

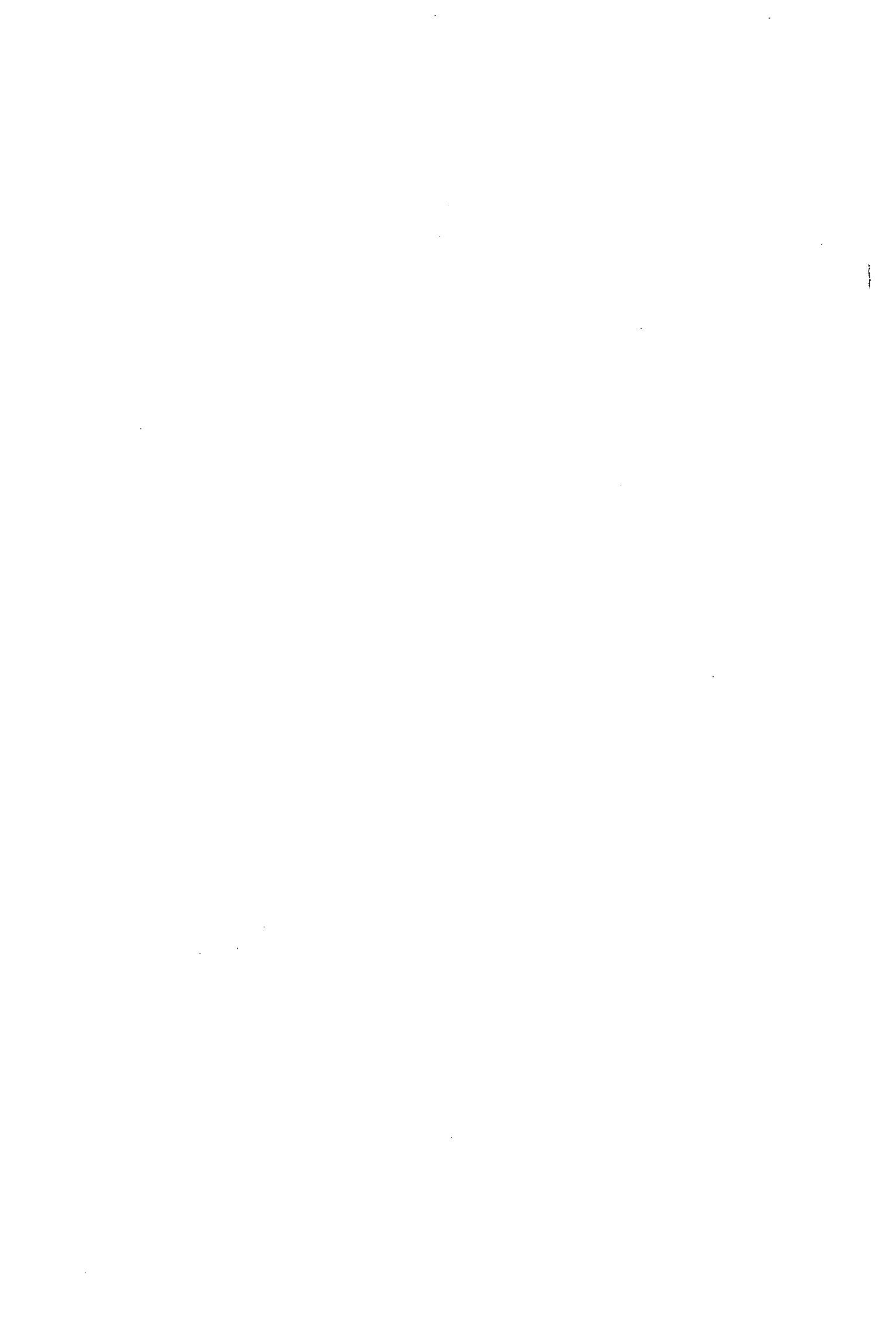
INTERNATIONAL COURT OF JUSTICE

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

**REPLY OF
SINGAPORE**

**VOLUME 3
(Annexes 31 to 66)**

25 NOVEMBER 2005



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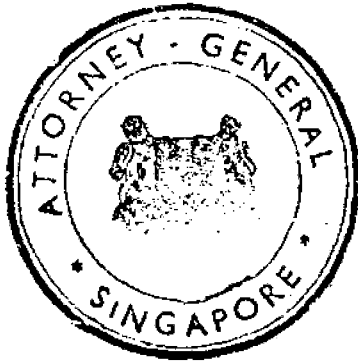
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Annex 31

Extracts from
Temperley on The Merchant Shipping Acts
(6th ed., 1963)

BRITISH SHIPPING LAWS



11



The Merchant Shipping Acts

BY

WALDO PORGES, M.A.*of Christ Church, Oxford, and of Lincoln's Inn;
one of Her Majesty's Counsel*

and

MICHAEL THOMAS, LL.B.*of the Middle Temple, Barrister-at-Law;*

LONDON
STEVENS & SONS
1963

EDITIONS OF TEMPERLEY

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Second Edition (1907) *By R. Temperley and H. S. Moore, assisted by
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PREFACE

THE manner in which earlier editions of this work have presented merchant shipping legislation has received much approval and we have, therefore, followed the general lines previously adopted. It will, however, be noted that paragraph numbers have been added, to which the index and the tables refer. The book now forms part of the British Shipping Laws series and the paragraph numbers enable easy cross-references to be made to other volumes of the series. They will also facilitate reference to supplements which it is intended to issue from time to time.

Nearly ten years have elapsed since the publication of the last edition. In this interval alterations and additions have been made to legislation affecting merchant shipping. In particular, the *Merchant Shipping Act, 1954*; the *Merchant Shipping (Liability of Shipowners and Others) Act, 1958*; and the *Merchant Shipping (Minicoy Lighthouse) Act, 1960*, have been added and annotated. Two recent Acts which, although not strictly Merchant Shipping Acts, bear upon the duties of shipmasters and the liabilities of shipowners, namely, the *Oil in Navigable Waters Act, 1955*, and the relevant portions of the *Clean Air Act, 1956*, have also been included. The notes to the last edition have been revised where necessary to take account of recent decisions and legislation, including Statutory Instruments, and also new developments such as Hovercraft. In particular, the notes to Part VIII of the 1894 Act (which deals with limitation of liability) have been extensively rewritten in the light of important changes in the law. The notes to Part VI of the 1894 Act have been expanded as required to cover the subject-matter of *Macmillan. Shipping Inquiries and Courts*, last published in 1929.

The inclusion of the book in the British Shipping Laws series has enabled us to refer the reader to other volumes of the series for matters with which they are particularly concerned and so to avoid duplication; for example, the Collision Regulations, which are extensively dealt with in Marsden's *Collisions at Sea*, Volume 4 of the series, have been omitted from the present volume. By courtesy of the Controller of Her Majesty's Stationery Office we have been able to set out a specimen form of "Ship's Articles" as an Appendix. The Oil in Navigable Waters Bill, 1963, which is expected to become law soon after the publication of this book, and which will extend the restrictions upon the disposal of oil from ships, has also been included. The substitution within square brackets of the words "Minister of Transport" for "Board of Trade" whenever they occur in the text of the Statutes and Statutory Instruments will, it is thought, be an improvement.

Preface

The Admiralty Registrar, Mr. K. C. McGuffie, one of the Editors of the British Shipping Laws series, read the proofs and we are indebted to him for many valuable suggestions. We also wish to record our appreciation of the time and trouble taken by Mr. A. H. Kent of the Treasury Solicitor's Department of the Ministry of Transport and his colleagues in checking many details which we referred to him. We are grateful too to Mr. Gerard Horton of the Middle Temple, who assisted us on various points of commercial law, and to Mr. J. C. Tylor of the Middle Temple, who revised the index.

The law is stated as at April 22, 1963.

April 22, 1963.

WALDO PORGES
MICHAEL THOMAS

PART VI—SPECIAL SHIPPING INQUIRIES AND COURTS

737 The following special shipping inquiries and courts are regulated by this Part of the Act: (i) Preliminary inquiries before inspecting officers of coastguards, or chief officers of customs, or the Minister of Transport's nominee (section 465); (ii) formal investigations before courts of summary jurisdiction or wreck commissioners (section 466); (iii) inquiries into conduct of certificated officers before the Minister of Transport's nominee, local marine board, or court of summary jurisdiction (section 471); (iv) rehearings and appeals (section 475); (v) inquiries and investigations before colonial courts (section 478); (vi) naval courts on the high seas and abroad (sections 480–486); (vii) courts of survey (sections 487–489); and (viii) references to scientific referees (section 490).

Reference should also be made to the following provisions of M. S. A., 1906: section 66, appeals from decision on investigation of shipping casualties; section 67, power of naval courts to send a person sentenced to imprisonment home to undergo sentence; and section 68, appeals from naval courts.

*Inquiries and Investigations as to Shipping Casualties***Shipping casualties**

738 464. For the purpose of inquiries and investigations under this Part of this Act a shipping casualty shall be deemed to occur:—

- (1) when on or near the coasts of the United Kingdom¹ any ship² is lost, abandoned, or materially damaged;
- (2) when on or near the coasts of the United Kingdom any ship has been stranded or damaged, and any witness is found in the United Kingdom³;
- (3) when on or near the coasts of the United Kingdom¹ any ship causes loss or material damage to any other ship;
- (4) when any loss of life ensues by reason of any casualty happening to or on board any ship on or near the coasts of the United Kingdom;
- (5) when in any place any such loss, abandonment, material damage, or casualty as above mentioned occurs,⁴ and any witness is found in the United Kingdom;
- (6) when in any place any British ship⁵ is stranded or damaged, and any witness is found in the United Kingdom³;
- (7) when any British ship⁵ is lost or is supposed to have been lost, and any evidence is obtainable in the United Kingdom as to the circumstances under which she proceeded to sea or was last heard of.³

¹ "On or near the coasts of the United Kingdom;" *semble*, means within territorial waters. See *The Fulham* [1898] P. 206; and see note (2) to s. 546. As to colonies, see s. 478.

² "Ship;" as to the meaning of this term, see s. 742, and note (4) thereto.

In *Ex p. Ferguson* there cited, it was held that a fishing "coble" was a "ship"

Her Majesty may, by Order in Council, direct that the provisions of this Part of this Act with reference to salvage of life shall, subject to any conditions and qualifications contained in the Order, apply, and those provisions shall accordingly apply to those services as if they were rendered in saving life from ships within British jurisdiction.

By an Order in Council dated April 7, 1864, the earlier corresponding provisions of M. S. A., 1854, and M. S. A., 1862, were applied to Prussian ships. (As to saving of Orders in Council, see s. 745.) This Order, which is the only exercise of this power, may now be regarded as obsolete.

Salvage of cargo or wreck

876 546. Where any vessel¹ is wrecked, stranded, or in distress at any place on or near² the coasts of the United Kingdom³ or any tidal water within the limits of the United Kingdom, and services are rendered by any person⁴ 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,⁵ there shall be payable to the salvor by the owner⁶ of the vessel, cargo, apparel, or wreck, a reasonable amount of salvage to be determined in case of dispute in manner hereinafter mentioned.

877 The effect of this section, which reproduces s. 458 of the M. S. A., 1854, is to give the Admiralty Court jurisdiction over claims for services in the nature of salvage rendered otherwise than on the high seas. As regards services on the high seas, the Court of Admiralty had long exercised jurisdiction whatever the nationality of the salvors or the property salvaged, provided that the property had been brought within its jurisdiction. For the statutory steps by which the present position was reached, see Kennedy, *Civil Salvage*, 4th ed., Chapter 12.

878 ¹ For definition of "vessel," see s. 742 and cases there cited in notes (3) and (4).

SALVAGE CLAIM AGAINST THE CROWN OR FOREIGN POWERS.

(i) *Apart from the Crown Proceedings Act, 1947:—*

The Admiralty Court will not enforce claims *in rem* or *in personam* for salvage of ships or goods belonging to H.M. Government or to a foreign power. See *The Prins Frederick* (1820) 2 Dods. 451; *The Constitution* (1879) 4 P.D. 39; *The Parlement Belge* (1880) 5 P.D. 197; 42 L.T. 273 (C.A.) (collision); *Young v. S.S. Scotia* [1903] A.C. 501 (P.C.); even though the vessel is employed in ordinary commercial pursuits; *The Parlement Belge*, *supra*; *The Porto Alexandre* [1920] P. 30 (C.A.); unless the goods, though belonging to a sovereign power, are carried at a private charterer's risk; *Port Victor (Cargo ex)* [1901] P. 243. See, too, *The Jassy* [1906] P. 270. Hence, in *The Broadmayne* [1916] P. 64, where the ship was requisitioned by the government after a salvage claim had attached, an action instituted after the requisition was stayed for such time as the vessel remained under requisition in the service of the Crown, since, by reason of the requisition, the vessel, for the time being, belonged to the class of "things which are allowed to be, and from their nature must be exempt and free from all private rights and claims of individuals, inasmuch as if these claims were to be allowed against them, the arrest, the judicial possession and judicial sale incident to such proceedings would divert them from those public uses to which they are destined." *The Parlement Belge*, *supra* (1880) 5 P.D. at p. 210. The British Government usually, and foreign powers occasionally, submit to the jurisdiction of the court when claims are made against them. See Roscoe's *Admiralty Practice*, 5th ed. (1931), p. 256; *The Prins Frederick*, *supra* (foreign government); *The Marquis of Huntley* (1835) 3 Hagg-Adm. 246; *The Constitution*, *supra*.

(ii) *Claims against the Crown under the Crown Proceedings Act, 1947:—*

By s. 8 of this Act the law relating to civil salvage whether of life or property (except ss. 551–554 of the M. S. A., 1894, or any corresponding provisions relating to aircraft) applies in relation to salvage services rendered after the commencement of the Act

(i.e., January 1, 1948) in assisting any of H.M. ships or aircraft (as defined by s. 38 (2) or in saving life therefrom, or in saving any cargo or apparel belonging to Her Majesty in United Kingdom right in the same manner as if the ship, aircraft, cargo or apparel belonged to a private person; but (i) no claim for salvage lies against the Crown in respect of anything done to, or suffered in relation to, any postal packets which then are being carried by sea and air (*ibid.*, s. 9 (6)) and (ii) proceedings *in rem* in respect of any claim against the Crown, the arrest, detention, or sale, of H.M. ships, aircraft, cargo or other property, and liens against such property are excluded in s. 29 (1) with power to the court, where proceedings *in rem* have been instituted against Crown property in the reasonable belief that it did not belong to the Crown, to order that the proceedings be treated as if they were *in personam* against the Crown: *ibid.*, s. 29 (2).

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² Gorell Barnes J. held that a place 20 miles off the coast was not within these words, and thought (but without expressing a final opinion) that the limit to be placed upon them was the territorial limits of the Kingdom. *The Fulham* [1898] P. 206; affirmed [1899] P. 251. "Tidal water" is defined in s. 742.

³ "United Kingdom" here includes the Republic of Ireland. See note "Application to Northern Ireland and the Republic of Ireland" in notes to s. 742.

⁴ "Any person."—"What is a salvor? A person who without any particular relation to a ship in distress proffers useful service, and gives it as a volunteer adventurer without any pre-existing covenant that connected him with the duty of employing himself for the preservation of the ship"; *per* Lord Stowell in *The Neptune* (1824) 1 Hagg. Adm. 227, 236. "A salvage service in the view of the Court of Admiralty may be described sufficiently for practical purposes as a service which saves or helps to save a recognised subject of salvage when in danger, if the rendering of such service is voluntary in the sense of being solely attributable neither to pre-existing contractual or official duty owed to the owner of the salvaged property nor to the interest of self-preservation." Kennedy, *Civil Salvage*, 4th ed., p. 5.

Under certain circumstances persons already in a "particular relation to the ship in distress" may be entitled to rank as salvors. For example:

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Pilots.—A pilot may be entitled to salvage reward where the circumstances of the vessel when he takes charge are such as to make his services more than mere pilotage. *Akerblom v. Price* (1881) 7 Q.B.D. 129; followed in *The Santiago* (1900) 83 L.T. 439; 9 Asp. 147, where the pilot was on board the salving vessel. But he must show not merely that the ship was in distress, but that she was in danger of being lost, and that he was called upon to incur such unusual danger or responsibility, or to exercise such unusual skill or perform such an unusual kind of service, as to make it unjust that he should be paid otherwise than upon the terms of salvage reward. *Akerblom v. Price*, *supra*. And that which was originally a pilotage service may, by supervening casualties, become a service entitled to salvage reward. *Ibid.*; and *The Saratoga* (1861) Lush. 318. See also *The Frederick* (1838) 1 W.Rob. 16; *The Aglaia* (1886) 13 P.D. 160; *The Æolus* (1873) L.R. 4 A. & E. 29.

The burden of proof is on the pilot. *The Æolus*, *supra*. See, too, *The Bedeburn* [1914] P. 146. "It is not in the interests of the mercantile community to give any countenance to the idea that a pilot compulsorily in charge of a disabled vessel can easily convert himself into a salvor." *Ibid. per* Sir S. Evans P., at p. 151. For a recent example, see *The Driade* [1959] 2 Lloyd's Rep. 311.

For regulations as to salvage claims by local pilots and special local legislation in respect thereof, see Kennedy, *Civil Salvage*, 4th ed., pp. 44-45, notes (1)-(5).

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Towage or salvage.—" . . . if in the performance of a contract of towage an unforeseen and extraordinary peril arises to the vessel towed, the [tug] is not at liberty to abandon the vessel, but is bound to render her the necessary assistance, and thereupon is entitled to salvage reward." *Per* Dr. Lushington in *The Saratoga* (1861) Lush. 318, at p. 321. In any case the court will examine a salvage claim by a tug under a towage contract "with the closest attention and not without some degree of jealousy." *The Minnehaha* (1861) Lush. 335, where the subject is discussed at length. The test is, whether supervening circumstances make the services wholly different from those contemplated by the parties when entering into the towage agreement. *The White Star* (1866) L.R. 1 A. & E. 68; *The Westbourne* (1889) 14 P.D. 132. See, too, *The Marechal Suchet* [1911] P. 1; *The Glenmorven*, 29 T.L.R. 412; [1913] P. 141; *The Leon Blum*, 31 T.L.R. 2, 582; [1915] P. 90, 290 (C.A.) (towage for fixed sum—"no cure, no pay, no salvage services"). But there can be no right to salvage when the danger to the tow was caused by the negligence of the tug. *The Duc d'Aumale* [1904] P. 60.

Miscellaneous salvors.—The servants of a general lighthouse authority engaged in performing their statutory duty of removing wrecks under s. 531 may be entitled to claim

Annex 32

Extracts from
Tarling N., *Piracy and Politics in the Malay World* (1963)



Piracy and Politics in the Malay World

A STUDY OF BRITISH IMPERIALISM
IN NINETEENTH-CENTURY SOUTH-EAST ASIA

Nicholas Tarling

M.A., PH.D., F.R.A.S., F.R.HIST.S.

Senior Lecturer in History
in the University of Queensland



DONALD MOORE GALLERY
SINGAPORE

Tarling

Those wishing to understand modern South-east Asia will find many clues in a study of the European influences at work in the nineteenth century. Of these perhaps the most important was the policy of Great Britain, the predominant power in the area.

In the maritime region—the “Malay world” of present-day “Malaysia”, Indonesia and the Philippines—the suppression of piracy bulked large among British activities.

In many previous accounts of the subject, piracy was seen simply as an impediment to the expanding commerce of the British settlements in the Straits of Malacca, something to be put down by the Navy or by Raja Brooke of Sarawak.

While re-examining the documentary evidence, Dr Tarling came to question the applicability of the term “piracy” as generally understood in a European context to ostensibly comparable phenomena in the Malay world. In the nineteenth century it was applied to marauding which originated in the dislocation of the political system of the area following the expansion of European commerce and control. The term “piracy” was often used without the necessary qualification of its distinguishing connexion with politics.

If this is one explanation of the prevalence of “piracy”, another is found in the nature of British policy. Local officials were enjoined by their Government not to intervene in indigenous politics. In seeking to develop British influence and encourage Straits merchants, therefore, they often exaggerated the incidence of piracy and employed the term to describe other sorts of robbery and violence which they also wished to deal with.

So the suppression of piracy played a considerable part in defining the political map of the Malay world and modifying its social structure, processes already well advanced before the vast economic changes of the latter decades of the century.

If this is the trend of the story, it is yet one also of human endeavour and failure, of invasion and resistance, of international cooperation and conflict, of enslavement, greed and death. But the author hopes that most of all the reader will recognise the story of the suppression of piracy not as a melodrama with our understanding extended to one side only, but rather as a tragedy in which both sides are caught up in the processes of things in time and are neither completely right nor wrong.

Letter
Book

Passed by



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Vane Lindesay

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INTRODUCTION

The chief problem in the historiography of the Malay world in the nineteenth century is to appraise the impact of Europeanisation in the economic, social, cultural and political fields. In this the study of Britain's activities must play an important part since, thanks to her economic expansion, she became, from the late eighteenth century, the major power in southern Asia, and her policies thus chiefly determined the degree and course of this Europeanisation. In turn the "suppression of piracy" had an important share in nineteenth-century British policy in the area. The reasons for this, and its significance, this work purposes to discuss.

The great sociologist, J. C. van Leur, warned against applying European categories to the description of Asian social and economic phenomena.¹ In a sense this warning applies also to the concept of "piracy" which carries from its European context certain shades of meaning and overtones which render inexact its application even to ostensibly comparable Asian phenomena. In the nineteenth century itself, as will be shown, there were often differences or doubts as to the proper application of the term. The fact is that it was, like "state" or "administration" or "aristocracy", a European term, the fitting of which to the Asian situation was in itself a piece of Europeanisation. Indeed, in this case, that of a term with a criminal connotation, it tended to involve an unfavourable moral judgement passed by Europeans on non-Europeans. Robbery and violence indeed existed: but to describe them as piracy attributed them to lesser motives than, in the light of history, may often be fairly suggested for them.

Since the purpose of this work is, however, to describe the part played by the "suppression of piracy" in British policy in the nineteenth century, it might be thought unnecessary to move beyond this general warning in appraising or criticising the contemporary application of the term, or to attempt to describe what was or was not *really* piracy. To do so would be to involve the historian further than is avoidable in a degree of Europeanisation that itself could falsify the consideration of the study of the European impact in the Malay region. Attempts to apply the term in an inter-cultural context are neither meaningful nor valuable: it is necessary to avoid commitment to irrelevant notions of international law and morality.

If, however, matters of judgement and motivation are involved, it is also necessary to be fair to the Europeans who believed they were suppressing piracy. Certainly there were robbery and violence, and in

PIRACY AND POLITICS IN THE MALAY WORLD

many cases it was not quite unreasonable, in the contemporary context, to consider them piracy. The desire to do away with such violence and make the seas safe for the peaceful trader was praiseworthy. Sometimes, on the other hand, piracy was used as an excuse for intervention, though even that might have worthy motives. Sometimes excessive violence retaliated upon violence. Yet only in rare cases was the term piracy so twisted in its application as seriously to impugn European motives. The Common Law, international law, and Admiralty instructions, often tended to exert a restraining influence, as did the non-intervention policy of the superior authorities in India and in London. If, therefore, it is not a question, as many Europeans thought in the nineteenth century, of black versus white, nor can the position be simply reversed. The story of the suppression of piracy takes on less the proportions of melodrama than those of tragedy.

