we agreed upon a memorandum which contains several heads of agreement, including State and Federal responsibilities, whereby Singapore will retain responsibility over Education and Labour and enjoy local autonomy in certain agreed matters as set out therein, without prejudice to the basic principle that there should be a strong Central Government for the Federation of Malaysia as a whole.

I shall be obliged if you will confirm that this letter and the memorandum correctly state the understanding between us in this matter. If you agree I propose that this letter and your reply should be regarded as placing that understanding on record. "

In reply I confirm that your letter correctly states the understanding between us, and in accordance with the proposal contained therein, your letter and this reply will be regarded as placing that understanding on record.

Yours sincerely
Tunku Abdul Rahman Putra

(TUNKU ABDUL RAHMAN PUTRA)

The Hon'ble Mr. Lee Kuan Yew,
Prime Minister,
Singapore.

MEMORANDUM SETTING OUT HEADS OF AGREEMENT FOR A MERGER BETWEEN THE FEDERATION OF MALAYA AND SINGAPORE

1. *Introduction*

After the Second World War, civil government in Malaya was restored on 1st April, 1946. Singapore, which was formerly part of the Straits Settlements, was established as a separate Crown Colony by Order in Council of 27th March, 1946.

The advance of Singapore from Colony status to that of a full internal self-governing State and reserving to the government of the United Kingdom responsibility for defence and external affairs, was made in progressive stages under the Singapore Colony Order in Council, 1955, the Singapore (Electoral Provisions) Order in Council, 1958, the State of Singapore Act, 1958 and the present Singapore (Constitution) Order in Council, 1958 which came into operation on 3rd June, 1959.

While this constitutional development was taking place, the desire for eventual reunification of Singapore with the Federation of Malaya, to which it is inextricably bound by common racial, historical, cultural, economic and political ties, became more and more evident as the years passed by and grew in intensity during the last two years. The artificial separation of the two territories is now to be ended.

2. *Agreement in Principle*

On 23rd August, 1961, agreement was reached in principle between the Prime Ministers of the Federation of Malaya and Singapore for a merger of the two territories. The official communique was as follows:—

“ . . . The Federation and Singapore leaders had a full and frank exchange of views on the situation in Singapore *vis-a-vis* the Federation, in particular on the question of merger and the various implications arising from this subject.

Among many matters examined was the question of Federation responsibility for defence, external affairs and security. The Singapore Prime Minister laid particular stress on the necessity of Singapore's retaining local autonomy, especially on matters of education and labour.

Both Prime Ministers have agreed in principle on these proposals. They have also agreed that a working party should be set up to go into the overall financial and other implications arising out of arrangements whereby local autonomy is retained by Singapore on agreed matters, and to consider the financial contribution Singapore would be required to make to the National Government.”

3. *Working Parties*

The two governments next appointed the following officials to be members of their respective Working Parties. There have been consultation and exchange of information between the two Working Parties.

The Federation Exploratory Working Party

- (i) Dato Abdul Aziz bin Haji Abdul Majid,
Permanent Secretary, Prime Minister's Department.
- (ii) Enche Abdul Jamil bin Abdul Rais,
Secretary to the Treasury.
- (iii) Dato Nik Daud bin Haji Nik Mat,
Deputy Secretary to the Ministry of Internal Security.
- (iv) Enche Abdul Kadir bin Shamsudin,
Acting Secretary for Defence.

- (v) Enche Ali bin Hassan,
Senior Federal Counsel.
- (vi) Enche Muhammad Ghazali bin Shafie,
Acting Permanent Secretary, Ministry of External Affairs.
- (vii) Enche Ismail bin Mohamed Ali,
Deputy Governor, Bank Negara.

The Singapore Working Party

- (i) Enche Ahmad bin Mohamed Ibrahim,
State Advocate-General.
- (ii) Mr. S. T. Stewart,
Permanent Secretary, Ministry of Home Affairs.
- (iii) Mr. Hon Sui Sen,
Chairman, Economic Development Board.

4. The following sections of the memorandum set out the constitutional, executive, legislative, administrative and financial proposals for merger and the extent of local autonomy to be retained by Singapore.

5. *The State of Singapore*

Singapore will be a State within the Federation but on special conditions and with a larger measure of local autonomy than the other States forming the Federation. Defence, External Affairs and Security will be the responsibility of the Federation Government; Education and Labour that of the Singapore Government. The responsibility for other matters are given in other relevant parts of this memorandum.