To set the scene, it will be necessary to discuss, on the one hand, the existing social and political structures in the Malay world and, on the other hand, the constituents of the British policies executed in relation to them. The purpose of the introduction is to provide some historical background to the first topic and some preliminary suggestions about the second.

The Malay world is an area of tropical environment, more penetrable, indeed, than some other such areas since, as Dobby says,² it is so deeply incised by sea and river, but still presenting enormous obstacles to human settlement and man's mobilisation of its resources. It has been an area the potentialities of which have attracted the attention of many, yet in only a few regions has it been densely settled—an area of "demographic immaturity".³

In the early centuries of the Christian era, one major region of the Archipelago, central and eastern Java, proved amenable to the intensive development of subsistence rice agriculture, and there arose the aristocratic-bureaucratic kingdoms associated with, for instance, the great Borobudur monument (A.D. 772). In the major part of the Peninsula and Archipelago, with its soured lateritic soils, its deep jungle, its swamps, no such development was possible. Here initially it was again a matter of subsistence agriculture in rice or in other products, often in shifting clearings in the jungle. As centres of population developed on neighbouring islands, however, trade became possible within the Archipelago, and because of the international position of the area, a commercial connexion was soon established with China, with India, and indirectly with the Europe of the Roman Empire. In a world economy still largely of a subsistence character, the trade was very different from the bulk trade in everyday com-

INTRODUCTION

modities of modern times: it was a luxury trade, small in quantity, rich and diverse in quality, a "golden thread", as van Leur calls it.⁴ To this trade the settlements in the Peninsula and Archipelago could contribute variously.

The extent of development in the Archipelago made it possible to create certain social and political structures apart from those in Java. In the interior there remained tribal and aristocratic groupings. At the river-mouths, new political units appeared, the local aristocracy interesting itself in the commerce between the interior and the outside world that perforce came down the river, and seeking to establish control over the interior states, imposing commercial monopolies or exacting revenue or in other ways winding itself into the "golden thread". There were, indeed, attempts at higher forms of political organisation: states controlling a number of river-mouths, or even "commercial empires", aggregations of petty river-mouth communities, linked by the sea, centralising their commercial contacts with the outside world in an entrepot from whose trade a great ruler or an "imperial" aristocracy might live by monopoly or taxation.

The use of European terms should, of course, not blind us to the peculiarities of this state-system, peculiarities which in part emerged because the area was undeveloped and presented vast obstacles to coherence and stability. These states were fragile, their boundaries imprecise and fluid. The small river-mouth communities often exercised only a vague control over those in the interior. The commercial empires were, at the very least, flexible. There might be occasional conquests of one state by another of superior power and tribute would be exacted or the stapling of commerce insisted upon, but the inferior power would seek to escape control, and might do so with impunity, or come under another's control. Imperial relationships could merely mean a tangle of sometimes conflicting customary obligations, some more dated, some more effective than others, some honoured in the breach rather than in the observance, affecting states of all sizes, in some cases extending up to the distant Imperial Court at Peking. Neither the states, nor their vassalic relationships, were really the same as the European institutions whose names have been borrowed for them.

Political power was fragile, state administrations frail, and political relationships flexible: the frequency of political change is not surprising. The political instability of the region reflects its political immaturity: more properly, perhaps, it should be seen as an essential element in a political system adapted to the given conditions of the Peninsula and Archipelago. The effecting of political change must

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involve the acquisition of political power by a group in opposition to the *status quo*, a group which might wish to create an empire, to set up a new state, or to effect a revolution within an old. In securing such power, of course, the acquisition of commercial wealth or agricultural revenues could well be essential. The Javanese sought to use their agricultural wealth to gain control of the commercial ports of the Archipelago. It was also possible to create a nucleus of political power by robbing other ports of their commerce by marauding, or—especially significant in a region of labour scarcity where population meant power—by slave-raiding. The intelligent East India Company official, John Anderson, observed that several of the East Sumatran states of the early nineteenth century had been founded by “piratical adventurers”, as he called them, who had “derived from the produce of their former barbarous avocations, the means of founding a flourishing kingdom. . . .”⁵ The success of the marauding groups in revolution or state-building might make them part of the state-system: they might take a more regular role in the commerce and politics of the Peninsula and Archipelago, shifting easily from marauding to monopolising, snapping the golden thread but catching hold of an end of it. If this has been called piracy, it was also an aspect of the political dynamics of this part of the world and, as such, its moral overtones are rather different: political motives enter into it.

The “demographic immaturity” of the region helped to account not only for its political instability, but also for its ethnic diversity. Many people came to the Archipelago to exploit its resources. Indeed, such have been the obstacles to social and political integration that the area is still, as Hall suggests, an “anthropologist’s paradise”,⁶ and some peoples became more diversified after their arrival in the area as a result of the pressures of regionalisation. Traces of the earliest comers, people of mesolithic culture, still remain in the Senoi and Sakai hill-tribes of Malaya or the people of the Enggano or Mentawai islands off the west coast of Sumatra. The Proto-Malay immigrants are represented by the Toradja of Celebes, the Gajo and Alas peoples of the Sumatran interior. The neolithic immigrants, or Deutero-Malays, the major constituent of the Indonesian population, included peoples like the Dayaks of Borneo and the Bataks of Sumatra and the more mixed coastal peoples, who became divided into fairly distinct groups as time passed, as a result of regional social and political pressures. Other coastal Malays, less caught up in these developments, remained relatively migratory, like the “orang-laut” of the Peninsula. There were Indian, Arab, and Chinese traders in the region, and the Thais, whose kingdom of Ayuthia was founded in

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1350, subsequently sought to press the boundaries of their military suzerainty southwards.

The major political structures in the area were, of course, those of the coastal peoples: their river-mouth states sought to organise the "orang-laut" and to control the Proto-Malay and other Deutero-Malay tribes in the interior; Indian, Arab, Chinese, as well as other Malay traders, visited their ports; and their empires sought to staple the commerce. Alien elements were imported to strengthen their political power, yet another illustration, perhaps, of the frontier character of the region. Brahmanic ritual and administration were used to strengthen the hold of aristocrats and port-kings. Later still Islam came to the Archipelago not only as a religion, but as a state-building, state-supporting ideology. The new Sultanate of Malacca, a great fifteenth-century entrepot, whose imperial claims extended round the Peninsula and across the Riau-Lingga Archipelago to East Sumatra, spread its power conterminously with the worship of Allah, also fending off the Buddhist Thais and rivalling their appeal to Chinese suzerainty. The influence of Islam, however, spread also in reaction to the incursions of the Portuguese, the Spaniards, and the Dutch.

These early European adventurers were again peoples attracted to the Archipelago by its potentialities: they were the better able to secure a foothold because of its instability. It has been questioned whether they brought any technological advances or any real ideological or political changes to the Archipelago. Recent historiography has reacted against earlier colonial historians who tended too often to assume that, even before the nineteenth century, the Europeans were a vast and novel civilising influence; and no doubt this reaction is fundamentally a sane one. Professor John Bastin⁷ has, however, rightly pointed out that, even if the Europeans merely effected displacements within a fundamentally unchanged economic and political context, these cannot be neglected; and, in fact, the displacements of the sixteenth, seventeenth and eighteenth centuries were very considerable, and tended increasingly to involve not merely quantitative but qualitative changes.

It is no doubt true that the Europeans in this period brought no economic changes of a nature comparable to those of the nineteenth century. The Portuguese, for instance, were seeking to share, control, or monopolise the trade of the Archipelago, to profit from trade within Asia. Yet their military vigour, and the substantial success they enjoyed in the sixteenth century, is not fairly measured by the dismal remnants left of their economically old-fashioned empire by the later seventeenth century. Their greatest achievement, the destruction of the

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Muslim Sultanate of Malacca, and their attempts to staple there for their own benefit the most valuable commerce of the Archipelago, effected important changes. In particular it stimulated the development of new Muslim Sultanates, like Johore, founded by the old Sultan of Malacca. The Sultanates of Brunei, Mindanao, and Sulu, also strove to preserve both commerce and true religion from the invaders, settling, organising, and civilising the migratory "orang-laut" in those regions (the Bajaus and Samals), and seeking to control the trade of river-mouths and centralise it in new entrepots to the eastward.⁸ Another new Sultanate, that of Aceh in north Sumatra, rose to a height of prosperity and political power in the early seventeenth century, a period of Portuguese decline. The Muslim *ulamas* or teachers influenced some attempts at centralisation on the part of the port-kings at Aceh, but there, as elsewhere, there was no real opportunity for "a regular and normal development of forms of government or administration of justice", as the late nineteenth-century liberal reformer, Snouck Hurgronje, put it; power tended to remain with the local territorial chiefs or *uleebalang*, while the Sultan was content with an assertion of supremacy, an attempt at monopoly or, later, the exaction of customs duties.⁹

If the efforts of the Portuguese mainly effected displacements within a continuing social and political structure, the impact of the other early European adventurers, the Spaniards and the Dutch, was more direct and more far-reaching and lasted longer. The Spaniards began as rivals of the Portuguese in particular for the spices of the Moluccas, but ultimately they established themselves in Luzon and the Visayas, having competed for control of that area with the Muslim Sultanates to the south. Though they never attained territorial supremacy over those Sultanates—they for long occupied only a part of Mindanao, in the region of Zamboanga—their control in the islands to the north, established and maintained very largely by missionary endeavour among peoples whom Islam had only been about to reach, cut off those Sultans and their aristocracies from imperial and commercial opportunities. A sort of warfare indeed continued between the opposing forces, the nobles of Mindanao and Sulu fitting out expeditions that descended on the coasts of Luzon and the Visayas in search of plunder and slaves, the Spaniards retaliating with military and naval attacks and assertions of political supremacy.

The Dutch succeeded in dislodging the Portuguese from almost all their footholds in the Archipelago—there remained a few small posts in the Lesser Sundas—but, in relation to the Spaniards, only contributed to hindering their establishment of control to the south (for

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instance in 1646, when their threatened invasion of Manila caused the withdrawal of Spanish forces from the Sulu Sea¹⁰). In relation to the "country powers", they pressed more forcefully for commercial monopoly as the seventeenth century proceeded, and in particular as the impact was felt of the European recession and the decline in the importation of Spanish American silver. Their measures involved the enforcement of commercial treaties and monopolies by marine control, the compulsory stapling of international trade in ports like Batavia, and even the conquest of certain districts in the Moluccas, measures on the lines of those of earlier commercial empires in the Archipelago, but enforced more effectively and more continuously. Their success was, indeed, not as widespread as earlier historians have maintained: the extent both of their commercial and territorial supremacy has in the past been greatly exaggerated.¹¹ Even so, it would seem that their impact interfered, as the Portuguese had not, and as the Spaniards had done only exceptionally in the Philippines, with the actual structure and dynamics of the Malay world: they not merely effected displacements within a context, but wrenched and distorted it.

One of the most distinguished of nineteenth-century English observers wrote of the Archipelago that

"the mass of the people . . . in all their private relations, remain in nearly the same state in which they were found by the earliest European voyagers, and in which they had existed for many centuries previously. But, as nations, they have withered in the presence of the uncongenial, greedy and relentless spirit of European policy. . . . The nomadic spirit, never extinguished during all the changes which they underwent, had made them adventurous and warlike when they rose into nations. But now, long overawed and restrained by the power of Europeans, the national habits of action have, in most parts of the Archipelago, been lost, or are only faintly maintained in the piratical habits of some. . . ."

The Malay princes had become "almost everywhere . . . indolent debauchees and greedy monopolists", inciting their courtiers also to "drain and paralyse the industry of their people. . . ."¹²

In particular, European policy contributed to the decay of the larger political units and especially of the Malay commercial empires. Even if their dependent ports were not brought under Dutch supremacy—and, for instance, many ports on the west coast of the Peninsula and the east and west coasts of Sumatra only escaped the control of the Achehnese for that of the Netherlanders—the enforced

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stapling of commerce at Dutch ports and the interference with the trade of rival entrepôts contributed to the imperial loss of commerce, revenue, and power. One result of the loss of commerce and revenue was a shift to marauding on a more general scale than before: it became a way in which the Malay imperial aristocracy, deprived of other resources, could live from day to day. It became endemic, not epidemic. It was true that through it one might still effect a political purpose: an adventurer, especially a Sharif, with the credit of Islam and of its association with opposition to the Europeans, might thus acquire the power to effect a revolution or an entry into the "establishment". Even so, it was rarely as possible as before to shift back subsequently to a positive policy: there was rarely scope for the creation of a new state or for the refurbishing of an old; and revolution became, as it were, permanent, rather than a means to an end, and marauding went on. The old empires decayed, but were not replaced, and within their boundaries marauding communities appeared, led by adventurous Sharifs, or deprived aristocracies, or hungry chiefs. The invasion of the Europeans did not destroy the native states, but it destroyed the dynamic of the state-system: it reduced the old capitals from splendour to poverty and their chiefs from heroism to ambivalence, from constructiveness to stagnation.

These changes were not, of course, as generalised as the above description suggests, nor did they proceed to such an advanced conclusion in every case. Furthermore, the eighteenth century saw the beginnings—though no more—of a momentous change. The return of the British to the scene after their partial eclipse, the effects of their "commercial revolution" in the early eighteenth century, of their establishment in India, and of their industrial revolution, brought a new expansion to the commerce of the Archipelago. As yet, however, it was limited, and its impact was further restricted in relation to the "country powers" by the reaction of the Dutch who, alarmed at British competition elsewhere, sought more firmly to establish their control in Java, where an extensive population made possible the expansion of coffee cultivation, and more firmly to protect the Straits approaches, even if that meant a concentration of strength that weakened their commercial empire further afield in the Archipelago.

What was the situation of the main Malay polities as affected by all these changes towards the end of the eighteenth century? In the case of Aceh, the frequent accession of Sultanas weakened the port-kings in relation to the *uleebalang*,¹³ and European commercial pressure and political advance enfeebled the empire. Nevertheless a substantial realm remained more or less intact, stretching down the

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east coast as far as Batu-bahru, and down the west as far as Barus,¹⁴ and its capital still enjoyed a substantial commerce, including that of visiting Indian traders,¹⁵ though some English traders sought to evade the Sultan's dues by visiting the dependencies themselves.¹⁶ The disintegration of the Brunei empire was more marked, but a direct commerce with China yet continued,¹⁷ as did virtual political independence. The other Sultanates in that region, Sulu and Mindanao, deprived of resources by Spanish conquest as well as by Dutch monopoly, appear to have decayed further and, while Chinese junks, to the vexation of the Spaniards, still visited the capitals,¹⁸ the Sultanates had lost much of their authority, and chiefs and adventurers indulged in widespread marauding, not only on the coasts of the Philippines.¹⁹ Some parts of these states—some islands in the Sulu Sea, and the region of the Laguna in Mindanao—became by the end of the century the resort of exclusively marauding communities; the local "orang-laut" or Samals became the notorious Balanini and Ilanuns of the following decades, when some Ilanuns settled in Borneo and elsewhere, and all cruised widely in the Archipelago.²⁰ The commercial expansion of the later eighteenth century, though it promoted the trade of Acheh and its dependencies, scarcely reached these *piratical* regions, despite the efforts of Alexander Dalrymple and others.

The empire of Johore had never been very firmly established after the conquest of Malacca, but in the Portuguese and early Dutch periods, benefiting by Achehnese-European conflicts, it had established a degree of control in some districts of south-east Sumatra, such as Siak and Indragiri, some states of the Peninsula, and some islands of the Riau-Lingga Archipelago, where it sought to organise the local "orang-laut". The pressure of the Dutch and the dynastic troubles at the close of the seventeenth century helped to weaken it further, however, and the new opportunities of the eighteenth century, presented by increasing British penetration to this part of the world, were absorbed by the Bugis adventurers, part of the Waju tribe of Celebes that reacted to the Dutch conquest of Macassar in 1667 by seeking to construct their own commercial empire in the Archipelago. This they found possible to a limited extent and created, despite Dutch opposition, an empire on a looser principle than earlier empires, an empire in which Bugis adventurers occasionally founded their own states, like Selangor on the Peninsula, or established a commercial and political supremacy over existing chiefs, as on the east coast of Borneo, for instance, at Pasir.²¹ On the west coast, the Bugis made the fortune of the new state of Pontianak by using it as an entrepot.²²

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In Johore Bugis adventurers made themselves imperial viceroys, and encouraged the "smuggling" of the British "country traders" at Riau.²³ The Dutch became the more anxious to destroy the Bugis position in the Straits, intervened at Siak, and established themselves at Riau, from which the Malay and Bugis chiefs, with the aid of Ilanuns, temporarily expelled them in 1787.²⁴ The area thus continued disturbed, a scene of political struggle, and the intervention of the Bugis only encouraged the Malay chiefs and their "orang-laut" followers to turn all the more to regular marauding, and helped to prevent the acceptance of such new commercial opportunities as there were.

This marauding was, of course, a primary constituent in the piracy which British observers found to bulk so large upon the early nineteenth-century scene. To this activity, indeed, the term could be applied with some show of plausibility. Even so, such piracy had distinctive features, above all distinctive origins and motives.

John Anderson wrote that

"the grand hindrance of the extension of British trade, and the civilization of the Archipelago, is the system of piracy which has been carried on in these seas from time immemorial. . . . I use the word 'system' advisedly; for it would be absurd to treat with reprobation a practice with which no dishonourable idea is associated in the mind of the natives. The system of piracy in the Archipelago is just what the system of private wars was in Europe in the middle ages; an evil arising not so much from moral laxity as from political disorganisation. . . ." ²⁵

This remark does point out one way in which the application of the term and its implications must be modified—namely, by the nature of the given conditions and the state-system in the Malay world "from time immemorial". It fails, however, to recognise the impact made by the Europeans on such a situation: in disrupting the commercial basis of the state-system, they effected quantitative changes that might also be qualitative.

William Dampier, travelling in the Straits back in 1689, had found the Malays

"in general a bold People, and yet I do not find any of them addicted to Robbery, but only the pilfering poorer Sort, and even these severely punished among the trading *Malayans*, who love Trade and Property. But being . . . provoked by the *Dutch*, and hindered of a free Trade by their Guard-ships, it is probable they therefore commit Piracies themselves, or connive at and encourage those who do. So that the Pirates who lurk on this Coast, seem

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to do it as much to revenge themselves on the *Dutch*, for restraining their Trade, as to gain this way what they cannot obtain in way of Traffick."²⁶

As John Crawfurd commented in 1820, "conduct of the nature here related brought the European character into the greatest discredit with all the natives of the Archipelago, and the piratical character which we have attempted to fix upon them, might be most truly retaliated upon us".²⁷ A state-system that involved robbery and violence—though often with motives of political ambition—was disrupted by the unprecedented success of the Europeans in operating schemes of control and monopoly already attempted by local powers. The corrective elements within the system, which had provided a certain security and stability, were destroyed.

It is clear that in the Malay world of the early nineteenth century there were robbery and violence which the British might have a duty to suppress, though their origins were not to be found in the moral turpitude of the Malays, but rather in commercial and political changes, and their motivation less in mere greed than in objects of political ambition and prestige. Both sides were caught up here in the prevailing conditions, and their struggle is *tragic*. A historical *impasse* existed, and no doubt the only way out was to suppress the marauders. If, therefore, one might find some explanation, even some excuse, for the Malays, one might also find the same for the British. There were, however, other applications of the term "piracy", and some occasions of excessive violence, which need also to be examined.

When their interests developed in the area in the late eighteenth century, the British began to frame something of a policy in relation to the Archipelago. As Professor V. T. Harlow suggested,²⁸ it is possible to trace at this time a new attitude to empire, a preference for trade over dominion, with the idea of establishing settlements which should become the bases for commerce with neighbouring states unsupported or unimpeded by political relationships. The emergence of British power in the Archipelago was marked by the attempt, inspired by Dalrymple, to form such an entrepot at Balambangan, by the East India Company's acquisition of Penang as a duty-free port in 1786, and later by the establishment of the factory on Singapore island in 1819, designed to attract Indo-Chinese traders and Bugis and others from the neighbouring islands. In part, these settlements had a strategic purpose, namely to provide security for the route to China; and, indeed, it is not too much to suggest that, throughout British policy, as framed in London and Calcutta, one may trace an indisposi-

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tion to intervene in the native states, a belief that commerce and civilisation must, as it were, make their own way and that an empire in India was quite enough to handle, and a reluctance to act except in certain matters of strategic importance or in circumstances of provocation. These principles were only reinforced by political necessities, such as the anxiety to avoid entanglements with Thailand, a feudatory of the Chinese empire, with which good relations were important for the sake of the tea-trade; the desire, once Manila had been restored after its conquest by Sir William Draper in the Seven Years War, to avoid alienating the Spaniards and throwing them into French hands; and the wish to see that the Dutch retained an empire in the Archipelago as a guarantee of their friendship in Europe.

Those who made British policy in this form did not see problems in quite the same light as British merchants and officials in the area itself, and no account of British policy is feasible that does not take them into account. There is, indeed, a consistency in their view of policy, as there is in the view that they thought was inadequate. If the basis of British policy as defined in London and in Calcutta was, as already suggested, the assumption that commerce would automatically solve most major problems and bring European civilisation to the four corners of the globe, then among the local interests there was a belief that more extensive and vigorous political activity was required, a belief that was the stronger since, as was the case in China also, trade did not expand in the Malay world with the rapidity that the sanguine anticipated in the early days of the industrial revolution.

Many merchants and officials certainly thought marauding, or piracy, was extending, and would extend unless forcibly diminished; and in this they had perhaps some justification. For the new British entrepôts further disrupted the Indonesian politico-commercial structures. Thus jealous Sulu rajahs destroyed Balambangan. The Kedah Raja was impoverished after he ceded Penang to the British: the Chinese junks ceased to come to Kedah, and the petty trade of the coast visited Penang.²⁹ The dependencies of Aceh tended to trade with Penang rather than with the old Malay capital itself,³⁰ and thus again the new settlements promoted the disintegration of the old states and so, it would seem, prepared the ground for piracy. Much of the trade of the British entrepôts was initially at least in small native craft, eminently vulnerable to piratical attack in these calm seas and along the indented coast, and it could be argued that the appetite might grow with what it fed upon. In the case of piracy, however, the need for the interposition of British power was in principle accepted by the superior authorities in India and in England: the suppression of

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piracy was a duty of governments, though there might be some doubt as to the extent of the activities considered politically desirable, legally possible, morally defensible or physically practicable.

If some of the factors in British policy tended to restrain operations for the suppression of piracy, to some extent they might rather conduce to local outbursts of violence, or to operations not truly motivated by the desire to suppress piracy. Other problems also faced the expansion of commerce through the entrepot system. The Indonesian rajas would seek to resist the erosion of old commercial structures, seek to retain monopolies or revive entrepots or re-exact duties, seek thus to profit from the expansion of trade without actually turning to marauding. Some local officials believed that the British should intervene to restrain such practices rather than wait for the march of civilisation to effect their reform, and if these activities were rarely called piracy, often a policy directed against piracy was expanded so as to deal with them also. Again, while some merchants might wish to use princely monopolies and such devices for their own advantage, even so disputes might well arise with the local aristocracy in the various ports that could lead to outrages calling for intervention, cases of violence, indeed, but scarcely, as they were sometimes termed, cases of "piracy" (the motives of the British involved were sometimes worse). Some were indeed doubtful about describing these sorts of activity as piracy but, in fact, since this was a major means of securing the interposition of British power, there was a considerable pressure so to apply the term. On other occasions—as a further illustration of this stress within British policy—not merely was its application widely spread, but the activities to which the term was applied were used as an excuse for political manoeuvres in pursuit of basically unrelated policies. Many local officials and merchants, it may be observed in explanation, wished to avoid Thai or foreign European control of the ports with which trade was carried on or interference with the commerce they wished to develop. In much of this, British motives might be good: but whether or not intervention or reform was desirable in the Indonesian states, the way British policy was formulated tended to increase the apparent incidence and importance of piracy.

The situation in the early nineteenth century was rather exceptional. The Dutch, thanks to the establishment of French control in the metropolitan country, had been driven from their possessions in Asia. Some of the inhibitions were thus removed from British policy; but some—and the basic ones—clearly remained. Raffles, who became Lt.-Governor of Java after its conquest in 1811, wished Britain to retain it, but believed this was unlikely to happen, and so advocated

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the creation of an empire in the Archipelago that should not revert to the Dutch on the conclusion of the Napoleonic war. Though he was perhaps essentially sympathetic rather to direct than to indirect rule,³¹ the force of circumstances led him to advocate the reform and re-establishment of native states rather than their destruction or direct occupation. *Inter alia*, he argued that such reform was the best means of striking at marauding.

"The principles of my suggestions for the suppression of piracy throughout the Archipelago have been, that nothing can tend so effectually to the suppression of piracy, to the encouragement and extension of lawful commerce, and to the civilization of the inhabitants of the Eastern Islands, as affording a steady support to the established native sovereigns; and assisting them in the maintenance of their just rights and authority over their several Chiefs and along the shores dependent upon their dominion."³²

The suppression of piracy was a policy likely to be approved by his superiors, and Raffles sought to emphasise this aspect of his plans with a view to gaining sympathy from those who might be essentially against such a general extension of British influence as he contemplated. It was true, indeed, that the suppression of marauding was bound to have a political impact, in view of the political aspect it often possessed. Raffles proposed to connect it much more consciously with the reform of the native states.

At the time of the conquest of Java, Raffles urged upon the Governor-General, Lord Minto, his new policy for the Archipelago. The general aim of British interference should be to uphold and to reform the more important of the states that were independent or virtually independent of the Dutch, to support the "legitimate authority" and aid it in civil commotions, to regulate the succession, to resolve the conflicts between Muslim and customary law, to confine foreign trade to certain ports, though under liberal regulations, and to suppress piracy, which was supported especially by Arab sheikhs and sayyids. Piracy, Raffles declared, must be "put down by the strong hand, though precautions against its recurrence may be taken in the system which shall be adopted with regard to the Malay States by rendering every chieftain answerable for his own territory, and punishing in an exemplary manner refractory chiefs".³³ The Batavia Marine had been working against piracy, but "from the preponderance of the English navy on the shores of all the eastern isles, the Dutch have been altogether unable to oppose any effectual restraint to the ravages of the Ilanuns and other pirates, who have of course become more

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bold and daring in all the eastern seas", and were encouraged by the Johore-Riau-Lingga princes. "At present piracy is considered as an honourable profession, especially for young nobles and needy great men. The numerous uninhabited islands and tracts of desert coast on all the Eastern Seas render it very difficult to put a sudden and complete check to the practice." There were also petty piracies in the vicinity of Penang, thanks to the decay of Kedah and the inadequacy of the local police. Raffles advocated the employment of a marine of twelve gunboats, three or four brigs of about fifty tons, and a number of rowboats.³⁴

His attention was drawn to Borneo, as an island where Dutch claims were especially weak, and where a report from John Hunt seemed to hold out attractive commercial prospects. Hunt observed that the cutting-off of direct trade had contributed to piracy and, as a start, he urged a vigorous campaign against the pirates. Raffles sent two expeditions, one in 1812, and one, more successful, in 1813, to Sambas, where the Sultan and one of the Pangerans protected Ilanun pirates who interfered with the flourishing trade of nearby Pontianak.³⁵ Then the Lt.-Governor of Java decided to despatch B. C. Garnham on a political mission to conciliate the Sultan, also to visit Pontianak to arrange for the appointment of a British agent, and to warn the Sultans of Brunei and Kutai against countenancing piracy. In the event Garnham signed a treaty with the Sultan of Sambas affording him protection. The forcible measures against pirates were approved in Bengal, but Raffles was warned against implementing some of his other recommendations until the wishes of the home authorities were known.³⁶

Anxious, however, to achieve his objects, the Lt.-Governor pushed ahead, underlining, perhaps more than before, that his basic aim was the philanthropic one of suppressing piracy. Sulu, he had said in a letter of 1811, had been "subject to constant civil commotions, and the breaking down of the government has covered the Sulu seas with fleets of formidable pirates". Mindanao was "torn with factions, but . . . the Sultan still retains his authority in a considerable degree", and the Governor-General's "countenance extended to him would, without much trouble, give it tranquillity and stability, and prevent the Ilanuns and pirates being augmented by the whole force of Mindanao, which must be the inevitable consequence of the breaking up of this state. . . ."³⁷ Hunt was sent to Mindanao and Sulu early in 1814 to warn the Sultans against encouraging piracy, and to arrange to reside at Sulu as a British agent who would open commercial intercourse with neighbouring islands. In fact the Sultan of Mindanao assented

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to an appropriate treaty more readily than the Sultan of Sulu, and the commercial venture was unsuccessful.³⁸

Hunt had urged that mere *razzias* were inadequate as a means of dealing with piracy, and had praised some aspects of Dutch policy.

"The idea of extirpating whole hordes of piratical states, were it possible, must, from its cruelty, be incompatible with the liberal principles and humane policy of a British government. The simple burning down of a Malay town can prove no serious impediment to future piratical enterprises; constructed, as they are, of bamboos, mats, and atap leaves, a town is almost rebuilt in the same period of time as it takes to destroy it. The Dutch . . . knew there was no other mode of prevention and radical cure than building small redoubts at the principal towns, and keeping up an adequate force to check piratical enterprises. . . ."³⁹

Raffles also found merit in such a scheme. "The Dutch early saw the propriety and necessity of maintaining a parental regulation over the different states in the Archipelago . . . we are now, in our turn, become the Parent; humanity demands our interference. . . ." The war and the interference of the British had long prevented the enforcement of Dutch regulations. One of those regulations involved the exclusion of other powers, except from specific ports, and this had a political, as well as a commercial, purpose. A different, more liberal, commercial policy could now accompany such a regulation, which it would be politically desirable to continue with a view to the reform of the native states under the guidance of the British.⁴⁰

The home authorities, having restored Java by the convention of 1814, were opposed to such a policy.⁴¹ Back in London, Raffles tried to persuade them. In his "History of Java", published there in 1817, he repeated the outlines of his programme for British policy in relation to the Indonesian states.⁴² In a memorandum for Canning, the President of the India Board, he urged that the Dutch were seeking to re-establish their supremacy in the Archipelago with a view to the exclusion of British trade, and suggested that the British should make settlements and sign precautionary treaties with the native princes. Again he used the piracy argument, and additionally urged that a settlement would impose a

"wholesome restraint . . . upon the conduct of our own countrymen trading in the Archipelago. Our duty to other nations, and to the cause of justice, no less than a regard for our national character, requires that the peaceable natives of the islands should not be kept at the mercy of every mercantile adventurer

INTRODUCTION

of our own nation. The inducements and facilities to rapine are too numerous in that quarter to be overlooked."

All this suggested the need for action.

"But there is also a particular circumstance which requires our immediate vigilance. An extensive marine is fitting out at Batavia, ostensibly for the suppression of piracy. Unless we go hand in hand in maintaining the general security of the Eastern Seas, and show ourselves immediately as a party interested, so as to share the influence which the display of this armament is calculated to produce on the minds of the native chiefs, it will easily be made the means of resuming that absolute sovereignty over the Archipelago which is the object of the Dutch policy, and which is so highly important to our honour and interest to prevent."⁴³

In England, however, there was no disposition to rush into the creation of an empire in the Archipelago and, when Raffles, who returned there as Lt.-Governor of Bencoolen on the west coast of Sumatra, began nevertheless to execute his plans, there were disquiet and disapproval. A memorandum prepared at the India Board in October 1818 referred to the decisions of the post-war period as the essential guide to policy towards extension in the Archipelago: trade, but not political dominion, was the object. A negotiation with the Netherlands was, however, suggested, and one of its subjects would be Anglo-Dutch cooperation against piracy.⁴⁴ Raffles had seen that the Dutch could proceed from the suppression of piracy to the extension of empire, and he had regarded this as a further reason for British action. The necessary corollary, however, of a general British acceptance of the Dutch position in the Archipelago was an agreement to cooperate against piracy—to protect British commerce, without interfering with Dutch political rights.

In Calcutta Raffles succeeded in persuading Lord Hastings, now the Governor-General, that Dutch proceedings menaced not only British trade in the Archipelago, but also the security of the route to China through the Archipelago. Hastings thus sanctioned a mission in which Raffles was to visit Acheh and the Johore empire.⁴⁵ In Acheh the Sultan, Jauhar Alam, was engaged in a civil war with his prospering subordinates over the exaction of imperial revenue from foreign trade at the dependent ports, and the State Council had called in a rival Sultan. Raffles made a treaty of alliance with the legitimate chief, having in view the ultimate rehabilitation of the kingdom and the limitation of Dutch influence. This treaty of 1819 thus granted a

PIRACY AND POLITICS IN THE MALAY WORLD

free trade to the British and stipulated for fixed customs duties (article 3), provided for the appointment of a British resident agent (article 4), and excluded other Europeans and Americans from permanent residence (article 6).⁴⁶ In Johore it was found that the Dutch had renewed an earlier treaty establishing their suzerainty with the Bugis viceroy at Riau, acting on behalf of the Sultan, Abdur-rahman, who was at Lingga. Raffles proceeded to Singapore, where he made an agreement for the cession of a factory on that island to the Company with the Temenggong, the officer of the old empire whose appanage it was; and Abdur-rahman's brother, Husain, was recognised as Sultan of Johore with a view to confirming the agreement.⁴⁷

Negotiations with the Netherlands were promoted by Dutch complaints and apprehensions of Raffles. The Secret Committee of the Court of Directors in London had expressed grave doubts when Hastings first proposed the mission to Aceh and Johore.⁴⁸ It was very concerned when news of the acquisition of Singapore arrived just as the negotiations were about to begin.⁴⁹ In fact, one result of subsequent discussions, which led to the treaty of 17th March 1824, was to confirm that acquisition, which appeared necessary not only to guard the route through the Malacca Straits, but also to provide the market the Free Trade sought in the Archipelago and beyond after the Charter of 1813 had ended the Company's monopoly, save that of the trade to China.

Though Malacca was also gained from the Dutch (article 10), the treaty did not, however, represent a basic departure from previous British policy towards them or the Indonesian princes. The British withdrew from Sumatra and undertook to make no settlements or political connexions there (article 9) and, while the Dutch made the same undertaking in regard to the Peninsula, under article 12 the British agreed not to form settlements or make treaties in the islands south of the Straits of Singapore. Article 6 provided against the formation of new settlements without authority from the appropriate Government in Europe. Nothing was said about Borneo, but the chances of British activity there seemed small, since the Dutch had also agreed to articles protecting British trade with Java and the Dutch possessions, and with native states with which the Dutch might have connexions. The spirit of the treaty was thus to confirm a territorial dominion to the Dutch, while providing opportunities for British commerce. It was not surprising that it also contained an article for the suppression of piracy.⁵⁰

In a discussion of 20th July 1820, one of the Dutch Plenipotentiaries, C. T. Elout, had "urged that European establishments at the Native

INTRODUCTION

Ports were absolutely necessary for the purpose as it were of Police, in order to repress the piratical practices of the Malays, who are all pirates. . . ."⁵¹ An article was suggested that ultimately became article 5 of the treaty of 1824, engaging the two Governments "to concur effectually in repressing Piracy in those Seas: They will not grant either asylum or protection to Vessels engaged in Piracy, and They will, in no case, permit the Ships or merchandize captured by such Vessels, to be introduced, deposited, or sold, in any of their Possessions".

In the following years the question of piracy took on considerable importance. This was due not merely to the incidence of marauding in the given conditions; it was also due to factors in European policy. The treaty of 1824 represented in general a reaffirmation of the basic principles of British policy in the region. These, it has been suggested, were in many ways repugnant to local merchants and officials, with their hopes of developing commerce and creating an influence in the Malay world. Their aims may not be quite identifiable with those of Raffles, but there was with them a similar tendency to emphasise the part that piracy played in their policy, either, as in Acheh, by applying the term widely, or, as he did, by developing the consequences of the suppression of piracy defined on a narrower basis, or, thirdly, by simply using it as an excuse for action in other spheres. The superior authorities had again shown their interest in the subject in negotiating the treaty of 1824, but article 5 of that treaty had shown also that they were aware of political complications. The local authorities had greater hopes of exercising an influence in the Peninsula than in the Archipelago since the Dutch were transferring Malacca and withdrawing their suzerainty over neighbouring states like Perak and Selangor; but, as will be shown, this was offset by the claims of Thailand over the northern states, by the superior authorities' insistence on a friendly policy towards the Thais, despite their unfavourable treatment of John Crawfurd's mission of 1822, and by the consequent compromise of the Burney treaty of 1826.

Nevertheless, in the ensuing decades, British influence was exerted to a considerable degree in the Malay world, though more particularly in the economically difficult 1830s and 1840s, and very largely through operations undertaken allegedly for the suppression of piracy. The 1870s were to mark the opening of a period of more profound economic, social and political change, but many aspects of the future economic, social and political structure had already been defined in the preceding period. Naturally this was to a great degree the result of the policies of the predominant British power. Within those

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policies, the concept of the "suppression of piracy" had bulked large—even larger indeed than the condition of the Indonesian and Malay states might have suggested—because of the circumstances under which they were developed and executed.

The following chapters will expound this thesis chiefly in relation to the areas of old Johore, of Brunei, Sulu and Mindanao, and of Aceh, the empires of the Malay world that had decayed but not died.

Annex 33

Extracts from Orders for Ships Patrolling in Defence of West Malaysian Seaboard, 2nd ed., promulgated by the Naval Officer-in-Charge, West Malaysia of the Royal Malaysian Navy and the Commander, Far East Fleet of the Royal Navy on 25 Mar 1965
(MALPOS II)



(SECRET-071)

Page (i)

NAVAL OFFICER IN CHARGE,
WEST MALAYSIA.
~~The Captain,~~
~~K.D. MALAYA.~~

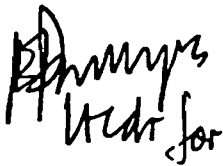
Commander,
Far East Fleet,
Singapore, 27.

25th March, 1965.

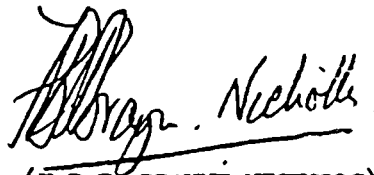
ORDERS FOR SHIPS PATROLLING IN DEFENCE OF WESTERN
MALAYSIAN SEABOARD

(Short title:- MALPOS II)

1. Orders for ships patrolling in defence of the Western Malaysian Seaboard (2nd edition) are forwarded herewith. They apply to R.N., R.A.N., R.N.Z.N. and R.M.N. ships employed on these duties, except where specifically indicated.
2. Ships are to return them to the issuing authority on leaving the area.
3. In these orders the description "R.N. ships" includes R.A.N. and R.N.Z.N. ships of the strategic reserve, and R.A.N. and R.N.Z.N. CMS.
4. Urgent amendment to these orders will be promulgated in the MALPOS GENERAL series of signals. Other amendments will be promulgated by letter.



(J.F.R. WEIR,
CAPTAIN,
K.D. MALAYA,
NAVAL OFFICER IN CHARGE,
WEST MALAYSIA



(F.B.P. BRAYNE-NICHOLLS)
REAR ADMIRAL
for COMMANDER, FAR EAST FLEET.

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~~(TOP SECRET)~~Page (ii)
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ORDERS FOR SHIPS PATROLLING IN DEFENCE OF WESTERN MALAYSIA
SEABOARD

(Short title - "MALPOS II")

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25th March, 1965.MALPOS IIANNEX KCHARACTERISTICS OF LOCAL CRAFTINDONESIAN BOATS.APPEARANCE.

1. There are mainly two types of Indonesian boats operating in the Singapore Straits, the high speed craft and the sailing boat. The former is favoured by the 'bi. time' smugglers and for the landing of agents and the latter is normally the straight forward barter boat although Indonesia has taken advantage of their seeming innocence to land infiltrators.

Speed Boats.

2. These are between 15 and 20 feet in length normally powered by two Evinrude or Johnson 40 H.P. engines giving up to 30 knots depending on the weather. There is no particular shape to these boats, some have been reported as long and narrow and others as short and beamy. The normal crew is two or sometimes three. Judging by the reports they seem to favour the short dash between Pu. Sambu and St. John's and the Raffles Light and Tg. Pini areas.

Sailing Boats.

3. These operate from all along the coast of Indonesia facing Malaysia and from much further afield. They vary in size from 15 to 50 feet. They are invariably rough, locally made boats which leak badly and are rather fragile which can make towing them a tricky operation for fear of pulling the mast out or ripping away the fore deck. Their sailing rig could be described as a loose footed gunter rig, they sail quite well but their sails are normally in a very bad state of repair. The majority of them also have a low powered outboard motor.

INDONESIAN BOATMEN.General Appearance.

4. They fall into three main races. Malay, Javanese and Chinese (Hokkien), there is also a sprinkling of Celebes Islanders. With the exception of the Chinese which are in the minority, the Indonesian barter boat men are invariably dirty and scruffy normally dressed in sarongs and shirt. Normally they appear under fed and in a low state of physical fitness. The speed boats, in the main, are operated by the Chinese. It is uncommon to find any one of them who can understand a word of English let alone speak it. It is difficult even for a Malaysian to understand their language; their brand of Malay is considerably different.

Documents.

5. All members of the crew should carry an Identity Card. (See Appendix II). The card can be buff or blue in colour similar in size to a U.K. Driving Licence, folded in half with a photograph on one side and facing it the man's personal details, all written in Indonesian. It should be stamped with the Indonesian crest, two eagles' heads facing in the opposite directions above a striped shield from behind which wings and legs protrude, all contained in a circular border which contains the name of the office where the card was issued. The card is normally contained in a plastic wallet which has written across it in large letters, 'KARTU PENDUDUK' meaning 'Identity Card'. The slang name of this card is 'Tingi'. If they hear this word they will know what is required.

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The owner of the boat should have in his possession the boat's licence and log book. The licence is normally a blue covered document roughly foolscap size containing the boats particulars, again all in Indonesian and stamped with the Indonesian crest. The boats log can be a stiff backed exercise book and simply contains Indonesian port arrival and sailing certification. Each entry is stamped with the name of the port or kampong. This book may also contain a photograph and details of the owner.

MALAYSIAN CRAFT.

6. These consist mainly of fishing boats and small inland trading boats. They are almost entirely run by the Chinese although some of the Johore fishing boats do have Malay crews. All boats have to be licenced and have their state distinguishing letters painted on the bow, Singapore SLP, ST, SP, or SPX; SLP being the usual one and Johore BLP, BPF, PPF and JBF; BLP and JBF are the usual ones. All are motor driven. They must all have a boat's licence on board, this is written in Malay and English except some of those held by Johore boats. It has often been considered that an occasional boat has dealings with the Indonesians, either at sea or in Indonesia. The conditions for this sort of intrigue would seem to be rather more favourable in the Moreborough Light area.

Malaysian Seaman.

7. They should all be in possession of their Identity Cards (See Appendix III). These are 1" by 2" in size, contained inside a plastic sealed envelope. In the centre of the card is the owners photograph and on either side his thumb print. They come in three different colours, blue for Federal Citizen, and non Citizen (mainly Chinese) and brown. There are also green cards for certain Europeans. Each card has a number along the top, underneath which is printed 'KAD PENGESAHAN' and underneath the photograph 'PERSAMPUAN MALAYSIA'. On the reverse side is written the personal particulars.

DISTINGUISHING LETTERS FOR SMALL CRAFT AND FISHING BOATS - WEST MALAYSIA.

The following are details of distinguishing letters for small craft and fishing boats registered in Malaya and Singapore :-

<u>STATE</u>	<u>FISHING CRAFT</u>	<u>CARGO BOATS</u>	<u>PASSENGER BOATS.</u>
Perlis	PSF	Ps. C	Ps. P
Kedah	KF	KC	KP
Penang	GT, BP, BH, NT	PC	PP
Perak	PK-F	PKC	PKP
Selangor	SLF	SLC	SLP
Negri Sembilan	NF	NSC	NSP
Malacca	MF	MC	MP
Johore	(BLP, BPF (POF, JBF	(JBC, BMC, BFC (OC, KTC, MCG	(JBP, BMP, KYP (BPP, POP, MPP
Singapore	(SLF, ST (SP, SPX.	SC	SP
Pahang	PAF	PHG. C.	PHG. P.

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/Trengganu.....

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DISTINGUISHING LETTERS FOR SMALL CRAFT AND FISHING BOATS - WEST MALAYSIA (Cont'd)

<u>STATE</u>	<u>FISHING CRAFT</u>	<u>CARGO BOATS</u>	<u>PASSENGER BOATS</u>
Trengganu	TF	TC	TP
Kelantan	KF	KC	KP

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25th March, 1965.CHARACTERISTICS OF LOCAL FISHING CRAFT.

1. West Malaysian Fishing Boats vary in length from 10ft to 60ft, the smaller boats below 20ft use sails, or outboard motors, those from 25ft to 60ft are diesel powered with a fish hold forward and a canopy aft. They normally carry a crew of 2 to 4 (except Pangkor boats) and fly clan identification flags by day, and by night a bright white light and a smaller, weaker light at the end of the net or line. Confrontation has forced these boats not to display these lights at all times but when a vessel is heading towards them a light is usually shown and if the vessel is inadvertently heading for their nets the light will be flashed on and off.

Habits.

2. Most fishing fleets that fish in International and Malaysian Territorial waters leave for the fishing grounds at about 1600. By 1830 they reach the fishing grounds and cast their nets. Throughout the night they remain in the area, recovering nets and lines by 0700 the following morning and returning to harbour. There are a few boats that prefer to fish in Indonesian claimed waters, these boats stay out for about 5 days; and usually go out twice a month, within periods to coincide with the rising of the new and full moon. There is all year round fishing in Indonesian claimed waters, International and Malaysian Territorial waters but the monsoons do have an effect on the catch in International and Malaysian Territorial waters.

Methods.

3. Most forms of line and net fishing are employed, largely confined to specific areas. Generally, ring net fishings on the N.W. coast, drift and line, in the Southern Malacca Strait, and seine net on the east coast are most prevalent.

Fishing Areas.

4. (a) Malaysian Territorial and International Waters.

- (1) Pulau Pisang - Kulap.
- (2) Off Malacca Coast.
- (3) One fathom bank in North Sands Patch.
- (4) Off Pu Pangkor.

These are the General fishing areas of the Fleets, who largely keep together in an approximate area of 10 square miles with the occasional boat operating alone.

(b) Fishing areas in Indonesian Claimed Waters.