While the Federal Government will be responsible for the conduct of external relations, the special position of Singapore in relation to entrepôt trade will be safeguarded. Measures to protect the interest of Singapore trade overseas will include the establishment of a section within any of the Federal missions as may be necessary to deal with trade matters of Singapore. In any trade negotiation or arrangements undertaken or entered into by the Federal Government with another country due consideration will be given to the commercial needs of Singapore.

6. *Fundamental Liberties*

Fundamental liberties of the people of Singapore will be adequately safeguarded in the provisions of the Federation Constitution.

7. *Special Position of the Malays*

The special position of the Malays who are Singapore citizens will be safeguarded in the Constitution of the larger Federation. With regard to the Muslim religion it will be provided as in Malacca and Penang that the Yang di-Pertuan Agong will be the head of the Muslim religion in the State and that a Council of Muslim Religion will be established to advise the Yang di-Pertuan Agong in matters relating to the Muslim religion.

8. *The Head of State*

The Yang di-Pertuan Negara will be appointed by the Yang di-Pertuan Agong acting in his discretion after consultation with the Prime Minister of Singapore. The Yang di-Pertuan Negara shall be the head of the executive government of Singapore and shall have power to assent to laws passed by the State Legislative Assembly. The Yang di-Pertuan Negara will also exercise the prerogative of mercy, on the advice of a Pardons Board.

9. *The Executive*

The general direction and control of the Government of Singapore will be as at present by the Cabinet consisting of the Prime Minister and Ministers appointed on his advice. The offices of Permanent Secretaries and the State Advocate-General will be continued as at present. The responsibility for criminal prosecutions in Singapore will for the time being remain with the State Advocate-General. Final authority in all prosecutions affecting national security will rest with the Public Prosecutor of the new Federation Government.

10. *The Legislature*

The present Legislative Assembly will continue as a State Assembly but it will have no power to enact laws relating to Defence, External Affairs, Security and those matters which have been agreed to be Federal matters. These matters are included in the agreed modified Federal, Concurrent and State Legislative lists in respect of the State of Singapore attached as annexure to this memorandum.

11. *Administrative Responsibilities*

Apart from Defence, External Affairs, Security, Education and Labour, departments which were pan-Malayan prior to 31st August, 1957, when the Federation of Malaya became independent, will revert to the former arrangements, with due regard, however, to safeguards for the traditional free port status of Singapore and its entrepôt trade. The division of responsibilities in respect of other departments will follow the modified legislative lists abovementioned.

12. *The Public Service*

In view of the larger measure of local autonomy retained by the Singapore Government, the existing Singapore Civil Service will be retained as a State Civil Service. Facilities will be provided for secondment or voluntary transfer to the Federal Civil Service. The existing provisions relating to the appointment of public officers will therefore be retained except in the case of police officers, who will automatically come under the jurisdiction of the Federation Police Force Commission. There is provision in the Federation Constitution for the delegation of powers by the Police Force Commission to an officer or a board of officers of the Police Force and for consultation with persons other than its members. All present police officers will be given the option of serving only in Singapore or also in the new Federation.

13. *The Judiciary*

As the administration of justice is a Federal responsibility, it is necessary to have a Federal Judicial and Legal Service. In view of the special conditions in Singapore, however, there will be a separate branch of the Federal Judicial and Legal Service in Singapore, with opportunities for secondment or voluntary transfer to the other branches of the service. The present judicature, both Supreme Court and lower Courts will be retained. Provision will be made for the appointment of future judges in Singapore on the lines of the existing provisions relating to the appointment of Federation Judges, with the modification that the Chief Justice of Singapore will be consulted in place of the Chief Justice of the Federation. The existing provisions relating to the appointment, promotion and transfer of legal officers (including District Judges and Magistrates) by a Legal Service Commission will be retained. Provision will be made for a joint court of appeal and for the Judicial Committee of the Privy Council to advise the Yang di-Pertuan Agong on appeals from Singapore.

14. *Citizenship and Nationality*

All Singapore citizens will keep their citizenship and automatically become nationals of the larger Federation. Citizens of the present Federation will similarly become nationals of the larger Federation. Nationals of the larger Federation, whether Singapore citizens or the Federation citizens, will as nationals have equal rights, carry the same passport, enjoy the same protection and be subject to the equal duties and responsibilities under the Constitution of the larger Federation. Singapore citizens will continue to enjoy their State rights and privileges within Singapore.

Singapore citizens will vote in Singapore for their representatives to the new Federation Parliament and the citizens of the present Federation of Malaya will vote in the present Federation for their representatives to the same new Federation Parliament.