- (1) Waters surrounding the coast of Pu Rongsang, Pu Bengkalis and Pu Roepat.
- (2) Rob Roy Bank.
- (3) South Sands.
- (4) Aruah Eilanden Group.

Disposition of Fleets.

(a) Pangkor. Based here are the larger boats operating around Pu Pangkor, Sembilan Islands, extending as far North as Penang. Purse seines are used, with up to 15-20 men in each boat. Trawling is prevalent but at the present time, illegal.

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Disposition of Fleets (continued).

Craft: length: 50'-60' beam: 12'
 Inboard engine.. Distinguishing letters: FK-F.

(b) Pu Ketan. (Port Swettenham)

By far the largest fleet operates from here, numbering about 1000 boats. They operate in groups around one fathom Bank and Aruah Eilandan (ARUAH ISLANDS) Group areas. Drift nets are used almost exclusively. These nets are usually small and several used joined together reaching a total length of up to $\frac{1}{2}$ mile. The top of the net is usually ten feet below the surface. Coloured spherical floats are used at intervals of about every 50 ft. Craft are either :-

(1) Sail: length 10' beam: 6'
 Sail crew 2 or 3. Distinguishing letters: SLF.

(2) Powered: length 30' beam: 6'
 inboard engine. crew: 2-3
 Distinguishing letters: SLF.

(c) Tanjong Serat.

These operate mainly in Malaysian territorial waters between Cape Rachado and Tg. Rhu, sometimes Port Dickson is used as base. They are also found in the One Fathom Bank area. Drift nets are used almost exclusively.

Craft: length: 30' beam: 6'
 inboard engine. crew: 2-3
 Distinguishing letters: SLF.

(d) Malacca, Muar and Batu Pahat.

About 500 boats operate from these bases; they keep together with an occasional one that strays. Principal forms of fishing are drift nets and kelong.

Craft: length: 30' beam: 6'
 inboard engine. crew: 2-3
 Distinguishing letters: LF.

(e) Pontian and Kukup.

The fleet here consists of approximately 70 boats. Principal types of fishing are drift net and small seine nets inshore. Static kelong are in abundance in the area, about the 5 to 6 fathom line. Boats are similar to (d). above in appearance. Distinguishing letters - BMF, BPF, POF, JBF.

(f) Singapore Strait.

There are two types of fishing boats, large ones with diesel engines that go out deep sea, and small sampans, driven by outboards, that operate scattered around the island. The majority of the latter fish between Raffles Light and Tg. Piai. Nearly all of these craft use line fishing, including Lotangs - drifting lines suspended from floats, but occasional nets can be encountered. There are many kelong on or about the 6 fm. line.

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(f) Continued.

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(f) Continued.

- Craft: (1) length: 40'-50' beam: 15'
inboard engine crew: 4-6
Distinguishing letters: S&P, ST, SF and SFX.
- (2) length: 10'-15' beam: 3-4
sail, oars or outboard
crew: 1-2

(g) East Coast - Johore.

The fleet is based at Mersing, and employs purse seines and lines. A number of bamboo fishing stakes, one anchored to the bottom are used in pairs. The second stake drifts and the stakes are joined by up to 100 fathoms of set lines. The boats are about 30' in length, similar in appearance to Malacca boats. Distinguishing letters: B&P, EPF, POF, J&P.

(h) East Coast - Kuantan.

Fishing stakes (moored to the bottom) are prevalent in the area, some with set lines, others with palm fronds (Unjangs) secured beneath the surface. These fronds provide shade for fish, which are then caught with seine like nets which are drifted down on to the stake. Distinguishing letters: P&P.

(i) East Coast - Trengganu.

The fleet is based in Kuala Trengganu and Kota Bahru. Seine nets, drift nets and line fishing are all used. Some of these boats operate well off the coast. Some set lines are also prevalent.

- (1) Powered. length: 40'-50' beam: 10'-12'
inboard engine crew: 8-10
Distinguishing letters: TP.
- (2) Sail. length: 40'-50' beam: 10'-12'
sail crew: 9-10
Distinguishing letters: TP.

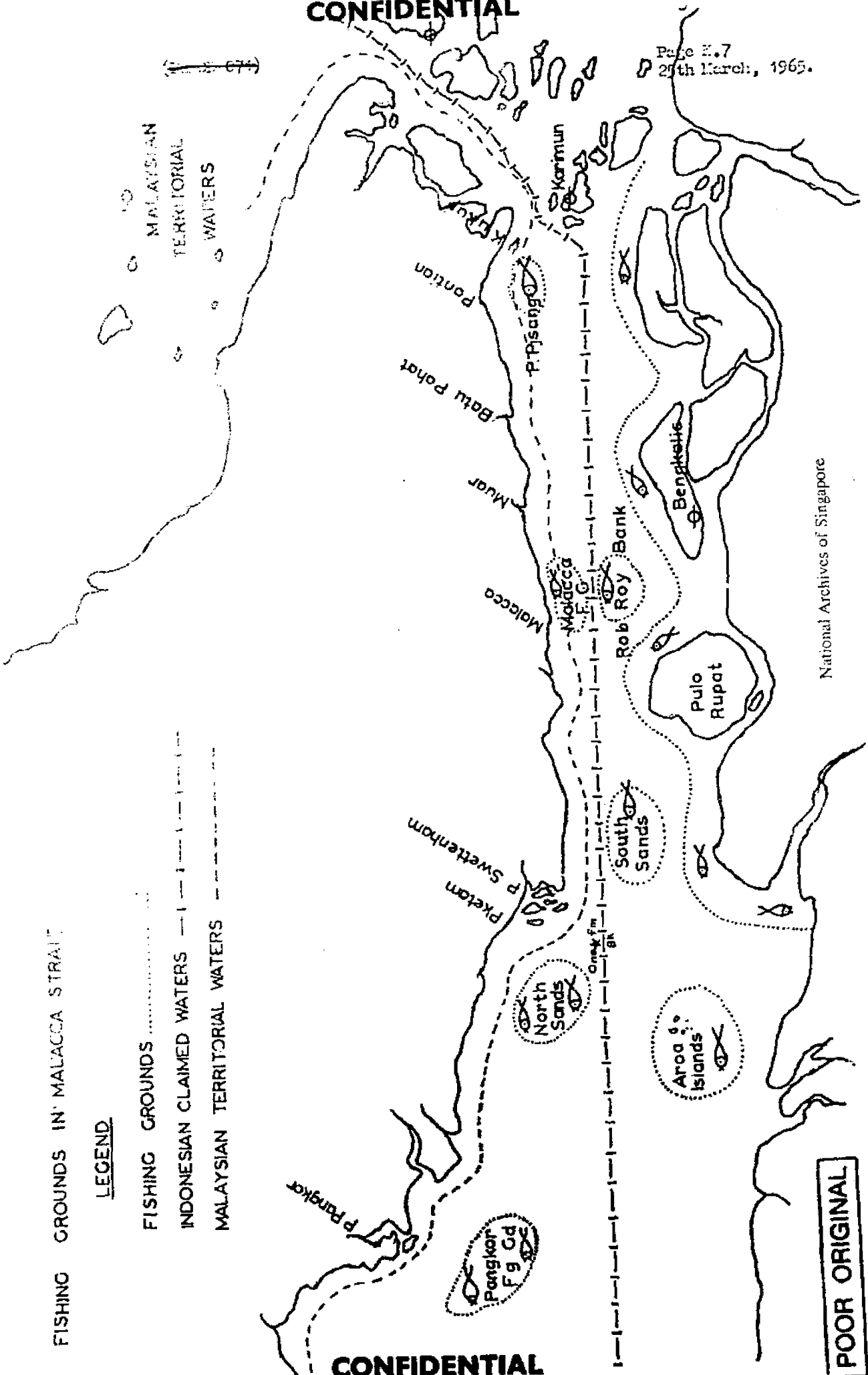
(j) Squid Fishing.

In shallow water (3 fathoms) in both Singapore Strait and on the east coast, small boats fish for squid by night. The method is to attract the squid by a bright magnesium lamp, then scooping them up with nets.

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FISHING GROUNDS IN MALACCA STRAIT

LEGEND

- FISHING GROUNDS (dotted line)
- INDONESIAN CLAIMED WATERS - - - - - (dash-dot line)
- MALAYSIAN TERRITORIAL WATERS - - - - - (dashed line)

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Annex 34

Extracts from
Roberts-Wray K., *Commonwealth and Colonial Law* (1966)

Commonwealth and Colonial Law

by

SIR KENNETH ROBERTS-WRAY

G.C.M.G., Q.C., M.A.(OXON.)

*of the Middle Temple, Barrister-at-Law; lately Legal
Adviser to the Commonwealth Relations Office and the
Colonial Office*

foreword by

LORD DENNING

LONDON

STEVENS & SONS

1966

FOREWORD

BY THE RIGHT HON. THE MASTER OF THE ROLLS, LORD DENNING

No one is better fitted to write this book than Sir Kenneth Roberts-Wray. His long tenure as Legal Adviser of the Colonial Office has given him a unique knowledge of the laws of the countries of the Commonwealth, many of whom in his time became independent. But there are still nearly fifty separate territories administered under the authority of the United Kingdom, Australia and New Zealand. As I read through all that he has so well written, I thought to myself time and time again: If only we had had this book 30, 40 or 50 years ago! How much labour and toil would have been saved. We should have been put immediately on the right track. But these are vain regrets. There was no Sir Kenneth Roberts-Wray to write it then, or at any rate no one who found the time: and he has only found time now since his retirement.

It would be a great mistake, however, to think that this book comes too late. Sir Kenneth discusses problems which are of vital concern to all countries of the Commonwealth. Not only to the small territories still reaching towards independence, but also the great independent countries too. The basic law (to use Sir Kenneth's phrase) of most countries of the Commonwealth is the general law of England. It includes the principles of common law and equity, statutes of general application, and the Crown prerogative. In this book you will find decisions from all countries showing how this basic law has been applied. Particularly a collection of cases on the "statutes of general application" which has never been done before. The new written Constitutions bear the same imprint. Most of them set out the fundamental human rights established by the common law of England.

The jurisdiction of the Judicial Committee does not extend so widely now as it once did. Many of the territories feel that an appeal to London is hardly consistent with their independence. They need not fear. Australia, New Zealand, Ceylon, Sierra Leone, Jamaica, Trinidad and Tobago and Malta still come to the Privy Council. Their Lordships advise the Heads of the Federation of Malaysia, Malawi and

Gambia. Here is a most valuable analysis of the Judicial Committee's jurisdiction. Never before has there been collected cases showing the principles on which the Judicial Committee acts in criminal cases. Here, too, is an interesting discussion of the future of the Judicial Committee. Should it be reinforced by Judges from the Commonwealth? Should it travel round, as it were, on circuit? There are difficulties on which Sir Kenneth comments. But they should be overcome. The rival suggestion of a Supreme Court of the Commonwealth has not commanded general acceptance. We should reform the Judicial Committee to fit the conditions of today.

We all know that the independence of the Judges is one of the pillars of the Rule of Law. The accepted view is that in England Judges are not to be removed except for misconduct and then only on the petition of both Houses of Parliament. Sir Kenneth challenges this. He suggests that they can be removed for misconduct "by other means," namely, by judicial process. It is noteworthy that this suggestion has been carried into some of the Constitutions of the newly independent territories. Often there is provision for an inquiry by a tribunal of judges. This is, no doubt, wise. It is quite the best way.

Lastly there is here in the first Appendix a most valuable synopsis dealing with all the territories of the Commonwealth, their history, constitution, judicature and basic law. Everyone who has dealings with the Commonwealth will find this a handbook to which he will turn continually. I know I will.

So at last we have the book to tell us all we need of the laws of the Commonwealth and Colonies. Sir Kenneth is to be thanked and congratulated.

DENNING.

January 27, 1966.

Western Provinces

The area west of the Great Lakes and Hudson Bay came under British control, as the Hudson's Bay Company and the North Western Company⁵ (which were amalgamated in 1821) extended their activities westwards. The first permanent settlement, Red River Colony, was established in 1812 in Rupert's Land—territory granted to Prince Rupert by Charles II in 1671. By the Oregon Treaty of 1846, the boundary with the United States was fixed at the 49th parallel.

In 1849, Vancouver Island was granted to the Hudson's Bay Company. Soon afterwards, three neighbouring Colonies were constituted: the Queen Charlotte Islands in 1852, British Columbia (the southern part of the mainland) in 1858 and the Stikine Territory (the northern mainland) in 1862. An enlarged Colony, British Columbia, was formed by the union of these three Colonies in 1863; and, under the same name, it was united in 1866⁶ with Vancouver Island—which had been purchased by the United Kingdom Government from the Company in 1858.

The British North America Act, 1867,⁷ provided for the admission to the Dominion of Newfoundland, Prince Edward Island, British Columbia, Rupert's Land and the Northwest Territories. Manitoba (part of Rupert's Land) and the Northwest Territories (enlarged by the incorporation of the remainder of Rupert's Land) were admitted in 1870, the former being accorded Provincial status.⁸ British Columbia followed in 1871⁹ and Prince Edward Island in 1873.¹⁰ The remainder of British North America, excluding Newfoundland, was annexed to Canada in 1880.¹¹ Out of this area, under Canadian legislation, the Provinces of Alberta and Saskatchewan were formed in 1905¹²; and the Yukon became a separate territory, distinct from the Northwest Territories, in 1898.

Newfoundland

This province, which includes the mainland of Labrador, was one of the original "Dominions" within the meaning of the Statute of Westminster,¹³ though it did not conduct its own international relations. In 1933, owing to grave financial difficulties, the Legislature presented a petition to the King, asking for the suspension of the Constitution and the appointment of Commissioners to administer the Government until the country became self-supporting again. To enable this request to be complied with, the United Kingdom Parliament passed the Newfoundland Act, 1934,¹⁴ and His Majesty appointed six Commissioners, three from Newfoundland and three from the United Kingdom, with the Governor as Chairman. After the war, a National Convention was set up to formulate proposals

⁵ A partnership formed in 1783–84 but apparently never incorporated.

⁶ British Columbia Act, 1866 (29 & 30 V. c. 67).

⁷ *Supra*; s. 146.

⁸ Order in Council of June 23, 1870, S.R.O. & S.I. Rev. III, 368; Manitoba Act, 1870 (*Can.*, 1870, c. 3).

⁹ Order in Council of May 16, 1871, S.R.O. & S.I. Rev. III, 387.

¹⁰ Order in Council of June 26, 1873, *ibid.* p. 406.

¹¹ Order in Council of July 31, 1880, *ibid.* p. 419.

¹² Alberta Act, 1905 (4 & 5 Ed. 7, c. 3), and Saskatchewan Act, 1905 (4 & 5 Ed. 7, c. 42).

¹³ Appendix II, p. 925.

¹⁴ 24 & 25 G. 5, c. 2.

for forms of government. In 1948 there were two referendums, the second of which resulted in a vote for confederation with Canada. Agreement with the Canadian Government on the terms of union was reached and Newfoundland became the tenth Province in 1949.¹⁵

Constitutional Status

Canada is an independent country. It is a "Dominion" within the meaning of the Statute of Westminster¹⁶ and was one of the original Members of the Commonwealth.

The status of all the Provinces when they were Colonies is not in all respects quite clear, but the only point of doubt—the distinction between cession and conquest—is most unlikely to be of more than academic interest.¹⁷ The historical notes above indicate that Ontario, Quebec and the Maritime Provinces (Nova Scotia, New Brunswick and Prince Edward Island) were ceded—though Cape Breton Island should perhaps be regarded as having been previously acquired by conquest. Newfoundland was a very early settled Colony, and the remainder of the country was also acquired by settlement—though the British Settlements Act, 1887, never applied to any part of Canada.

*Constitution*¹⁸

Canada now consists of ten Provinces (Ontario, Quebec, Nova Scotia, New Brunswick, Manitoba, British Columbia, Prince Edward Island, Alberta, Saskatchewan and Newfoundland) and two Territories (the Yukon Territory and the Northwest Territories).

CANADA AND THE PROVINCES

Executive

Executive power in Canada is vested in the Queen and is exercised on her behalf by the Governor-General. He is advised by "the Queen's Privy Council for Canada," whose members are chosen by him. Advisory functions of the Council are in fact performed by the Cabinet, which is a committee of the Privy Council and consists of the Prime Minister and other Ministers.

Executive power in each Province is vested in a Lieutenant-Governor, appointed for a minimum term of five years by the Governor-General. He is advised by an Executive Council, composed (with some exceptions) of Ministers. The title of the chief Minister is Prime Minister in Ontario and Quebec, Premier in other Provinces. The holders of certain offices, particularly Attorney-General, Provincial Secretary and Provincial Treasurer, who are members of the several Executive Councils, sometimes hold ministerial portfolios.

Legislatures

The Parliament of Canada has two Chambers, the Senate and the House of Commons. There are at present 102 members of the

¹⁵ British North America Act, 1949 (12, 13 & 14 G. 6, c. 22).

¹⁶ Appendix II, p. 925.

¹⁷ See pp. 105-107, *supra*.

¹⁸ The British North America Act, 1867 (30 & 31 V. c. 3), amended by a large number of United Kingdom and Canadian Acts. *A Consolidation of the British North America Acts, 1867 to 1952* (up to January 1, 1957), prepared by Mr. Elmer A. Driedger, Q.C., with notes, was printed by the Queen's Printer, Ottawa, in 1961. See also United Kingdom Acts of 1960 (9 & 10 El. 2, c. 2) and 1964 (c. 73).

French jurisdiction

The French law in the New Hebrides (apart from High Commissioner's Regulations) consists of laws and decrees of France extended generally to all Colonies, or specifically to New Caledonia (the New Hebrides not being excluded) or made specially for the New Hebrides.

Courts of First Instance

Joint Regulations; procedure of the Joint Court or as laid down in Rules made by that Court.⁵⁶

Native Courts

Unwritten customary civil and commercial law; a code of native criminal law. The Joint Court in hearing appeals applies "substantial justice and the general principles of law" when the law is not codified.⁵⁷

(7) Pitcairn Island ⁵⁸

(with Henderson, Ducie and Oeno Islands)

See General notes above.

History

Pitcairn Island, discovered in 1767 by Captain Carteret of H.M.S. *Swallow*, was settled secretly, in January 1790, by some of the *Bounty* mutineers and men and women they took with them from Tahiti. Their presence on the island was discovered by Captain Folger, of Boston, U.S.A., in 1808, but though this discovery was reported to the Admiralty in London in 1809, British naval officers who happened upon the settlement in 1814 do not appear to have been aware of it. The islanders were removed to Tahiti in 1831, but before the end of that year they were back in Pitcairn. Another visit was paid to the island in 1838 by H.M.S. *Fly*, when it is recorded in the "Register of Pitcairn's Island" (the source of much of what is known of the early history of the settlement) that Captain Elliot took possession on behalf of the Crown on November 29. The inhabitants vacated the island again in 1856, when they were taken to Norfolk Island, but within two years two families returned to Pitcairn Island. They were later followed by others and since then the island has been in continuous occupation.

Henderson, Ducie and Oeno Islands were annexed and made dependencies of Pitcairn in 1902.⁵⁹

⁵⁶ See Art. 21 (9) of the Protocol.

⁵⁷ Art. 13 (1) (D) and (2) (B) of the Protocol.

⁵⁸ For much of the material in these notes, the writer is indebted to *The Heritage of the Bounty*, by H. L. Shapiro; a *General Administrative Report on Pitcairn Island* made in 1938 by J. S. Neill and published in a pamphlet referred to as Colonial No. 155; an article by C. H. Curray in the *Journal of the Royal Australian Historical Society*, Vol. 44, Part 6, p. 325; *Pitcairn's Island, and the Islanders, in 1850*, by Walter Brodie (1851); and *A Social and Administrative History of Pitcairn Island*, a paper (at present unpublished) by H. E. Maude. For bodies of laws, see especially Brodie, pp. 80-92, and Shapiro, pp. 295-318.

⁵⁹ These islands were all discovered by British naval captains. In 1902, Captain G. F. Jones placed a board on each island announcing that they were dependencies of Pitcairn and the property of the British Government, and British sovereignty was reaffirmed in a similar manner in 1937. The islands are not continuously inhabited, but are visited by parties from Pitcairn. See *Pacific Islands Year Book*, 8th ed., p. 167.

Further historical details are given below in connection with the island's Constitution and legislation.

Constitution and Legislation, Past and Present

In the early days, the settlers were quarrelsome to the point of violence. Of the nine mutineers who took possession in 1790, only two died natural deaths, and by 1800 the sole survivor was John Adams. Until his death in 1829, he exercised patriarchal rule; no system of government seems to have been required, and no law but his word. On his death-bed, he urged the islanders to appoint a Head to maintain harmony and order, but his wise counsel was disregarded. In 1832 there appeared on the scene an imposter named Joshua Hill. Pretending to have been sent as Governor, he proceeded to dominate the island until he was removed in 1838. In that year, acting on the advice of Captain Elliot of H.M.S. *Fly*, the islanders established a form of government, consisting of an elected magistrate, who exercised executive and quasi-judicial authority, and a Council of two—one elected and the other appointed by the magistrate. This arrangement was apparently revised in 1853 under the guidance of Captain Moresby; and in 1892, on the occasion of a visit by H.M.S. *Champion*, the inhabitants passed a resolution setting up a new governmental system, with a Parliament of seven, including a President (who was also chief executive officer), Vice-President, Secretary and two Judges. The Parliament was given power to make laws, plan for the public good, execute decisions of the Court and hear appeals from its decisions. In 1904 a simplified form of constitution was adopted, the islanders contenting themselves with a Chief Magistrate, two Committees (Internal and External), both with powers to make regulations, and a Council presided over by the Chief Magistrate and containing the chairmen of the Committees and two assessors. For the trial of more serious offences, the Chief Magistrate was to sit with two assessors. The more important legislation and judicial powers were reserved to competent authority under the Pacific Order in Council, 1893.⁶⁰ The External Committee has now disappeared and the Council consists of the Chief Magistrate, two assessors, the chairman of the Internal Committee and the Island Secretary.

The early laws were apparently the work of public meetings and unwritten rules were observed. A record is preserved of Court proceedings (dated 1833), written laws of a sort were framed at least as early as 1838, and a Code was adopted in 1850. The "Rules" in force in 1884 were published in England in 1889.⁶¹ One of the first acts of the "Parliament" established in 1892 was to enact a new list of laws.

British naval captains, on their fairly regular visits, were regarded by the islanders as their ultimate judicial authority and looked to for general help and guidance in their legal difficulties. It was at the urgent request of the inhabitants for steps to be taken to regularise their status and their government that, in 1838, Captain Elliot devised for them a form of constitution and a body of written laws. These instruments were adopted on November 30, 1838, and that date is still

⁶⁰ See General notes above.

⁶¹ C. 9148, pp. 5 (para. 12), 7 and 8.

treated by the islanders (who were at the same time presented with a Union flag) as signifying their incorporation in the British Empire. But in 1853, after a visit by a Frenchman, they sent a petition to the Queen, asking for a document confirming the status of Pitcairn Island as part of Her Majesty's dominions and that of themselves as British subjects. The reply gave the necessary assurance but did not send a formal document since it might imply a doubt where there was none. While there is no good ground to question the validity of these conclusions, it is surprising that nothing was then done to place Pitcairn on a sound constitutional foundation. No steps to that end appear to have been taken until 1898, when the Pacific Order in Council, 1893, was applied to the island under Article 6.

By the Pitcairn Island (Local Government Regulations) Ordinance, 1952,⁶² instructions which had been approved in 1940 by the High Commissioner in the form of Regulations for the guidance of the local government of Pitcairn Island and assented to by a General Assembly of the inhabitants, were given the force of law, together with amending instructions of 1949 and 1950.

In 1952 the Order of 1893 ceased to have effect and provision is now made⁶³ for the government of the island and its dependencies, executive and legislative authority being vested in the Governor of Fiji as holder of the additional office of Governor of these islands.

It is of interest to note that Mr. J. S. Neill, whose report on his thirty-nine days' residence on the island in 1937 is quoted above, found nothing which would necessitate a recommendation that the system of government should be suspended or that it had broken down.

Constitutional Status

A Colony acquired by settlement. It is generally assumed also to be a British Settlement for the purposes of the British Settlements Act, 1887,⁶⁴ and this assumption appears to be correct. The view is expressed in Chapter 5⁶⁵ that settlers have a common law right to adopt some method of making laws for themselves (as the Pitcairn Islanders did) if the Crown does not provide them with a legislature under the Prerogative but that the persons making laws by virtue of this right are not, for the purpose of the British Settlements Act, 1887, a "legislature constituted" otherwise than by virtue of that Act. If that is correct, the island is not excluded from the definition of "British Settlement" in section 6 of the Act.

Judicature

The Governor is specifically empowered, in pursuance of his law-making authority under the Pitcairn Order in Council, 1952, to establish local Courts, and to confer jurisdiction upon the Supreme Court of Fiji. The jurisdiction of the High Commissioner's Court under the Pacific Order in Council, 1893, was continued as an interim

⁶² No. 2 of 1952.

⁶³ Pitcairn Orders in Council, 1952 and 1963, S.I.s 1952 No. 459, p. 2307, and 1963 No. 368, p. 327. Royal instructions of March 14, 1952, and February 27, 1963, S.I. 1963, p. 1423.

⁶⁴ Appendix II, p. 916.

⁶⁵ See pp. 153-157, *supra*.

Annex 35

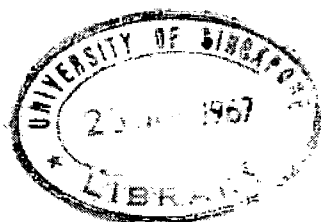
Extracts from Meteorological Services Malaysia and Singapore,
Summary of Observations for 1966

**METEOROLOGICAL SERVICES MALAYSIA
AND SINGAPORE**

SUMMARY OF OBSERVATIONS

for Malaya, Singapore, Sabah and Sarawak

1966



PRINTED BY THE GOVERNMENT PRINTING OFFICE, SINGAPORE

1967

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METEOROLOGICAL SERVICE MALAYSIA AND SINGAPORE

SUMMARY OF OBSERVATIONS 1966

INTRODUCTION

THIS ISSUE contains summaries for 19 First Order Stations in west Malaysia (Malaya), Singapore, and East Malaysia (Sabah, and Sarawak), 42 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, 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 hourly values published for Singapore, Kuala Lumpur, Penang, Kota Bharu and Kuantan are computed from actual eye readings made every hour.

EQUIPMENT

The equipment of the main stations are uniform and include 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 type.
- Hair Hygrograph.
- Recording raingauge, 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.
- Evaporation Tank.

The exposure of instruments of 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. At Cameron Highlands the hours of observation are 0700, 1000, 1300 and 1900 Station Time. Station Time is seven hours in advance of Greenwich Mean Time.

In Sarawak and Sabah, the hours of observation at Sibul, Miri, Jesselton Sandakan are 0500, 0800, 1100, 1400, 1700 and 2000 Station Time, while at Kuching, Bintulu and Labuan the hours of observation are 0200, 0500, 0800, 1100, 1400, 1700, 2000 and 2300 Station Time. Station time is eight hours in advance of Greenwich Mean Time.

AUXILIARY STATIONS

The equipment of the Auxiliary Stations consist of a standard Stevenson Screen with dry and wet bulb psychrometer and maximum and minimum thermometers, together with a standard five-inch raingauge.

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. Fourteen of the twenty-nine Rainfall Stations are also equipped with recording raingauges, of Natural Siphon type.

The time of measurement of rainfall varies at different stations and is mentioned in each summary.

SARAWAK AND SABAH STATIONS

Records from stations in Sarawak and Sabah are included under First Order Stations.

CLIMATE

The characteristic features of the climate of West Malaysia (Malaya) and Singapore 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 large temperature variations throughout the year; the annual variation is not more than 4° F. The daily range of temperature is large, being from 10°F 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. Although the days are frequently hot and on account of the high humidity somewhat oppressive, the nights are reasonably cool everywhere and it very rarely happens that refreshing sleep is not obtained at night.

The highest temperatures observed in the northern part of the Peninsula were recorded on 26th and 27th March 1931, when 103°F. was recorded at Pulau Langkawi on 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 both Fraser's Hill (4,200 feet) and Tanah Rata, Cameron Highlands (4,750 feet) is 82°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. Although the differences in temperature in West Malaysia (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 temperatures 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 has 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 coastal 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. Four seasons can be distinguished, namely, that of the South-West Monsoon, that of the North-East Monsoon and two shorter seasons separating the end of each Monsoon 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 length, between the ending of one monsoon and the beginning of the opposite one, corresponding roughly with the equinoctial season. 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 West Malaysia (Malaya) is of three main types. Over the east coast districts, November-December-January during the North-East monsoon season are the months with maximum rainfall, while June-July during the South-West monsoon are the driest months in most districts. Over the rest of the Peninsula with the exception of the southwest coastal area, the monthly rainfall pattern shows two periods of maximum rainfall separated by two periods of minimum rainfall. The higher maximum generally occurs in the months of September-October-November while the secondary maximum occurs in March-April-May. Over the north-western region the lower minimum occurs in January-February with the secondary minimum in June-July

while elsewhere the lower minimum occurs in June-July with the secondary minimum in February. The rainfall pattern over the south-west coastal area is much affected by early morning "Sumatras" from May to August with the result that the double maxima and double minima pattern in the monthly rainfall is no longer discernible. October-November are the months with maximum rainfall and February the month with minimum rainfall. The March-April-May maximum and the June-July minimum are absent or indistinct.

6. The south of the Peninsula and Singapore have a rainfall pattern which is a combination of the east coast and inland types in that although November-December-January are months with the higher average monthly rainfall, a secondary maximum occurs in March or April, while two minima are discernible in June-July and February.

7. 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 on the Main Range, the rainfall is considerably less; the average at Fraser's Hill being 106 inches and that at Cameron Highlands 104 inches.

8. Considering the Peninsula as a whole, the heaviest annual 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 lies 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 eastern and south-western parts of the Peninsula. The eastern part of Negri Sembilan is the driest area in Malaya with an average rainfall of less than 70 inches.

9. The surface winds are generally light except during the North-East Monsoon when the exposed East Coast of west Malaysia (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 and rain develop in the Malacca Straits in the night and move with the prevailing South-Westerly winds aloft on to the West Coast districts and Singapore. These "Sumatras" have been known to exceed 150 miles in length.

SINGAPORE RAINFALL — AUXILIARY STATIONS
Amount in inches

Month	Station: Chong Pang, Police Station Lat: 1° 27' N Long: 103° 50' E. Ht. above M.S.L. —				Station: Royal Air Force, Selatux Lat: 1° 25' N Long: 103° 52' E. Ht. above M.S.L. —				Station: Amà 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: Horbough Light-house Lat: 1° 24' N Long: 103° 26' E. Ht. above M.S.L. —				Station: Royal Air Force, Tengah Lat: 1° 23' N Long: 103° 43' E. Ht. above M.S.L. —				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						
January	6.59 (27)	14	1.96	17	7.99	18	1.83	8	6.42 (29)	13	0.95	8	9.80	17	2.23	17	3.65	14	0.84	1	9.01	19	3.33	18	January	
February	8.66	11	1.96	17	8.40	9	1.09	27	4.80 (26)	13	..	..	8.05	11	2.59	17	0.23	5	0.06	4	3.60	13	1.26	22	February
March	3.81 (26)	11	..	..	6.84	16	1.65	21	3.13 (27)	12	..	..	7.80	21	1.71	16	1.39	10	0.63	28	7.71	20	2.11	20	March
April	7.73 (28)	13	..	..	6.84	16	1.91	30	5.71	19	0.95	7	9.15	14	1.78	10	3.96	12	0.64	25	8.31	15	2.06	10	April
May	6.05 (24)	11	..	..	8.96	21	1.73	8	4.97 (30)	16	..	..	8.10	16	1.62	16	1.85	12	0.92	18	6.48	20	1.31	15	May
June	4.55 (28)	9	..	..	5.83	11	2.35	6	4.89	15	1.92	3	8.98	11	4.10	19	3.59	10	0.85	1	9.37	14	3.31	3	June
July	4.66 (30)	17	..	..	9.04	11	3.66	11	5.28	15	1.33	14	7.91	18	4.03	6	5.59	15	1.30	28	3.40	16	0.63	14	July
August	4.47	11	1.53	8	3.50	11	1.05	6	5.61	11	2.06	23	6.59	11	3.05	8	7.39	17	1.45	18	9.98	16	4.61	23	August	
September	2.44	13	0.70	14	3.17	15	1.18	1	1.65 (29)	11	..	..	4.10	11	1.30	1	1.72	6	1.10	19	3.90	14	0.95	1	September
October	..	..	..	..	0.92	16	1.72	9	3.83	18	1.22	13	8.06	17	2.26	3	6.71	16	1.54	16	6.71	16	1.45	3	October
November*	..	..	..	..	12.97	24	2.67	25	11.10 (28)	20	..	..	19.52	25	2.22	21	4.96	17	1.36	15	15.53	26	2.33	19	November
December*	..	..	..	..	12.08	22	1.85	17	8.43	23	1.88	24	12.95	23	2.47	17	6.11	17	1.74	20	8.65	21	2.06	11	December
Total	..	..	..	..	93.03	190	..	..	70.82	186	..	..	110.32	195	..	..	46.94	151	..	..	97.65	210	..	..	Total
Extremes	3.66	1.74	4.61	..	Extremes
Rainfall Measured Daily at	0700 S.T.
	0730 S.T.
	0830 S.T.
	0700 S.T.

Figures in brackets indicate the no. of days on which the rainfall was recorded.
* Observations at Chong Pang discontinued.

1966

SINGAPORE RAINFALL -- AUXILIARY STATIONS

Amount in inches

Month	Station: Pierce Reservoir Lat: 1° 24' 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: Tanjong Pagar Customs Station: Lat: 1° 22' N. Long: 103° 54' E. Ht. above M.S.L. —				Station: Serangoon S.D.W. Lat: 1° 23' N. Long: 103° 57' E. Ht. above M.S.L. —				Station: Ulu Pandan S.P.S. Lat: 1° 21' N. Long: 103° 45' E. Ht. above M.S.L. —				Station: MacRitchie Reservoir Lat: 1° 21' N. Long: 103° 51' E. Ht. above M.S.L. —				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					
																					0730 S.T.					0700 S.T.				0630 S.T.				0830 S.T.
January	9.55	19	1.52	9	7.67	18	1.04	4	11.08	21	2.35	18	7.23	15	1.16	9	4.30	6	0.88	11	7.30	19	1.25	9	January
February	7.30	11	2.56	27	5.17	10	2.32	37	6.37	8	2.62	16	3.77	7	1.40	28	2.11	8	0.55	13	4.69	11	1.47	27	February
March	7.34	17	1.51	20	8.40	16	2.21	21	11.65	20	3.11	21	13.22	15	1.60	21	6.01	17	1.45	13	11.57	18	2.91	21	March
April	9.77	14	2.09	30	7.20	13	2.43	21	6.68	14	1.58	21	0.45	11	1.50	3	3.93	11	0.35	19	9.25	15	2.82	21	April
May	8.98	18	1.58	30	3.80	15	1.00	8	9.70	18	1.57	8	7.60	15	1.31	21	5.37	12	1.00	30	5.70	16	1.49	2	May
June	5.34	10	2.15	19	2.30	11	0.83	1	2.93	9	1.06	1	5.09	15	1.64	21	4.11	7	1.05	19	5.17	10	1.92	1	June
July	5.82	14	2.41	9	5.38	11	1.52	9	7.57	10	2.00	9	5.37	11	1.52	14	2.97	9	1.05	19	5.91	12	2.47	6	July
August	2.18	10	0.47	8	5.98	16	1.61	11	4.30	6	2.13	5	4.91	11	2.20	6	7.70	8	2.00	2	2.42	10	0.75	8	August
September	4.61	13	2.14	1	3.31	14	0.65	2	5.21	14	1.40	8	2.90	9	1.06	26	3.01	9	1.10	24	4.35	13	1.61	1	September
October	8.42	16	2.17	3	9.77	16	2.66	16	10.85	14	2.20	3	9.30	13	2.36	3	5.89	14	1.50	3	11.32	16	2.55	3	October
November	15.64	25	2.51	14	11.13	21	2.47	16	13.29	19	2.00	21	16.41	18	2.28	30	9.94	18	1.75	15	16.30	21	2.53	14	November
December	14.17	22	2.39	17	8.56	24	1.14	21	14.94	22	2.30	8	15.51	24	2.62	6	6.29	15	1.25	15	11.86	20	1.73	11	December
Total	99.12	189	2.56	31	88.83	188	2.56	31	104.57	175	2.41	31	98.76	160	2.56	31	62.23	137	2.00	31	95.84	181	2.91	31	Total
Extremes	..	..	2.56	..	..	..	3.21	..	..	..	3.11	..	..	..	3.62	..	..	..	2.00	..	..	..	2.91	..	Extremes
Rainfall Measured Daily at ..	0730 S.T.				0700 S.T.				0630 S.T.				0830 S.T.				0730 S.T.								

1966

SINGAPORE RAINFALL - AUXILIARY STATIONS

Amount in inches

1966

Month	Station: Woodleigh Filters S.D.W. Lat: 1° 21' N Long: 103° 52' 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 S.W. Lat: 1° 19' N Long: 103° 59' E Ht. above M.S.L.				Station: Rongoon Road S.W. Lat: 1° 19' N Long: 103° 51' E Ht. above M.S.L.				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.								
	Total Rainfall	No. of Rainfall Days	Greater Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greater Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greater Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greater Fall in a Day	Date	Total Rainfall	No. of Rainfall Days	Greater Fall in a Day	Date									
January	9.87	19	1.88	16	10.00	16	2.20	9	7.26	15	1.28	10, 16	4.00	8	1.40	17	5.00	17	2.11	23	5.88	17	1.30	17	7.45	15	2.76	26	
February	5.38	18	2.23	27	5.53	7	2.80	16	5.47	15	2.24	12	1.07	4	0.45	13	4.51 (27)	13	0.88	24	0.59	28	0.66	11	2.24	22	2.76	26	
March	13.37	21	3.82	21	8.60	10	2.50	21	3.19	17	0.99	21	3.30	6	1.70	21	5.00 (20)	13	0.88	24	2.76	26	2.24	22	2.76	26	2.76	26	
April	3.95	15	2.89	18	7.90	10	1.85	21	...	...	...	...	4.03	7	1.10	16	3.41 (28)	10	0.88	24	0.59	28	7.45	15	2.76	26	2.76	26
May	8.80	16	1.54	21	8.29	13	2.00	18	1.29 (25)	8	0.96	18	4.03	7	1.10	16	4.15 (27)	11	0.88	24	0.59	28	5.16	13	1.13	8	2.76	26	
June	3.98	9	1.02	1	4.52	8	1.46	16	2.31	10	0.66	19	5.50	5	1.00	10	4.52	10	1.31	16	2.59	1	5.16	13	1.13	8	2.76	26	
July	8.26	13	2.22	9	6.55	8	1.92	9	2.09	10	0.66	9	2.05	4	0.25	6	3.94	10	1.09	14	2.59	6	7.60	12	3.45	6	2.76	26	
August	3.05	8	1.75	5	5.66	7	1.80	7	...	...	...	...	2.05	4	1.05	6	6.59 (30)	12	0.88	24	0.59	28	7.08	11	1.98	17	2.76	26
September	5.27	11	1.17	24	3.18	6	0.52	24	2.67	15	1.92	24	2.05	4	1.05	6	7.45 (28)	10	0.88	24	0.59	28	7.08	11	1.98	17	2.76	26	
October	11.35	15	2.46	3	8.13	12	2.16	3	5.32 (30)	11	1.58	11	6.40	19	1.60	13	4.11 (26)	8	0.88	24	0.59	28	5.90	15	1.58	24	2.76	26	
November	15.09	23	2.75	29	13.85	22	3.62	11	3.26	11	1.58	11	6.40	19	1.60	13	7.44 (29)	14	1.46	21	2.96	21	13.33	18	2.96	21	2.76	26	
December	10.91	22	1.63	24	13.89	16	3.10	6	1.81 (22)	11	...	...	10.40	16	2.50	24	6.09	15	1.61	18	2.47	10	13.11	19	2.47	10	2.76	26
Total	103.94	180	3.39	180	96.10	145	2.70	180	69.57	147	2.5	180	69.57	147	2.5	180	69.57	147	2.5	180	69.57	147	2.5	180	95.55	177	3.45	180	
Extremes																													
Rainfall Measured Daily at																													

Figures in brackets indicate the no. of days on which the rainfall was recorded.

1966

SINGAPORE RAINFALL — AUXILIARY STATIONS

1966

Amount in inches

Month	Station: Marine Police Station Lat: 1° 18' N. Long: 103° 51' E. Ht. above M.S.L. —				Station: Fullerton Building Lat: 1° 17' 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. —				Station: Pulau Seraya Police Post Lat: 1° 17' N. Long: 103° 44' E. Ht. above M.S.L. —				Station: Paik Fonglang Power Station Lat: 1° 17' N. Long: 103° 46' E. Ht. above M.S.L. —				Station: Port of Singapore Authority Gate 9 Lat: 1° 16' N. Long: 103° 49' E. Ht. above M.S.L. —			
	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				
January	9.35	10	2.60	17	9.66	15	2.49	17	3.60	13	0.90	26	6.68	18	2.39	23	6.71	13	1.56	17	7.25	19	1.28	18
February	1.59	6	0.69	4	2.13	10	0.46	21	4.75	9	2.98	16	3.57	11	0.84	3	1.36	6	0.46	13	3.23	10	1.04	12
March	8.79	15	2.70	16	10.95	19	2.92	16	10.15	13	2.95	21	6.89	16	1.55	17	7.88	13	1.50	3	8.01	15	1.27	21
April	3.91	9	2.15	30	6.22	15	2.27	30	6.74	14	3.00	30	6.56	15	0.94	19	8.32	12	2.13	21	6.11	13	1.59	15
May	6.10	7	2.50	19	7.82	15	2.40	19	7.70	13	2.00	20	9.94	19	2.24	30	4.69	15	1.46	19	5.45	13	1.02	8
June	3.85	6	1.30	5	4.81	10	1.46	4	4.03	12	1.60	10	3.83	12	1.03	4	5.26	12	1.39	4	5.52	10	1.40	4
July	5.90	10	1.65	14	6.58	15	1.72	14	8.23	9	2.40	6	4.33	13	1.01	6	4.96	12	1.05	6	5.45	14	1.43	7
August	7.15	6	3.09	6	6.23	9	3.06	5	3.45	6	2.05	5	4.08	12	1.52	23	10.45	10	2.85	5	5.96	8	1.70	8
September	5.25	6	2.09	25	6.72	15	1.91	14	3.25	4	2.40	26	1.24 (23)	9	2.07	23	5.03	10	1.99	24	5.37	12	1.70	18
October	6.87	12	1.65	12	7.02	16	1.80	13	3.85	9	1.25	2	9.37	17	2.13	21	4.88	14	0.81	31	5.34	12	1.20	22
November	12.45	21	1.98	21	12.45	21	1.98	21	4.20	5	1.40	3	9.37	17	2.13	21	11.37	16	2.15	21	10.56	19	1.80	18
December	17.20	18	2.40	1	15.94	19	2.87	24	5.65	8	0.85	6	7.39	16	1.32	18	6.91	17	1.41	23	7.26	17	1.31	24
Total	...	...	...	...	96.23	180	...	...	63.60	117	...	...	...	...	...	...	79.72	147	...	...	75.51	162	...	...
Extremes	...	...	...	...	...	...	3.06	...	...	...	3.00	...	...	...	...	...	...	...	2.85	...	...	...	1.80	...
Rainfall Measured Daily at	Station: Marine Police Station				Station: Fullerton Building				Station: Ringwood Road				Station: Pulau Seraya				Station: Paik Fonglang				Station: Port of Singapore Authority Gate 9			
	0830 S.T.				0830 S.T.				0630 S.T.				0830 S.T.				0800 S.T.				0730 S.T.			

Figures in brackets indicate the no. of days on which the rainfall was recorded.

1966

SINGAPORE RAINFALL — AUXILIARY STATIONS

1966

Amount in inches

Month	Station: Sultan Shoal Light-house: 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.:				Station: Bedok Water Works: Lat: 1° 20' N. Long: 103° 56' E. Ht. above M.S.L.:				Station: Jurong Lat: 1° 20' N. Long: 103° 44' E. Ht. above M.S.L.:				Station: Kim Chuan Road (U.A.O.) Lat: 1° 20' N. Long: 103° 53' E. Ht. above M.S.L.:				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	
January	1.58	11	0.77	23	2.77	12	0.65	19	9.62	18	1.47	19	6.24 (29)	16	2.23	..	11.48	18	1.82	9	January
February	3.00	9	1.12	11	1.25	7	0.52	21	2.05	9	0.57	16	6.25	10	2.23	27	7.25	7	3.92	16	February
March	6.92	17	2.92	12	6.39	16	2.41	7	14.49	16	4.80	21	9.08	17	1.36	13	10.29	15	2.67	21	March
April	2.00	12	0.48	22	4.07	15	1.28	21	8.61	13	2.85	30	6.55	14	1.57	19	7.44	16	2.09	30	April
May	4.59	15	1.31	30	1.88	11	0.37	8	10.48	16	2.92	18	12.11	18	2.09	19	7.36	15	1.70	8	May
June	3.00 (29)	10	0.85	12	2.77	12	0.85	4	3.52	10	1.59	10	5.98	11	1.61	1	3.73	8	1.25	19	June
July	3.59	11	0.86	14	6.72	10	0.32	6	6.94	14	2.56	6	4.05	13	1.40	6	7.84	12	1.56	14	July
August	2.78	8	0.64	5	3.95	12	0.82	24	5.61	13	1.81	3	9.07	10	1.58	23	3.91	8	1.90	5	August
September	1.96	9	0.79	12	..	..	..	..	5.33	12	3.74	8	2.84	9	1.14	24	5.64	12	1.30	24	September
October	7.99	15	2.72	13	5.85 (30)	13	..	18	6.94	16	1.28	1	10.53	15	3.72	31	8.44	13	1.78	3	October
November	9.64	14	2.08	25	9.29	19	2.67	18	14.66	22	3.11	29	10.59	16	1.54	24	18.10	22	2.15	29	November
December	2.85	18	0.57	20	3.49	18	1.13	20	11.45	22	2.11	22	8.55	19	1.92	24	14.91	20	3.16	8	December
Total	49.70	147	..	..	..	..	..	..	99.70	181	..	..	88.48	..	..	..	105.70	166	..	..	Total
Extremes	..	..	..	..	..	..	..	..	..	..	4.80	..	..	..	..	..	..	..	3.92	..	Extremes
Rainfall Measured Daily at	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	0930 S.T.
	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	0730 S.T.
	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	0630 S.T.