15. *Representation in the new Federation Parliament, House of Representatives and the Senate*

The number of Singapore representatives in the new Federation Parliament has been determined having regard to three vital considerations:—

- (a) that the 624,000 Singapore citizens now on the electoral roll should not lose the citizenship rights they now enjoy;
- (b) that Singapore should have local autonomy in education and labour policies and generally a larger measure of reserve state powers compared to the other States in the Federation;
- (c) that in order to give effect to the local autonomy in education and labour and other state responsibilities, Singapore shall retain a very large proportion of the present state revenue to discharge these responsibilities.

On a fair balance of interests, Singapore will be entitled to 15 seats in the House of Representatives.

As with the other States in the present Federation, Singapore will be entitled to two members in the Senate.

16. *Audit*

Government audit will be conducted on a Federal basis, with the Auditor General in overall charge of the department and the Director of Audit, Singapore, working under his direction and control.

17. *Finance*

In view of the larger measure of local autonomy and the consequent large expenditure on Singapore services and development, the financial relations between the Federal Government and the States set out in the Federation Constitution will not be applicable in their entirety to Singapore. The Federal Government will retain legislative authority over all taxes of a national character, that is, all taxes other than those specified in Part III of the Tenth Schedule to the Constitution, subject to the maintenance of the free port status of Singapore which will not be changed without the concurrence of both the Federal and the Singapore Governments. The present machinery for the collection of taxes in Singapore will be retained.

Control over monetary policy rests with the Federal Government. The Singapore Government will have wider powers of raising domestic loans than that provided for under Article 111 of the Federation Constitution. The raising of external loans and the terms and conditions thereof will be subject to the approval of the Federal Government.

Pensions liability in respect of retired Singapore officers and prospective liability in respect of officers of the State services will continue to rest with the Singapore Government.

The proceeds of the national taxes will be used to pay the cost of Government and Public Services in Singapore and the contribution to the Federal Government for Federal services. The details of the apportionment will be worked out by the Joint Working Party.

For budgetary purposes all house-keeping matters will be left to the State Government. In framing the State Budget due consideration will be given to the prevailing financial policy of the Federal Government.

18. *Conclusion*

No terms and conditions can be liberal and generous to both sides, Singapore and the Federation; nor can they satisfy all parties on both sides of the Causeway. There are diverse local interests to be looked after. Singapore wishes to safeguard her local legitimate interests in many spheres; the Federation wants to secure her paramount interests in security, and in the stability of the new Federation. As part of the democratic process both governments have welcomed and continue to welcome all proposals which are constructive, and will improve the smooth working of the constitutional arrangements of the new Federation.

ANNEXURE.

NINTH SCHEDULE TO FEDERATION OF MALAYA CONSTITUTION
LEGISLATIVE LISTS

LIST I—FEDERAL LIST

Proposed division of responsibilities on merger

- | | | | | | |
|----|--|-----|-----|-----|---|
| 1. | External Affairs | ... | ... | ... | Federal. |
| 2. | Defence | ... | ... | ... | Federal. |
| 3. | Internal Security | ... | ... | ... | Federal. |
| 4. | Civil and Criminal Law and procedure and the administration of justice | | | | Federal. |
| 5. | Federal Citizenship and Naturalization: aliens | | | | Federal. |
| 6. | Machinery of Government | ... | ... | | Federal except for Election in Singapore which shall be Concurrent. |
| 7. | Finance: | | | | |
| | (a) Currency | ... | ... | ... | Federal. |
| | (b) National Savings and Savings Bonds | ... | | | Federal. |
| | (c) Borrowing on security of Federal Consolidated Fund | | | | Federal. |
| | (d) Loans to and borrowing by States | ... | | | Concurrent. |
| | (e) Public debt of Federation | ... | ... | | Federal. |
| | (f) Financial and accounting procedure | ... | | | Federal. |
| | (g) Audit | ... | ... | ... | Federal. |
| | (h) Taxes | ... | ... | ... | Federal. |
| | (i) Fees | ... | ... | ... | Federal. |
| | (j) Banking | ... | ... | ... | Concurrent. |
| | (k) Bill of Exchange | ... | ... | ... | Federal. |
| | (l) Foreign Exchange | ... | ... | ... | Federal. |
| | (m) Capital issues | ... | ... | ... | Federal. |
| 8. | Trade, commerce and industry, including— | | | | |
| | (a) Production, supply and distribution of goods; price control and food control; adulteration of foodstuffs and other goods; | | | | Concurrent. |
| | (b) Imports into, and exports from, the Federation; | | | | Concurrent. |
| | (c) Incorporation, regulation and winding up of corporations other than municipal corporations (but including the municipal corporation of the federal capital); regulation of foreign corporations; bounties and production in or export from the Federation; | | | | Federal. |