Figures in brackets indicate the no. of days on which the rainfall was recorded.

Annex 36

Extracts from Meteorological Service Malaysia,
Summary of Observations for 1967



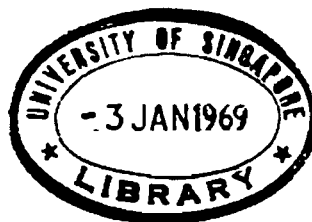
METEOROLOGICAL SERVICE MALAYSIA



SUMMARY OF OBSERVATIONS

for Malaya, Sabah and Sarawak

1967



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METEOROLOGICAL SERVICE MALAYSIA

SUMMARY OF OBSERVATIONS 1967

INTRODUCTION

THIS ISSUE contains summaries for 17 First Order Stations in Malaysia, 42 Auxiliary Stations and 25 Rainfall Stations in W. Malaysia.

FIRST ORDER STATIONS

The main stations are equipped with self-recording instruments, 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 hourly values published for Kuala Lumpur, Penang, Kota Bharu and Kuantan are computed from actual eye readings made every hour.

EQUIPMENT

The equipment of the main stations are uniform and include 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 type.
- Hair Hygrograph.
- Recording raingauge, 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.
- Evaporation Tank.

The exposure of instruments of all stations is conventional.

HOURS OF OBSERVATIONS

The stations on the airfields at Kuala Lumpur, Penang, Kota Bharu and Kuantan make observations every hour. At Malacca and Sitiawan the hours of observations 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. At Cameron Highlands 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 Sabah, the hours of observation at Sibul and Sandakan are 0500, 0800, 1100, 1400, 1700 and 2000 Station Time; at Miri 0200, 0800, 1100, 1400, 1700 and 2000 Station Time; at Jesselton, Kuching and Bintulu 0200, 0500, 0800, 1100, 1400, 1700, 2000 and 2300 Station Time. Station Time is eight hours in advance of Greenwich Mean Time.

AUXILIARY STATIONS

The equipment of the Auxiliary Stations consist of a standard Stevenson Screen with dry and wet bulb psychrometer and maximum and minimum thermometers, together with a standard five-inch raingauge.

The times of observation are 0700 and 1300 Station Time. Station Time is seven hours in advance of Greenwich Mean Time.

RAINFALL STATIONS

The Rainfall Stations are equipped with a five-inch raingauge of British Meteorological Office standard pattern.

CLIMATE

The characteristic features of the climate of West Malaysia 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 large temperature variations throughout the year; the annual variation is not more than 4°F. The daily range of temperature is large, being from 10°F 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. Although the days are frequently hot and on account of the high humidity somewhat oppressive, the nights are reasonably cool everywhere and it very rarely happens that refreshing sleep is not obtained at night.

The highest temperatures observed in the northern part of the Peninsula were recorded on 26th and 27th March 1931, when 103°F. was recorded at Pulau Langkawi on 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 both Fraser's Hill (4,200 feet) and Tanah Rata, Cameron Highlands (4,750 feet) is 82°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. Although the differences in temperature in West Malaysia 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 temperatures 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 has 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 coastal 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. Four seasons can be distinguished, namely, that of the South-West Monsoon, that of the North-East Monsoon and two shorter seasons separating the end of each Monsoon 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 length, between the ending of one monsoon and the beginning of the opposite one, corresponding roughly with the equinoctial season. 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 West Malaysia is of three main types. Over the east coast districts, November-December-January during the North-East monsoon season are the months with maximum rainfall, while June-July during the South-West monsoon are the driest months in most districts. Over the rest of the Peninsula with the exception of the southwest coastal area, the monthly rainfall pattern shows two periods of maximum rainfall separated by two periods of minimum rainfall. The higher maximum generally occurs in the months of September-October-November while the secondary maximum occurs in March-April-May. Over the north-western region the lower minimum occurs in January-February with the secondary minimum in June-July while elsewhere the lower minimum occurs in June-July with the secondary minimum in February. The rainfall pattern over the south-west coastal area is much affected by early morning "Sumatras" from May to August with the result that the double maxima and double minima pattern in the monthly rainfall is no longer discernible. October-November are the months with maximum rainfall and February the month with minimum rainfall. The March-April-May maximum and the June-July minimum are absent or indistinct.

6. The south of the Peninsula has a rainfall pattern which is a combination of the east coast and inland types in that although November-December-January are months with the higher average monthly rainfall, a secondary maximum occurs in March or April, while two minima are discernible in June-July and February.

7. 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 on the Main Range, the rainfall is considerably less: the average at Fraser's Hill being 106 inches and that at Cameron Highlands 104 inches.

8. Considering the Peninsula as a whole, the heaviest annual 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 lies 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 eastern and south-western parts of the Peninsula. The eastern part of Negri Sembilan is the driest area in Malaya with an average rainfall of less than 70 inches.

9. The surface winds are generally light except during the North-East Monsoon when the exposed East Coast of west Malaysia 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 and rain develop in the Malacca Straits in the night and move with the prevailing South-Westerly winds aloft on to the West Coast districts and Singapore. These "Sumatras" have been known to exceed 150 miles in length.

1967

RAINFALL STATIONS — WEST MALAYSIA

1967

Amount in inches

Month	Station: Lundang Lat: 6° 06' N, E. 20' Long: 102° 14' E. Ht. above M.S.L.: 20'				Station: Bachok Lat: 6° 03' N. Long: 102° 24' E. Ht. above M.S.L.: 9'				Station: Pasir Mas Lat: 6° 02' N. Long: 102° 07' E. Ht. above M.S.L.: 30'				Station: Melor Lat: 5° 58' N. Long: 102° 18' E. Ht. above M.S.L.: 30'				Station: Datang Merbau Lat: 5° 49' N. Long: 102° 03' E. Ht. above M.S.L.: 70'				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	
January	40.80	18	12.33	6	37.41	12	17.82	5	53.98	15	17.08	5	42.98	20	10.60	5	January	42.98	20	10.60	5
February	7.85	16	3.48	27	7.44	12	3.84	27	8.86	15	2.99	18	8.88	14	2.38	18	February	8.88	14	2.38	18
March	1.21	8	0.46	10	0.67	6	0.19	10	5.32	3	4.03	8	3.14	7	1.30	10	March	3.14	7	1.30	10
April	4.74	9	1.40	25	1.98	3	0.81	18	1.84	4	0.81	18	3.72	11	1.05	21	April	3.72	11	1.05	21
May	4.49	11	1.66	22	6.40	9	2.00	24	6.61	8	2.51	24	3.73	11	0.58	10	May	3.73	11	0.58	10
June	5.42	16	1.18	19	4.46	12	1.10	30	7.75	13	1.76	30	11.82	14	2.98	8	June	11.82	14	2.98	8
July	5.58	12	1.83	14	7.07	10	1.41	24	12.06	10	2.27	8	8.56	16	0.89	14	July	8.56	16	0.89	14
August	8.08	18	1.58	6	7.21	14	1.58	12	13.74	16	2.78	6	9.75	17	1.92	19	August	14.75	19	3.35	14
September	6.48	13	1.89	20	5.91	12	1.44	10	11.48	14	2.25	29	12.42	11	3.75	9	September	12.73	20	2.70	15
October	8.02	14	2.33	12	8.90	15	2.20	7	8.97	14	1.83	12	9.01	16	2.01	19	October	20.36	20	5.07	25
November	25.18	20	5.74	30	3.16	25	4.92	14	24.47	19	4.25	30	24.22	20	4.52	22	November	8.20	20	2.25	5
December	7.82	19	3.10	1	8.00	19	4.72	1	8.45	14	3.36	3	6.81	13	2.47	3	December	8.20	20	2.25	5
Total	125.67	174	..	..	126.61	146	..	..	144.53	146	..	..	156.06	141	..	..	Total	148.27	195	..	..
Extremes	..	..	12.33	..	..	..	17.82	..	..	..	12.18	..	..	..	17.08	..	Extremes	..	..	10.60	..
Rainfall Measured Daily at	..	0630 S.T.	..	0630 S.T.	..	0630 S.T.	..	0630 S.T.	..	0630 S.T.	..	0630 S.T.	..	0630 S.T.	..	0630 S.T.	Rainfall Measured Daily at	..	0630 S.T.	..	0630 S.T.

RAINFALL STATIONS — WEST MALAYSIA

Amount in inches

Month	Station: Ayer Lanas Lat: 5° 47' N. Long: 101° 53' E. Ht. above M.S.L. 105'				Station: Kroh Lat: 5° 42' N. Long: 101° 00' E. Ht. above M.S.L. 1027'				Station: Klian Intan Lat: 5° 38' N. Long: 101° 01' E. Ht. above M.S.L. 750'				Station: Dabong Lat: 5° 22' N. Long: 102° 01' E. Ht. above M.S.L. 139'				Station: Pulau Jerjak Lat: 5° 20' N. Long: 100° 19' E. Ht. above M.S.L. 30'				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	
January	21.25	16	5.00	5	18.12	13	5.56	3	12.16	8	3.84	4	33.30	17	11.27	4	6.39	9	2.30	5	January
February	8.79	11	2.18	19	0.67	2	1.80	1	0.56	1	0.56	27	7.98	11	2.25	18	2.15	2	1.30	1	February
March	6.94	6	2.40	11	12.61	14	2.53	7	7.55	13	2.20	17	8.13	5	3.25	10	2.72	4	1.02	11	March
April	8.55	12	1.55	19	12.01	19	1.86	2	7.57	16	1.10	3	11.61	14	3.00	28	8.50	10	3.12	30	April
May	6.64	11	1.60	8	10.00	12	2.50	25	6.53	11	2.68	24	11.16	10	2.60	15	7.25	14	1.12	5	May
June	5.82	7	1.95	20	2.95	11	2.50	18	5.57	8	2.16	1	5.23	7	2.52	17	6.00	10	1.72	20	June
July	6.58	7	3.25	10	10.00	12	2.50	18	5.57	9	2.16	1	9.42	12	2.27	2	3.16	4	1.49	1	July
August	13.96	12	3.65	29	2.95	16	2.62	26	4.68	9	1.56	25	7.51	12	1.23	18	9.01	9	3.12	27	August
September	15.22	17	2.10	16	10.59	17	2.42	27	9.32	12	2.48	18	11.19	11	2.55	17	8.18	9	2.30	8	September
October	17.64	19	1.92	11	12.42	23	2.50	25	12.39	14	2.92	22	8.33	13	1.27	19	11.51	10	2.87	4	October
November	17.35	11	3.72	27	11.60	16	3.67	25	11.83	14	3.24	25	17.64	18	7.05	25	8.16	12	2.21	16	November
December	10.84	15	2.65	9	0.88	3	0.60	19	0.93	2	0.68	1	6.02	15	1.28	1	0.87	3	0.63	7	December
Total	139.58	144	..	..	102.55	147	..	..	79.67	109	..	..	137.52	145	..	..	73.90	93	..	..	Total
Extremes	..	..	5.00	..	..	..	5.56	..	..	..	3.84	..	..	..	11.27	..	..	..	3.12	..	Extremes
Rainfall Measured Daily at	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	0630 S.T.
																					0630 S.T.

RAINFALL STATIONS — WEST MALAYSIA

Amount in inches

Month	Station: Sungai Torak (Selama) Lat: 5° 14' N, Long: 100° 44' E, Ht. above M.S.L.: 50'				Station: Selama Head- works Lat: 5° 13' N, Long: 100° 42' E, Ht. above M.S.L.: 40'				Station: Bukit Panchor Lat: 5° 08' N, Long: 100° 30' E, Ht. above M.S.L.: 5'				Station: Pondok Estate (Jaiping) Lat: 5° 01' N, Long: 100° 04' E, Ht. above M.S.L.: 50'				Station: Jerangau Estate (Kuala Brang) Lat: 4° 59' N, Long: 103° 10' E, Ht. above M.S.L.: 98'				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						
January	9.10	18	1.85	3	7.44	20	1.70	12	12.12	16	2.07	9	10.57	16	2.49	3	41.90	19	3.67	5	January	
February	5.70	10	2.65	1	6.41	10	1.90	1	5.27	13	2.15	27	4.80	12	1.21	1	13.27	13	3.89	27	February	
March	7.77	18	1.70	29	8.83	15	1.25	13	7.85	12	1.95	11	6.14	9	1.34	11	7.70	7	3.61	10	March	
April	19.85	27	2.35	26	24.06	24	3.15	26	6.42	14	0.88	3	12.28	24	1.63	20	1.92	5	1.00	18	April	
May	11.85	20	2.70	20	12.00	20	2.60	20	15.18	18	2.75	17	21.02	15	4.77	20	9.65	13	3.50	15	May	
June	4.15	14	2.05	23	8.18	14	3.25	16	10.57	11	2.62	15	5.30	11	1.22	18	5.62	12	1.82	30	June	
July	6.43	13	2.25	24	8.72	11	4.15	24	5.04	5	2.25	5	5.32	8	1.39	16	6.89	13	1.70	5	July	
August	6.40	9	1.85	8	5.77	12	1.60	9	5.36	9	2.39	25	7.14	6	2.29	9	11.40	12	3.23	15	August	
September	11.60	19	2.50	25	8.17	18	2.17	25	6.87	13	1.20	19	17.90	13	1.50	13	16.37	16	3.05	17	September	
October	8.25	18	1.35	26	10.84	20	1.65	3	12.81	16	2.32	27	17.90	16	2.99	25	16.69	23	2.17	16	October	
November	23.15	21	2.60	27	25.34	22	3.65	21	16.39	20	3.90	11	16.08	23	1.91	7	27.53	24	3.22	25	November	
December	5.85	11	1.55	17	4.47	7	1.43	17	5.14	7	2.80	23	4.25	12	1.30	6	14.33	22	2.68	1	December	
Total	120.10	198	..	..	130.23	193	..	..	109.00	154	..	..	118.49	165	..	..	173.27	181	..	..	Total
Extremes	..	..	2.70	..	..	..	4.15	..	..	..	3.90	..	..	..	4.77	..	..	..	8.67	..	Extremes
Rainfall Measured Daily at	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	0600 S.T.
																						0630 S.T.
																						0600 S.T.
																						0600 S.T.

RAINFALL STATIONS -- WEST MALAYSIA

Amount in inches

Month	Station: Connaught Bridge Power Station. Lat: 3° 03' N. Long: 101° 28' E. Ht. above M.S.L. 10'				Station: F.E.S. Serdang. Lat: 3° 00' N. Long: 101° 42' E. Ht. above M.S.L. 130'				Station: Kajang High School Lat: 3° 00' N. Long: 101° 47' E. Ht. above M.S.L. 130'				Station: Port Swettenham (Dock Area) Lat: 2° 49' N. Long: 101° 23' E. Ht. above M.S.L. 7'				Station: Middleton Estate (Rompin) Lat: 2° 42' N. Long: 102° 28' E. Ht. above M.S.L. 220'				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						
January	7.71	..	..	..	8.74	18	2.65	13	9.86	15	2.56	25	6.07	11	2.92	3	12.46	11	3.10	14	January
February	4.19	..	..	..	6.29	15	1.10	25	11.72	11	2.99	17	5.28	15	1.92	2	11.91	7	4.45	15	February
March	9.19	..	..	..	8.99	17	1.70	9	9.81	13	1.83	22	5.99	8	2.91	2	5.62	4	1.92	1	March
April	7.80	..	..	..	9.34	22	2.25	29	11.36	17	2.00	5	5.37	16	1.32	28	2.52	6	0.74	22	April
May	4.62	..	..	..	3.86	15	1.35	13	4.51	7	1.69	17	1.70	12	0.52	20	5.58	15	0.95	26	May
June	8.39	..	..	..	7.59	13	1.80	17	8.85	9	1.79	26	5.19	9	1.98	17	3.01	8	0.92	26	June
July	3.46	..	..	..	1.85	9	1.00	29	2.97	6	1.11	20	3.15	10	0.98	25	4.77	10	1.45	8	July
August	3.12	..	..	..	2.13	9	1.00	20	1.94	9	0.58	20	5.55	10	2.48	18	3.53	9	1.75	21	August
September	8.20	..	..	..	8.22	16	1.66	8	5.56	16	0.81	5	8.85	9	3.10	4	5.02	10	2.15	1	September
October	11.85	..	..	..	9.22	16	1.66	26	14.19	20	1.41	28	8.78	15	1.50	19	9.71	13	2.33	26	October
November	13.15	..	..	..	9.30	24	1.85	29	11.16	14	2.53	9	8.78	19	1.34	23	11.38	15	2.97	24	November
December	4.97	..	..	..	8.02	12	3.00	28	4.47	8	1.75	20	1.93	11	0.78	12	7.10	15	2.64	16	December
Total	86.65	..	..	..	85.55	186	..	..	96.40	145	..	..	66.64	146	..	..	82.61	123	..	..	Total
Extremes	..	..	..	..	..	..	3.00	..	..	..	2.99	..	..	..	3.10	..	..	..	4.45	..	Extremes
Rainfall Measured Daily at	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	0630 S.T.
																						0630 S.T.
																						0630 S.T.

Annex 37

Communique on the Five-Power Conference on Far East Defence
dated 11 June 1968





BRITISH AND FOREIGN
STATE PAPERS

1967-68

VOL. 169

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VOL. 170 will be a General Index to
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This will conclude the Series.

LONDON
HER MAJESTY'S STATIONERY OFFICE

Law, at London, on 7th June, 1968;(10) Agreement on the Restriction of the Use of Certain Detergents in Washing and Cleaning Products, at Strasbourg on 16th September, 1968.(11)]

(10) Treaty Series No. 117 (1969) (Cmnd. 4229).

(11) Treaty Series No. 23 (1971) (Cmnd. 4646).

COMMUNIQUE on the Five-Power Conference on Far East Defence.—Kuala Lumpur, 11th June, 1968(1)

On 10th and 11th June, 1968, at the invitation of Y. T. M. Tunku Abdul Rahman Putra, Prime Minister of Malaysia, delegations from the Governments of Australia, Malaysia, New Zealand, Singapore and the United Kingdom met in Kuala Lumpur to discuss defence problems arising from the decision to withdraw British forces from Malaysia and Singapore by 31st December, 1971. The following Ministers attended:

[Here follow the names]

Tunku Abdul Rahman welcomed the visiting delegations and made a general statement on behalf of the Government of Malaysia.

The five countries concerned reaffirmed at the outset their continuing interest in the peace and stability of the area and declared their intention to maintain close co-operation among themselves. The discussions of the Conference proceeded on that basis.

The United Kingdom delegation described the planned programme for the rundown and withdrawal of British forces and drew attention to the substantial defence facilities and surplus non-operational equipment that would be made available free to Malaysia and Singapore for both defence and economic purposes. They also described in outline the form which their continuing interest might take after 1971.

A general exchange of views followed.

The representatives of Singapore and Malaysia declared that the defence of the two countries was indivisible and required close and continuing co-operation between them. This declaration was welcomed by the representatives of the other three Governments. All representatives at the Conference regarded

(1) H.C. Deb. Vol. 766, coll. 720–723.

it as an indispensable basis for future defence co-operation. The representatives of Malaysia and Singapore said that their Governments were resolved to do their utmost for their own defence and they would welcome the co-operation and assistance of the other three Governments.

The Conference went on to discuss some of the practical defence problems that would result from the British rundown including the assistance that Malaysia and Singapore would require in developing an effective joint defence system. In doing so they drew upon reports prepared by Advisory Working Groups, set up by the Commander-in-Chief, Far East, in which officers from the five countries had participated.

The Conference recognised that an integrated air defence system covering both Malaysia and Singapore was required and agreed that the Air Defence Advisory Working Group should study the form of the integrated control and management of such a system. They also discussed the elements which the system might comprise and the phasing of the necessary action and authorised further detailed examination by the Air Defence Advisory Working Group. The Singapore delegation outlined their Government's plans to raise an air force which would contribute to a joint air defence system; this would include a squadron of Hunter Mark 9 fighters to become operational prior to the completion of the British withdrawal. The Australian delegation indicated that as a contribution to an integrated air defence system, Australia would be prepared to provide a Royal Australian Air Force component based on Butterworth with elements deployed to Tengah; the arrangements to operate beyond 1971 would depend on decisions to be taken by the Australian Government on the part which Australia would play in the defence of the area after that date. The United Kingdom delegation stated that in addition to the part that would continue to be played by Royal Air Force elements of the system up to the time of their withdrawal, the United Kingdom Government would be prepared to make available the necessary ground facilities, including airfields, radar and communications facilities and ground-to-air defence equipment. They would also assist in the development of the new arrangements by providing training and, to the extent that this proved to be necessary and practicable, by the provision of specialist personnel on loan to the other Commonwealth Services concerned.

In the sphere of naval defence, the Conference noted the intentions of the Malaysian and Singapore Governments to develop forces which would co-operate effectively in coastal defence; the agreement of the Singapore Government that the Royal Malaysian Navy continue to use the Woodlands Naval Base and such other facilities in Singapore as might be agreed; and the intentions of both Governments to agree on arrangements for controlling after 1971 what are now known as the "Naval Base Waters". The Conference agreed that the Naval Advisory Working Group should make recommendations for the retention and operation of naval facilities in the area after 1971 in the light of the requirements of the Governments concerned.

Turning to army matters, the Conference agreed that it was desirable that there should be joint exercises in the area after 1971, and to facilitate this agreed in principle that there should be joint exercise planning machinery and a jungle warfare training school on a multi-national basis. These matters would be further studied by the Army Advisory Working Group.

In the context of a discussion on the ability of the United Kingdom Government to deploy forces in the area after 1971, the Conference agreed that there should be a major exercise in 1970 in which all five countries would participate. They noted that British participation would include a major reinforcement exercise from the United Kingdom. It was further noted that the United Kingdom Government also intended to continue training and exercising British forces in the area after 1971.

The Malaysian delegation indicated that, in the light of the commitments and contributions by the other Governments, their Government would be prepared to consider additional contributions over and above the present strength of their Armed Forces which were already a substantial contribution to joint defence.

The Conference noted that a new understanding about the Anglo-Malaysian Defence Agreement⁽²⁾ would be necessary in due course. To this end, there would be joint consultations at a later stage.

The Australian and New Zealand delegations observed that their Governments would take into account the proceedings of the Conference in formulating their long-term defence policies,

(2) Vol. 163, page 49 and Vol. 167, page 49.

and in deciding what part their forces would play in the collective defence and combined training arrangements which the Conference had discussed. Meanwhile they would continue to maintain forces in the area and to assist the Government of Malaysia and Singapore in the development of their forces by means of assistance in training, personnel and defence aid.

Representatives regarded the Conference as having pointed the way to further co-operation of a practical kind. They reaffirmed their determination to live in harmony with the other countries of the region. They believed that their co-operative efforts in defence arrangements and in promoting economic and social development contributed to security and stability in South-East Asia.

The Ministers considered that the present Conference was only the first of joint Ministerial consultations among them on the questions arising out of British military withdrawal and on the larger questions of their continuing interest in the peace and stability of the area. They felt that their discussions had been extremely useful and agreed that they would meet again in the first half of 1969.

COMMUNIQUE of the North Atlantic Council Ministerial Meeting, with Declaration on mutual and balanced force reductions.—Reykjavik, 25th June, 1968

The North Atlantic Council met in Ministerial Session in Reykjavik on 24 and 25 June, 1968.

2. In reviewing the international scene, Ministers examined the situation created by the recent measures affecting the access routes to Berlin.

(a) Ministers stressed again that the Soviet Union is responsible for any action which has the effect of hampering or endangering the freedom of communication with Berlin and urged that such courses of action should be discontinued.

(b) By challenging international agreements and long-standing practices concerning Berlin, the East German authorities have created a serious situation. Ministers considered these measures a deliberate attempt to jeopardise *détente*, from which Berlin and its inhabitants must not be excluded.

Annex 38

Malaysia Parliamentary Debates (Dewan Rakyat) on
“Malaysia/Singapore Joint Defence”, 14 June 1968



TRANSLATION

Extracts from Malaysian Parliamentary Debates on 14 June 1968

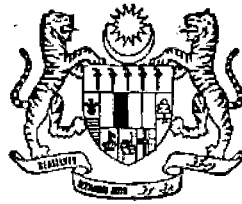
MALAYSIA/SINGAPORE JOINT DEFENCE

7. **Tuan Aziz bin Ishak** [(under S.O.24(2))] asks the Defence Minister what are the benefits and advantages that can be obtained from the defence arrangement between Malaysia and the Singapore Government and why aren't there any efforts made with the Indonesian Government to have joint defence.

Tuan Haji Abdul Razak: Mr Speaker, as I have explained yesterday as well as earlier, the defence of Malaysia and Singapore is a matter that cannot be separated from the geographical viewpoint. Thus, any form of cooperation that we can create in the field of defence for Malaysia and Singapore would benefit both countries.

In relation to proposals for defence agreements with other countries including the Indonesian Government, this is something that we are prepared to consider. So, as I have said while explaining about defence, our policy is to be in good relations with all countries and we would like our relations with all countries, including our relations in the field of defence, to benefit us. As for Indonesia, after the end of Confrontation, we have established close ties and recently, after the Prime Minister's visit, both governments have agreed to conclude a friendship agreement between the two countries.

Jilid V
No. 7



Hari Juma'at
14hb Jun, 1968

PERBAHATHAN PARLIMEN

DEWAN RA'AYAT YANG KEDUA

PENGGAL KELIMA

PENYATA RASMI

KANDONGAN-NYA

**JAWAPAN² MULUT BAGI PERTANYAAN² [Ruangan
1433]**

USUL:

**The Delimitation of Parliamentary and State Consti-
tuencies in the State of Sarawak [Ruangan 1464]**

RANG UNDANG²:

**The Sabah Ports Authority (Consequential Provisions) Bill
[Ruangan 1477]**

The Education (Amendment) Bill [Ruangan 1477]

The Control of Rent (Amendment) Bill [Ruangan 1478]

**Rang Undang² Perbadanan Padang Golf Subang [Ruangan
1481]**

**The Customs Duties (Penang) (Indemnity) Bill [Ruangan
1484]**

PENANGGOHAN [Ruangan 1490]

DI-CHEKAT DI-JABATAN CHETAK KERAJAAN
OLEH THOR BENG CHONG, A.M.N., PENCHETAK KERAJAAN
KUALA LUMPUR
1969

Harga: \$1

1441

14 JUN 1968

1442

negeri pada masa itu, dan Kerajaan kita pun tidak tahu; barangkali juga dia bermalam di-Pengkalan Tentera Butterworth di-situ bersama² dengan pegawai² tentera Australia yang berada di-situ.

Tuan Haji Abu Bakar bin Hamzah: Tuan Yang di-Pertua, soalan tambahan. Maksud saya bukan bertanya kepada Tun Abdul Razak, dia tentu tidak tahu. Saya tahu dia ada di-luar negeri. Yang saya bertanya ini kepada Kerajaan, Menteri Pertahanan. Adakah Menteri Pertahanan sedar bahawa Duke of Edinburgh ada bermalam pada hari itu dan sa-orang Jeneral daripada Jeneral² kita ini ada bersama² pada malam itu?

Perdana Menteri: Tuan Yang di-Pertua, baik-lah saya jawab sebab pada masa itu, saya menjaga jawatan Tun Razak. Jadi masa Duke of Edinburgh hendak datang ka-mari dia telah beri tahu dia datang dengan chara *private* di-dalam perjalanan dia ka-Australia dan dia tidak mahu apa² layanan daripada Kerajaan di-sini, dan dia akan berhenti di-situ untuk mengambil minyak dan sa-lepas itu barangkali dia berhenti sa-malam dan esok dia berjalan. Sa-takat itu-lah kita kena mengena dengan dia; lain pada itu tidak ada langsung.

Tuan Haji Abu Bakar bin Hamzah: Tuan Yang di-Pertua, soalan tambahan. Dapat-kah Kerajaan menerima kalau saya memberi kenyataan bahawa saya sendiri melihat sa-orang Jeneral ada pada hari itu.

Perdana Menteri: Tuan Yang di-Pertua, yang itu saya tidak tahu, kalau Jeneral kita ada barangkali sahaja dia pergi dengan tidak beri tahu apa² kepada kita.

PERTAHANAN BERSAMA MALAYSIA/SINGAPURA

7. **Tuan Aziz bin Ishak** [*di-bawah S.O. 24 (2)*] bertanya kepada Menteri Pertahanan apa-kah kebaikan² dan keuntongan² yang akan di-perolehi dengan ada-nya susunan Pertahanan bersama Malaysia dengan Kerajaan Singapura dan mengapa-kah tidak ada

usaha² yang di-jalankan dengan Kerajaan Indonesia untuk mengadakan pertahanan bersama.

Tun Haji Abdul Razak: Tuan Yang di-Pertua, seperti saya terangkan sa-malam dan dahulu, pertahanan Malaysia dan Singapura ada-lah satu perkara yang tidak dapat di-pisahkan dari segi kedudukan ilmu alam atau geography kedua² negeri ini. Oleh yang demikian sa-barang kerjasama yang kita boleh dapat adakan dalam lapangan pertahanan bagi Malaysia dan Singapura akan memberi keuntongan kepada dua² negeri itu.

Berhubung dengan chadangan hendak membuat perjanjian pertahanan dengan Kerajaan² lain termasuk Kerajaan Indonesia, ini perkara kita sedia hendak menimbang. Jadi, seperti telah saya terangkan pada masa memberi keterangan berkenaan hal pertahanan ini, dasar kita ia-lah hendak suka berbaik² dengan semua negara dan kita hendak adakan perhubungan dengan semua negara termasuk juga hubungan dalam lapangan pertahanan jika kita fikirkan ini boleh memberi faedah kepada kita. Berkenaan dengan Indonesia, sa-lepas tamat-nya konfrantasi, kita telah adakan perhubungan yang rapat dan baharu² ini sa-lepas lawatan Yang Teramat Mulia Tengku Perdana Menteri, kedua² Kerajaan telah bersetuju hendak mengadakan satu perjanjian persahabatan di-antara kedua negara itu.

IMPORTATION OF SINGAPORE ISSUES OF "STRAITS TIMES" AND "SUNDAY TIMES" INTO SARAWAK

8. **Tuan Edwin anak Tangkun** asks the Minister of Home Affairs to confirm categorically whether or not, the Singapore issue of the *Straits Times* and *Sunday Times* can be brought into Sarawak without restriction by local newsagents or are these newsagents, in spite of the unreasonable delay, only permitted to bring in Malaysian issue, if this is so, to state what is the reason for the apparent ban.

Menteri Muda Hal Ehwal Dalam Negeri (Tuan Hamzah bin Dato' Abu Samah) (*dengan izin*): The importation

Annex 39

**"Singapore Orders Six Fast Patrol Boats" in Straits Times
dated 19 June 1968**



SINGAPORE

ORDERS

SIX FAST

PATROL

BOATS

SINGAPORE, Tuesday.

SINGAPORE'S infant navy will soon be given new muscles following the signing of a \$30 million contract for the construction of six 110ft. patrol boats today.

The Permanent Secretary to the Ministry of Interior and Defence, Mr. G. E. Bogaars, who signed the agreement with the Vosper Thornycroft group and its local subsidiary, Vosper Thornycroft Uniteers Ltd., said:

"With the addition of these sophisticated patrol boats, our navy will be better equipped to maintain the security of our territorial waters, and to prevent any possible smuggling, infiltration or illegal immigration."

Most advanced

Asked if the new boats would be used in joint defence operations with the Royal Malaysian Navy, he said that this would have to be worked out by the naval advisory working group.

All the six boats, which are diesel-powered and capable of a speed

By

LIM JIT MENG

19 JUN 1968

of more than 25 knots are expected to be completed and delivered within three and a half years.

The director of the Vosper Thornycroft group and chairman of Vosper Thornycroft Uniteers, Commander C. W. S. Dreyer, said the first two patrol boats would be built in Portsmouth in England, while the other four boats would be built early next year at the firm's Tanjong Rhu shipyard.

"They will be the most advanced patrol boats ever built in Singapore, and it is hoped that neighbouring countries, realising Singapore's facilities and capability to build such boats, will place their orders here," he said.

Techniques

The local shipyard might have to increase its labour force from 800 to 1,000 during the construction of the patrol boats.

Local boat-builders are to be sent to Portsmouth to take part in the construction of the first two craft and to learn the latest techniques.

Four Singapore cadet officers are now undergoing training in Australia.

The patrol boats ordered by Singapore are similar to those now serving with the Peruvian Navy.

Annex 40

Note by Kajapathy A. (First Secretary, Singapore High Commission in Malaysia) regarding meeting with Hamzah bin Majeed (Assistant Secretary, Ministry of Foreign Affairs, Malaysia) on 3 Sep 1968



SECRET

M.F.A. 5. 853: 644/2-7 ✓

Extract of Despatch dated 3.9.68 (R.120) from
 Ambassador/High Commissioner in Kuala Lumpur

Pulau Pisang

I was called by the Assistant Secretary, Saiche Hamzah bin Majeed (South and East Asia, Australia, New Zealand) this morning of the Malaysian Foreign Ministry this morning as he wanted to pass over a message. I could not make the appointment at 11.15 and when I phoned him to say so he was not in. Subsequently I met him at about 4 o'clock this evening.

2. He started off by asking me if I knew of an island called Pulau Pisang and I said: "No". He then went on to say that this is a very tiny island worth nothing at all. There is a lighthouse on it and for the past few months a Singapore flag has been seen flying in the island. The Malaysians would like the flag taken down as soon as possible in order not to provide opportunists with something to talk about.

3. He told me that in 1900 under a treaty between the Sultan of Johore and the British, the British were allowed to use the island as a lighthouse. Subsequently in 1951, the British had stated that there was no question of the sovereignty of the island which rested in the hands of the Sultan of Johore.

4. Hamzah then told me that there have been a few statements in the Utusan Melayu on this subject recently. Further, he said: "You know what it is, these chaps will start saying that the Philippines is claiming part of Malaysia and now even a Singapore flag is flying on what is actually Malaysian territory."

5. I told him that I would pass the message on as a matter of urgency. He emphasised again: "Please tell them we want the flag down as soon as possible."

Annex 41

Correspondence concerning Visit of Minister for Communications
(Singapore) to Pulau Pisang in Sep 1971

MEMO

Our Ref.
Your Ref.

Date, 196 .

From
The Minister for Communications,
Government Offices,
St. Andrew's Road,
Singapore 6.

To
DS
.....
.....
.....

*Pulau Pisang light house trip
18/19 Sept*

- Are all arrangements ready?*
- 2. I thought you indicated earlier, necessity to get visas.*
- 3. How many are going?*

[Signature]
= 7 SEP 1971

(I)

Minister

W P.S. *[Signature]*

Re (28), arrangements are ready.

2. Party will consist of :-

- 1. Minister
- 2. Parl. Sec.
- 3. Perm. Sec.
- 4. IM (Capt. Goh)
- 5. DS (Lian Hook Lian)

Programme as in para. 4 of (26).

3. According to Capt. Goh, except for the Lighthouse crew and an old resident, Pulau Pisang is uninhabited. There is no immigration or customs checkpoint on the island. We would advise however, that all of us should carry our Restricted or International passports.

[Signature]

ag. D.S.
8.9.71

II DS

No possibility of fishing between breakfast + RTD at 12.30 pm?

- 8 SEP 1971

(II) Minister

It is possible, though I'm told the fish race is small and tend to be 'loco'. We will bring fishing gear and have a try anyway.

[Signature]
II, Paul See
II 2PS
3DS

[Signature]
9/9

Re add 2 more to list:-

- (a) my younger brother - Nyuk Khor of 'South British'
- (b) S.O. Lee Siang Pang.

2. Can we make a short stop at Setai Shoals a way back?
I have not visited S.S before.

10 SEP 1971

Annex 42

Correspondence from 1972 to 1974 concerning plans for
land reclamation in sea areas off Pedra Branca



DCA/23/72

Director of Marine

CONFIDENTIAL

Horsborough Lighthouse

Please be advised that this Department is planning to site an air navigational aid - a Very high frequency Omnidirectional Radio Range with Distance Measuring Equipment in the vicinity of the Horsborough Lighthouse. This may require land reclamation around the Lighthouse. I will be very grateful if you can provide some information on the following:-

- (1) the depth of water within $\frac{1}{2}$ mile radius of the Lighthouse
- (2) the building structure details of the Lighthouse, the base and jetty

The information is required to enable us to determine whether it is feasible for the VOR/DME to be installed on the existing Lighthouse or on reclaimed land.

2. It may also be necessary to install long range communications equipment in the same location. Any information which you may be able to provide to help us in the feasibility study will be much appreciated and you will be advised if and when it is determined that the plans are feasible and may be proceeded with.



(Cheong Pak Chow)
Director of Civil Aviation,
Singapore.

13th March, 1972.

CPC/lq

CONFIDENTIAL

CONFIDENTIAL

DD/4.5

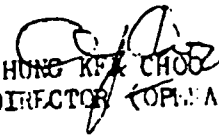
9 May 73

Director (Engineering Services)
 Director (General Services)
 Deputy Director (Property) (Attn: Mr Armstrong)
 Senior Civil Engineer (Projects) (Attn: Mr Peter Chia)

RECLAMATION OF LAND

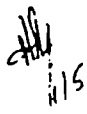
- 1 Reference our meeting yesterday.
- 2 It was agreed that, for the reasons listed out by D(ES), the Authority could not agree to the installation of the VCR/DRE Facility at the designated site at Horsburgh Island. Instead PSA would suggest that this be put up adjacent to the present jetty. D(ES) would communicate this decision.
- 3 It was also agreed that PSA should reclaim as much land around Horsburgh Island as possible. SCE (Projects) would arrange for a hydrographic survey of the area while Mr Armstrong of Property Division will progress this with Commissioner of Lands.
- 4 It was decided that as the reclamation and development on Coney Island has to be deferred, PSA will undertake to reclaim -
 - a the Sisters Islands
 - b Pulau Hantu

Permission for this has already been sought. We will also progress further the possible reclamation of Kusu Island and Pulau Sebarok.
- 5 SCE will also explore the possibility of reclaiming other islands at shoals in view of our dredging capability and capacity at Regional Dredging Corporation.
- 6 Although the development of Coney Island is being deferred, DD (P) will nevertheless proceed with the acquisition of as much land on the Bongan coast fronting Coney Island/Pulau Ubin as possible.


 CHUNG KEI CHOO
 DIRECTOR (OPERATIONS/MANAGEMENT SERVICES)


CONFIDENTIAL

cc
 Files P/7/7; P/7/95(1); P/7/110; P/18/13


 25
 10/5
 P70

National Archives of Singapore

19



Memorandum

ES/HD. 7/2/1

2 July 74

Hydrographer

**HYDROGRAPHIC SURVEYS OFF HORSBURGH
AND RAFFLES LIGHTHOUSES**

1 On 1 July 74 the Chairman/General Manager enquired whether the hydrographic survey near Horsburgh Lighthouse in connection with possible reclamation there which had been required of the undersigned earlier had been carried out. As, so far as I am aware this has not yet been carried out I have indicated to him that this will be done together with the 4th Joint Malacca Straits Survey when the survey units will be operating in that area.

2 You may be aware that in November 1973, Director (ESD) had asked that such a survey be carried out. I had, in response

- (a) asked for detailed specifications for the same vide letter no. HD 7/2/1 dated 26 Nov 73,
- (b) had indicated that the survey would be carried out in about April 1974 when the weather conditions would be more suitable and
- (c) had verbally instructed the then Asst Hydrographer (1) to do the needful at the appropriate time.

A reply from the Engineering Department had also been received.

3 The Chairman/General Manager also enquired whether a similar survey near Raffles Lighthouse which had been asked for had been carried out. In reply I have informed him that although I am not aware of this specific survey a survey south of the Lighthouse had been carried out at the end of the 3rd Joint Malacca Straits Survey.

4 This is for your information and further necessary action on both matters.

R Y TAMBE

National Archives of Singapore

R Y TAMBE
COLOMBO PLAN EXPERT IN HYDROGRAPHY



Memorandum

ES/HD 7/2/1

15 Jul 74

Senior Civil Engineer. (P&D)

DEVELOPMENT OF HORSBURGH LIGHTHOUSE

1 Please refer to my memorandum ES/HD 7/2/1 of 5th July 1974 and our discussion this afternoon.

2 As explained to you it is impossible to carry out a detailed engineering survey of the area around Horsburgh for want of adequate shore control.

3 I enclose herein a copy of the British Admiralty survey of 1967 on a scale of 1:10,000. As discussed the position of the rocks vis-a-vis the lighthouse will not have undergone any change and as such this may be of some use to you for your estimation of the cost involved of the development envisaged.

N. N. Sathaye
 N. N. SATHAYE
 HYDROGRAPHER
 HYDROGRAPHIC DEPARTMENT
 PORT OF SINGAPORE AUTHORITY

National Archives of Singapore

cc
 Snr Civil Engineer (C&M) - Mr Lim Bin Tao
 - our discussion regarding the erection of light bns. on the Middle Rock and South Ledge. Copy of the survey is also enclosed for your information.

Director (ESD) - with copy of survey

Director (Administration) - with copy of survey. This has reference to our telephone conversation two weeks ago.

Handwritten note at the bottom right of the page.

Annex 43

Correspondence concerning Visit of Minister of State for
Communications (Singapore) to Pedra Branca in Sep 1974



CONFIDENTIAL

Min Com PS 479/7-1

3 Sept 74

Commanding Officer
Maritime Command
MINDEF

(For Col Aeria)

VISIT TO HORSEBURGH LIGHTHOUSE

We spoke just now. Our Minister of State, Mr Chai Chong Yii, would like to visit Horsburgh Lighthouse, tentatively on Sun 22 Sept 74, departing in the morning and returning in the afternoon or evening. Minister will be accompanied by a party of about 5 or 6.

2 I shall confirm the date and time and other details, later. Meanwhile, grateful if you will confirm that you can arrange transport to and from Horsburgh. Kindly let us have some information about the embarkation points and proposed arrangements etc.

Thank you.



LIAN HOCK LIAN
for PERMANENT SECRETARY (COMMUNICATIONS)

CONFIDENTIAL

CONFIDENTIAL

MC/G/015/01

10 September 74

HQ Maritime Command
 Tanglin
 Singapore 10

Tel 637744 Ext 2301

PS (Communications)
 Ministry of Communications
 City Hall
 Singapore 6.

(Attn: Mr. Lian Hock Lian)

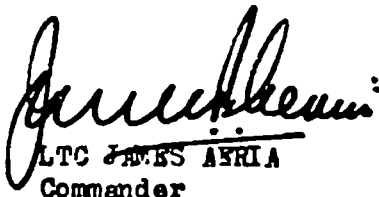
VISIT TO HORSBURGH LIGHTHOUSE

References: Min Com PS 479/7-1 dated 3 September 74.

Further to Reference please, this confirms that RSS Justice will be available to transport your Minister of State and Party of 6 to Horsburgh Lighthouse on 22 September 74.

2. It is suggested that the Party embark one of our launches at Jardine Steps and then move to Pulau Brani where they will embark on RSS Justice. The ship will await the departure of the Party from the Lighthouse. As you are aware, it will be necessary for the Port Master to provide a ferry boat at the Lighthouse as the ship is unable to get alongside. If you need any other arrangements made, kindly contact me.

3. Please forward confirmed date and time soonest and whether lunch need be provided by the ship for the Party.


 LTC JAMES ANRIA
 Commander

Copy to:

Head GS Dept
 Staff Ops Officer - We spoke.
 Head Logz Dept

CONFIDENTIAL

CONFIDENTIAL

Min Com PS 479/7-1

13 Sep 74

Commanding Officer
Maritime Command
HINDEF


(Attn: LTC James Aeria)

VISIT TO HORSBURGH LIGHTHOUSE

Thank you for your minute dated 10 Sep 74.

2 This is to confirm the visit of our Minister of State to Horsburgh Lighthouse on 22 Sep 74. The Minister will be accompanied by a party of 5. Could you kindly arrange for a launch to convey the Minister and his party leaving Jardine Steps at 0900 hours on 22 Sep 74. The party will depart from Horsburgh Lighthouse at about 1500 hours or earlier.

3 I would be grateful if you could arrange a simple lunch for the party.


RICHARD LAU
for PERMANENT SECRETARY
(COMMUNICATIONS)

cc Port Master (Capt Uoh Choo Keng)

The Commanding Officer, Maritime Command has advised that it will be necessary for the Port Master to provide a ferry boat at Horsburgh Lighthouse as the ship conveying the Minister and his party, RSS Justice, is unable to get alongside. Could you kindly confirm that the necessary arrangement would be made at your end.

cc Director (Administration), PSA
(Mr Vincent Lai)

CONFIDENTIAL

ANI of 1971. 22/9/74
Kiv 20 Sep 74 and on
that date telephone
Col Aeria to confirm
that all arrangements
at his end are in
order. before the day
file.

PL 13/9.

CONFIDENTIAL

PM/38.001

16 Sept 74

P 5 (Comms)
Attn Mr Richard Lau

VISIT TO HORSBURGH LIGHTHOUSE

1 Please refer to your Min Com PS 479/7-1 dated 13 Sept 74 addressed to the Commanding Officer, Maritime Command and copied to me.

2 I will be leaving for Horsburgh Lighthouse on the afternoon of 21 Sept 74 to finalise arrangements for receiving the Minister and his party. The dinghy at the Lighthouse will be used to ferry the Minister and his party from the RSS Justice to the Lighthouse pier.


GOH CHOO KENG
PORT MASTER
PORT OF SINGAPORE AUTHORITY

cc
Commanding Officer
Maritime Command - Attn LTC James Aeria
Deputy Director (Administration), PSA

9/16/74
ALC
Through LTC Aeria, the proper designation, rank and name of the officer in charge of RSS Justice is that I can inform the Minister of the security of
9/16/74

CONFIDENTIAL

Minister of State

Handwritten: 19/9

PS *Submitted plan. [Signature]*

19/9

VISIT TO HORSBURGH LIGHTHOUSE

With reference to (50) and (51), all arrangements have been confirmed. Details are briefly as follows :-

- a Depart from Jardine Steps at 0900 hrs on 22 Sep 74 by launch;
- b Transfer from launch to RSS Justice at Puala Brani;
- c Arrival at Horsburgh Lighthouse and transfer to Lighthouse by Lighthouse boat;
- d Depart from Hoarburgh Lighthouse at about 1500 hrs.