Proposed division of responsibilities on merger

(d) Insurance, including compulsory insurance;	Concurrent.
(e) Patents; designs; inventions; trade marks and mercantile marks; copyrights;	Federal.
(f) Establishment of standards of weights and measures;	Federal.
(g) Establishment of standards of quality of goods manufactured in or exported from the Federation;	Federal.
(h) Auctions and auctioneers;	Concurrent.
(i) Industries; regulation of industrial undertakings;	Concurrent.
(j) Development of mineral resources; mines, mining, minerals and mineral ores; oils and oilfields; purchase, sale, import and export of minerals and mineral ores; petroleum products; regulation of labour and safety in mines and oilfields;	Federal.
(k) Factories; boilers and machinery; dangerous trades;	State.
(l) Dangerous and inflammable substances.	State.
9. Shipping	Concurrent.
10. Communications and Transport ...	Federal.
Telephone	Federal.
Broadcasting and Television ...	Overall policy, Federal. Singapore will be responsible for administration and day to day programme.
11. Federal Works and Power ...	Federal except for water, electricity and gas supplies which shall be State.
12. Surveys, Inquiries and Research ...	Federal except for Registration of Marriages which shall be State.
13. Education	State.
14. Medicine and Health	State.
15. Labour and Social Security ...	State.
16. Welfare of Aborigines	Federal.
17. Professional Occupations ...	Concurrent.
18. Holidays, other than State Holidays ...	Federal.
19. Unincorporated Societies	Concurrent.
20. Control of agricultural pests	Federal.
21. Newspapers, publications, publishers, printing and printing presses	Concurrent.

Annex 30

Joint Statement by the United Kingdom and the Federation of
Malaya regarding the Proposed Federation of Malaysia
dated 22 Nov 1961





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1968

(No. 2)—*His Highness the Ruler of Kuwait to Her Majesty's Political Resident in the Persian Gulf*

(Translation)

Kuwait, 19th June, 1961.

His Excellency,

Her Britannic Majesty's Political Resident in the Persian Gulf.

Greetings.

I have the honour to refer to Your Excellency's Note of to-day's date which reads as follows:

[As in No. 1]

I confirm that Your Excellency's Note correctly represents the conclusions reached by myself and Sir George Middleton and I agree that Your Excellency's Note and my reply shall be regarded as constituting an Agreement between Kuwait and the United Kingdom in this matter. With best regards.

ABDULLAH AS-SALIM AS SABAH.

JOINT STATEMENT by the United Kingdom and the Federation of Malaya regarding the proposed Federation of Malaysia.—London, 22nd November, 1961⁽¹⁾

In a series of meetings in London this week British and Malayan Ministers examined the proposal to create a Federation of Malaysia which would embrace the Federation of Malaya, Singapore, North Borneo, Sarawak and Brunei.

2. In the light of a full study of the problem which has been going on for some months, the British and Malayan Governments are convinced that this is a desirable aim.

3. The Ministers took note with satisfaction of the heads of agreement recently negotiated between the Governments of Malaya and Singapore for the merging of the State of Singapore with the Federation.

4. Before coming to any final decision it is necessary to ascertain the views of the peoples of North Borneo and Sarawak. It has accordingly been decided to set up a Commission to carry out this task and to make recommendations.

⁽¹⁾ Cmnd. 1563.

The Commission will be composed of a Chairman and four members, two nominated by the British Government and two by the Malayan Government. In the light of the Commission's report the two Governments will decide what further steps should be taken. (The terms of reference of the Commission are attached at Annex A.)

5. At the same time the views of the Sultan of Brunei are being sought.

6. In regard to defence matters it was decided that, in the event of the formation of the proposed Federation of Malaysia, the existing Defence Agreement between Britain and Malaya⁽²⁾ should be extended to embrace the other territories concerned. It was, however, agreed that the Government of the Federation of Malaysia will afford to the Government of the United Kingdom the right to continue to maintain bases at Singapore for the purpose of assisting in the defence of Malaysia, and for Commonwealth defence and for the preservation of peace in South East Asia. (The text of the arrangements agreed is attached at Annex B.)

HAROLD MACMILLAN.
ABDUL RAHMAN.

ANNEX A

COMMISSION OF ENQUIRY, NORTH BORNEO AND SARAWAK

Terms of Reference

Having regard to the expressed agreement of the Governments of the United Kingdom and the Federation of Malaya that the inclusion of North Borneo and Sarawak (together with other territories) in the proposed Federation of Malaysia is a desirable aim in the interests of the peoples of the territories concerned—

(a) to ascertain the views of the peoples of North Borneo and Sarawak on this question ; and

(b) in the light of their assessment of these views, to make recommendations.

(2) Vol. 163, page 49.