2 Maj Wong Loke Kiang of Maritime Command will meet the Minister and his party at Jardine Steps and will be with the Party throughout the tour. Maritime Command will also provide one cook and food. DM (Capt Goh Choo Keng) will meet the Party on their arrival at the Lighthouse. A Lighting Officer will be at the Lighthouse to explain the history of Horsburgh Lighthouse.

3 As regards the proposed visit by Mr Seah Kah Hui, Minister of State for Labour and his Party to Raffles Lighthouse on 20 Oct 74, PSA will confirm arrangements in a day or two.

Handwritten signature/initials

DS
19 Sep 74

Handwritten: Note: Telephone line to be checked 1515 hrs and for internet car req. nos. He will inform PSA Police

Handwritten: Ref (i) above, Minister + Party would be travelling in 2 separate cars to Jardine Steps on Sun 22/9/74:-

- (1) Marina EA 1816 (to be driven by Mr Chin Havn Tong, MP/Aljunied).
- (2) Datsun 1200 EA913E (to be driven by Mr Kam Eng Cheong).

Handwritten: See list

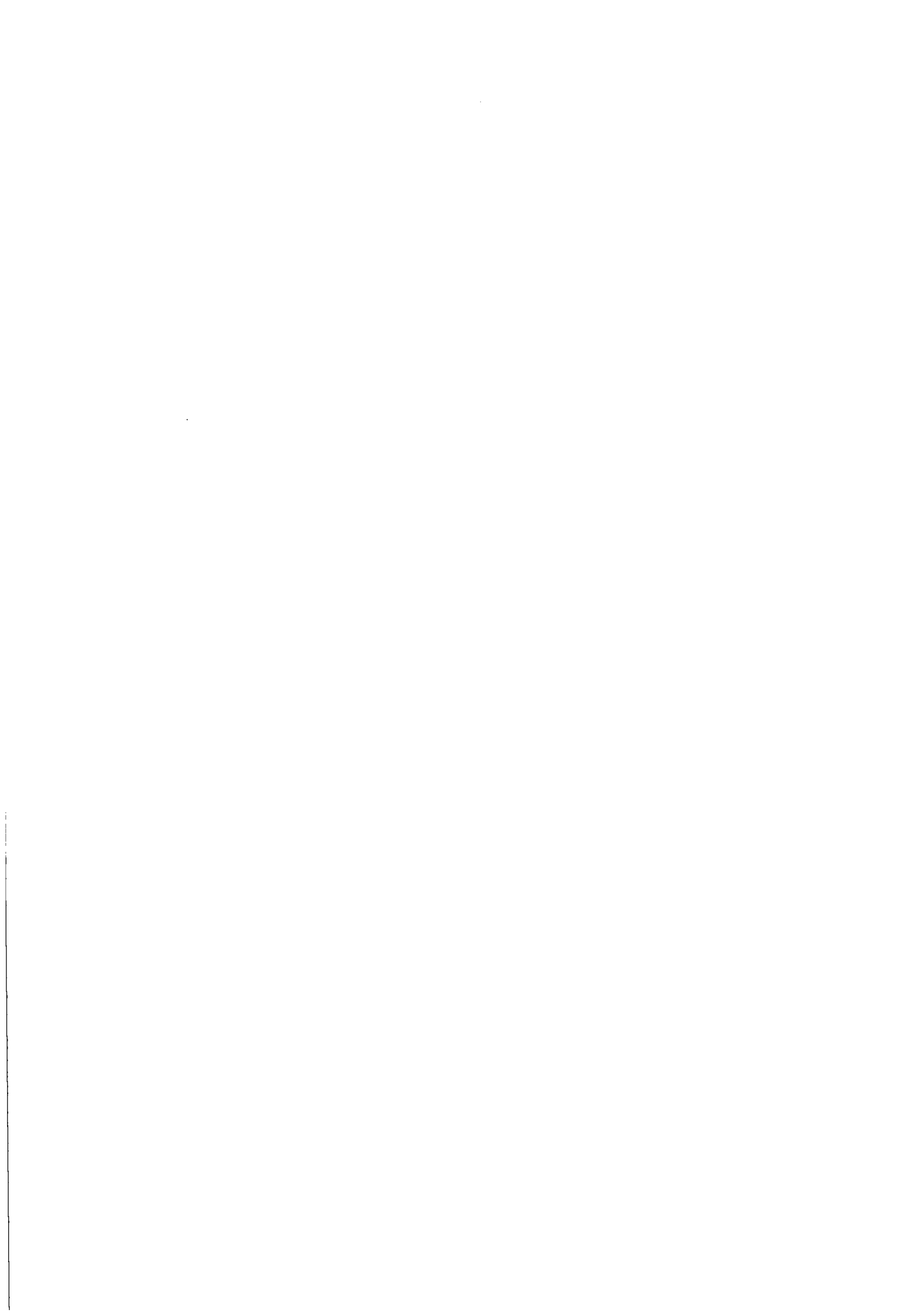
You may wish to inform the authorities at Jardine Steps re parking lots, please. Thank you.

Handwritten: Chanay
20/9



Annex 44

Letter from Lai V. (Acting Deputy Director, Port of Singapore Authority) and Goh C. K. (Director of Marine) to Permanent Secretary, Ministry of Communications dated 20 Nov 1974





PORT OF SINGAPORE AUTHORITY

VL11aa:5/6.079

28 Nov 74

Permanent Secretary (Communications)
Attn : Mr Richard Lau

REPORT OF THE SINGAPORE DELEGATION TO THE 3RD UN CONFERENCE
ON THE LAW OF THE SEA HELD IN CARACAS FROM 20 JUNE TO 29 AUGUST 74

1 As requested vide your Min Com sec M 31/23-003 dated 21 Oct 74 the Director of Marine and I have the following comments to offer on the above draft report with particular reference to the work of the 2nd and 3rd Committees and para 41.

RE : Paras 20 and 21 : Territorial Sea

Since it appears that the 12 mile territorial sea limits would in all likelihood come to be accepted it is imperative in our interests to provide for access between the high seas and Singapore. Thus the proposed insertion of the article 2.2 of L 33 is of vital importance and it is felt that this should be insisted upon. In this respect, it is noted that this article would be to Malaysia's interest since access by sea from the west coast of West Malaysia to the east coast of West Malaysia and East Malaysia is via the Singapore Straits.

The draft proposal (L 33) contains points covered by articles 1 to 9 and 13 only of the existing Geneva Convention 1958. There is no mention of article 10 which has significance to us in view of our island territory at Horsburgh Lighthouse and the territorial sea which it will be entitled to.

Re : Para 22 : Contiguous Zone

Since the territorial sea would be extended to 12 miles we must resist any move to establish a contiguous zone beyond the 12 mile limit as this could affect our shipping and fishing interests if Malaysia or Indonesia were to invoke the provisions of article 24(1)(a) and (b) of the Geneva Convention on Territorial Seas and Contiguous Zone 1958.

Re : Para 23 to 26 : Straits Used for International Navigation

This issue is vital to the economic well being of Singapore and thus we should vigorously pursue the aim of conferring upon such Straits a special status and to liberalise the terms relating to its use for navigation.

Therefore the proposal of the UK (L3) to include a separate chapter to cover such Straits should be supported. In regard to passage of warships and overflights we presume that MINDEF's and Director (Civil Aviation)'s views will have already been sought.

Re : Para 27 : Continental Shelf

Since our general stand is that the largest possible part of the world's seas should be available for the benefit of mankind, the concept of the economic zone extending up the continental shelf is inconsistent.

Re : Paras 28 & 29 : Economic Zone

Because of our geographical situation there is no possibility of our getting an Economic Zone except to a limited extent at Horsburgh Lighthouse. We should therefore pursue our stand that GD States should have equal right of exploitation of the living and non-living resources in the Economic Zone of neighbouring states.

Re : Para 30 to 34 : Archipelagoes and Islands

Together with straight baselines the archipelago theory propounded by Indonesia, Philippines, etc, will convert very large areas which were high seas heretofore into the "internal" waters of a very few states. This will seriously impede freedom of navigation and reduce the sea areas available for the benefit of mankind. We agree that the Straits issue should not be viewed in isolation from that of the passage through archipelagic waters.

We are also in agreement with our delegates' statement of 13th August 1974 regarding every island having its own Economic Zone. However if the Final Convention adopts the concept that every island be allowed to claim a belt of economic zone then we should similarly stake our claim for Horsburgh.

3rd Committee

Re : Para 37 to 41 : Pollution

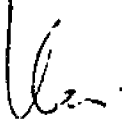
From the point of marine pollution and its economic implication on the Republic we fully support the view that international standards should serve the basis of national standards in so far as the economic zone is concerned for the convenience of

international shipping. If there is no uniform standard it is practically impossible for shipowners to operate their ships as they will find it difficult to comply with the various technical requirements of all the countries. Another noteworthy point is that our merchant fleet is fast expanding by virtue of our open registry system and therefore we should ensure that ships flying our flag will not be hampered by the vagaries of other enforcing countries. It is relevant to note that the first meeting of the ASEAN EXPERT GROUP on Marine Pollution held in Manila in February 1974 had agreed in principle to adopt international standards on matters relating to marine pollution.

In the case of enforcement we endorse the view expressed by the maritime states as mentioned in para 38(11) of the report. If the Port States were to undertake the responsibility this would not be to Singapore's shipping and economic interests as it will involve administrative burden and the possibility of offending ships bypassing Singapore to avoid legal action. International standards should be made mandatory for vessels on international voyages and enforcement jurisdiction should rest with the flag state.

The question of dumping at sea in relation to the future economic zone waters of our neighbours is of considerable significance to us. The disposal of wastes from human, animal (particularly pigs) and industrial sources can be expected to become a problem of substantial proportions because of insufficient land disposal areas in Singapore. We are given to understand that as per estimates of consultants engaged by Ministry of Environment (M/s Lau Dennis) the quantum of pig waste is likely to amount to 3,000 tons per day after 10 to 15 years.

There is no question of dumping such large quantity of wastes in our very confined waters. If they are to be dumped outside of our neighbours' territorial waters then the wastes would have to be transported some 50 to 60 miles from Singapore. Should our neighbours object to the dumping in their Economic Zone the wastes will have to be transported 500 to 600 miles away - a totally uneconomic proposition. Thus when the question of dumping is raised at the next conference our delegates should safeguard our interest in this matter. We suggest that our delegates should be briefed by our Ministry of Environment regarding the properties and effects of dumping the wastes at sea so as to enable them to present our case more convincingly at the next conference.


 VINCENT LAI
 AG DY DIRECTOR (ADMINISTRATION)
 PORT OF SINGAPORE AUTHORITY


 GOH CHOO KENG
 DIRECTOR OF MARINE

cc
 Port Master

Annex 45

Letter from Ravendran T. (on behalf of Controller of Navigational Aids) to Director Engineering Services Division, Port of Singapore Authority dated 19 June 1975



PORT OF SINGAPORE AUTHORITY
Memorandum

ES/HD/NAS 7/74

19 Jun 75



DIRECTOR
ENGINEERING SERVICES DIVISION


INJURY TO CONTRACTOR PERSONNEL
AT HORSBURGH LIGHTHOUSE


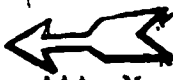
1 This section received an emergency call over the VHF set from Horsburgh Lighthouse at 3.45 pm yesterday. The message was that one P Omar, a worker from the Contractor firm of Uni-Mark working on the installation of new generators at Horsburgh Lighthouse, had his toe smashed and was bleeding profusely and also feeling giddy. It was also established over the VHF set that the Contractors had no one in their Head Office in Singapore to make the necessary arrangements as apparently the boss of the firm and his employees were all at Horsburgh Lighthouse.

2 Mr Francis Yip, Deputy Hydrographer, then proceeded to arrange with the Operations Room of Pulau Brani Naval Base for a naval patrol craft 'Sovereignty' which was patrolling in the vicinity of Horsburgh Lighthouse, to transport the injured man back to Singapore. Horsburgh Lighthouse was informed of the arrangement at 4.40 pm and told to standby accordingly.

3 In the meantime at 5.10 pm, the undersigned contacted the Fire Brigade to arrange for an ambulance to wait at the UMPC Jetty (formerly Mindel Pier) at Bedok from 6.00 pm onwards. This morning, it was learnt from the Operations Room of Pulau Brani Naval Base that there was no ambulance on standby when the 'Sovereignty' reached the UMPC Jetty at 6.20 pm yesterday evening. Nevertheless, the navy personnel arranged for one of their military ambulances to transport the patient to a hospital. On checking with the Fire Brigade this morning, they confirmed that their ambulance was at the jetty at 6.02 pm and left at 6.10 pm after finding no sign of a naval boat at the jetty. They stated that they could not spend too much time at one particular spot as they had other cases to attend to.

4 For your information please.


RAVENDRAN T
for CONTROLLER OF NAVIGATIONAL AIDS
NAVIGATIONAL AIDS SECTION
HYDROGRAPHIC DEPARTMENT

cc
Secretary (Administration)  
Senior Electrical Engineer - Attn Mr Cheng Pai Lung
Hydrographer

/np

Annex 46

Letter from Sathaye N. N. (Hydrographer, Port of Singapore Authority) to Permanent Secretary, Ministry of Communications dated 28 Aug 1975



(26)

ES/HD/NAS 7/74

28 Aug 75

Permanent Secretary
Ministry of Communications

Attn : Mr Richard Lau

HORSEBURGH LIGHTHOUSE

1 I enclose herein a brief note on the Horsburgh Lighthouse and some photographs of the same. The position of the lighthouse is indicated on BA Chart 2403 which is also enclosed.

2 Kindly return the chart and the photographs after the perusal of the Senior Minister of State.

N. N. SATHAYE

N N SATHAYE *M/S*
HYDROGRAPHER
HYDROGRAPHIC DEPARTMENT
PORT OF SINGAPORE AUTHORITY

ENC

ial

by *lmd* 28/8

Horsburgh Lighthouse

Horsburgh Lighthouse is situated in Lat. $1^{\circ} 19' 49''$ N, Long. $104^{\circ} 24' 27''$ E at an approximate distance of 35 nautical miles from Singapore. It is an important navigational aid at the eastern end of the Singapore Straits. It is built on rock outcrop which measures some 1,000 sq. metres at mean Sea level. According to internationally accepted definition it is an "Island" as its elevation even without the Lighthouse Structure is above High Water Level. The main Shipping Channel known as Middle Channel lies northward of Horsburgh Lighthouse.

Southward of Horsburgh lies the Indonesian Island of Pulau Bintan and the nearest point of Indonesian base line is some six nautical miles from Horsburgh. West-north-westward of Horsburgh lies the southeastern edge of Johore mainland and nearest point of Malaysian base line is also about six nautic miles. Being an Island, Horsburgh has its own territorial sea. Territorial waters in its vicinity have not yet been agreed upon between Indonesia, Malaysia and Singapore. Principle of median line will be applied in delineating territorial waters around Horsburgh.

The tiny rocky outcrop has no vegetation on it. The lighthouse was built in the year 1851 and is situated on large granite rocks named by the Portuguese as Pedra Branca (White Rock) because of their white appearance caused by the droppings of hundreds of birds, which then and still today use it as a resting place. It was the first lighthouse built of granite masonry in this part of the world.

Each evening the optic light is switched on and the light characteristic transmitted is one flash every 10 seconds. The lighthouse is manned by a crew of four including a lightkeeper. The crew receive their stores and rations monthly and the lighthouse is manned by different crews each month. The lightkeeper has a room to himself whilst his assistants share another room. There are modern kitchen amenities available for cooking purposes. Rain water is collected from specially constructed platforms and drained into large water tanks. This water caters for the crew's bathing and cleaning facilities and also cooking and drinking requirements after passing through a filtration process. Regular communication at specified intervals is maintained between the lighthouse and the office and the R/T set also incorporates a land mobile system to provide a direct telephone link with the Singapore Telephone Board.

Access to the lighthouse is via a rope ladder suspended from the end of the jetty or by landing in a boat on the rocks surrounding the structure.

The light intensity of the optic, which is of the 4th Order

Single flashing revolving lens type, is about 449,000 candle power. The power to operate the light is provided by three 7.5 KVA generators which have been recently increased to 25 KVA in connection with the upgrading of the radio beacon equipment. The useful range of the present Marconi radio beacon is about 150 miles. The new radio beacon will be used for both aero and sea navigation. In addition to the above, the generators ~~to~~ supply power for all domestic purposes at the lighthouse e.g. lighting, freezer etc.....



Annex 47

"Royal Navy says goodbye to Singapore" in Times of London
dated 25 Sep 1975



THE TIMES THURSDAY SEPTEMBER 25 1975

Royal Navy says goodbye to Singapore

By Henry Stanhope
Defence Correspondent

The frigate *Mermaid* steamed ceremoniously out of Singapore yesterday, ending a permanent British naval presence there which had lasted for a century and a half.

Henceforth the only Royal Navy vessels to be seen in Singapore will belong to task groups dispatched on periodic voyages as part of the Navy's group deployment programmes.

The *Mermaid* was originally ordered by President Nkrumah for the Ghanaian Navy under the name of *Black Star*, to act as presidential yacht and flagship. It was taken over by the Royal Navy when the Ghanaian Government which deposed Dr Nkrumah in 1966 cancelled the order.

Yesterday the frigate sailed into the sunset to the sound of the pipes and drums of the 1st battalion the Gordon Highlanders, bound for a final farewell tour of the region.

The Gordon Highlanders themselves are in the process of leaving Singapore, under the withdrawal plans announced by the Government in the defence review. RAF Nimrod maritime patrol aircraft have departed, and the few remaining helicopters will go soon. By next March the last British serviceman should have left.

Annex 48

Letter from Ravendran T. (on behalf of Controller of Navigational
Aids) to Hydrographer, Port of Singapore Authority
dated 4 Nov 1975



CONFIDENTIAL

PORT OF SINGAPORE AUTHORITY
MEMORANDUM

MS/HD/NAS 7/74

4 Nov 75




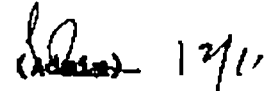
Hydrographer

"SINGAPORE KITA" CREW AT HORSBURGH LIGHTHOUSE

1 Fullerton Lighthouse received a message from Horsburgh at 1600 hours on 3.11.75 that 4 crew members of the above fishing trawler landed at Horsburgh in a small boat after their trawler had apparently been confiscated by Indonesian Navy craft. Horsburgh contacted Port Operations who in turn relayed the message to the Maritime Command who subsequently sent their "Sea Dragon" to Horsburgh. The "Sea Dragon" reached Horsburgh at 1750 hours and took the 4 "Singapore Kita" crew members back to Singapore.

2 For your information please.


RAVENDRAN T
for CONTROLLER OF NAV AIDS
NAVIGATIONAL AIDS SECTION
HYDROGRAPHIC DEPARTMENT

cc
Port Master
Dy Director (Admin)  12/11
Permanent Secretary (Communications)

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Annex 49

Correspondence concerning Visit of Senior Minister of State for
Communications (Singapore) to Pedra Branca in May 1976



Senior Minister of State

*Spoken to Capt. Goh. 22.5.76 in slight.
we will use the Navy vessel + PSA launch.*

VISIT TO HORSEBURGH LIGHTHOUSE

A. L. 4/5

I indicated to Director of Marine/Port Master, Capt Goh Choo Keng last week that Senior Minister of State and a party may wish to visit Horsburgh Lighthouse and also take in some fishing there. Capt Goh advised that the most suitable time to visit Horsburgh Lighthouse would be this month as the southwest monsoon would set in some time next month (June). The preferred dates for fishing would be 8 and 22 May (both dates being Saturdays) - conditions for fishing would be ideal on these 2 dates, with a half moon.


2 To get to Horsburgh Lighthouse either a suitable PSA launch or Singapore Navy vessel could be used. In either case, the proper security arrangements would, of course, be made. The former Minister of State for Communications, Mr Chai Chong Yii visited Horsburgh Lighthouse in the RSS JUSTICE. The disadvantage of using a Singapore Navy vessel is that the vessel would have to anchor off Horsburgh Lighthouse and landing on Horsburgh Lighthouse would have to be via a ferry boat. If a PSA launch is used to go to Horsburgh, the same vessel would be suitable for fishing at Horsburgh.

3 Due to limited accommodation at Horsburgh Lighthouse, a party of 4 or 5 inclusive of Senior Minister of State would be ideal.

4 Could Senior Minister of State kindly indicate the preferred arrangements, following which the necessary arrangements would be made and a programme drawn up for Senior Minister of State's consideration. The departure time could be immediately after office hours (on Saturday) from Jardine Steps, the voyage time being approximately 3 hours. Alternatively the voyage could be reduced by an hour commencing from Changi Swimming Club - there are adequate parking arrangements at the Club.

5 Attached herewith is a publication on Horsburgh Lighthouse by the former Director of Marine, Capt J A L Pavitt which Senior Minister of State may wish to retain.

Submitted, please.


DS (AMP)
3 May 76

Min Com PS 479/7-1

4 May 76

Secretary (Special Duties), PSA
Chas W Meyer

Asst Director, (Port Promotion), PSA
Kenneth Seah

Port Master
Capt Goh Choo Keang

Handwritten notes:
7/1 - (b) - I close for
in future plans.
JL
17/5

VISIT TO HORNBURGH LIGHTHOUSE

The Senior Minister of State for Communications proposes to visit Hornburgh Lighthouse on 22 and 23 May 76. I would appreciate if the Authority could make due arrangements for the visit including security, travel and accommodation arrangements and put up a draft programme for consideration. The Senior Minister of State for Communications has spoken to Port Master on the visit - Port Master is requested to brief Secretary (Special Duties) and Asst Director (Port Promotion) on the matter.

Signature
RICHARD LAU
for PERMANENT SECRETARY
(COMMUNICATIONS)

DRAFTPROGRAMME FOR SENIOR MINISTER OF STATE (COMMUNICATIONS),
MR ONG TENG CHEONG'S VISIT TO HORSBURGH LIGHTHOUSESATURDAY, 22 MAY 76

- 1400 hours - ETD Jardine Steps by PSA Launch GP (381-385).
- 1410 hours - ETA MINDEF Landing Pier at Pulau Brani.
- 1420 hours - Board RSN Missile Gun Boat (MGB).
- 1430 hours - ETD Pulau Brani for Horsburgh Lighthouse.
- 1545 hours - ETA off Horsburgh Lighthouse for rendezvous with PSA Launch 'SHEATHBILL' and transfer to same (MGB acts independently).
- 1600 hours - ETA of 'SHEATHBILL' off Lighthouse Jetty and transfer to outboard motor boat. ('SHEATHBILL' anchors off Horsburgh Lighthouse for the night for the use of the Senior Minister of State (Communications)).

SUNDAY, 23 MAY 76

- 1400 hours - ETD Horsburgh Lighthouse by outboard motor boat to 'SHEATHBILL'.
- 1415 hours - Transfer from outboard motor boat to 'SHEATHBILL'.
- 1430 hours - Transfer from 'SHEATHBILL' to MGB for Pulau Brani.
- 1545 hours - ETA Pulau Brani and board PSA Launch GP (381-385) for Jardine Steps.
- 1555 hours - ETA Jardine Steps.

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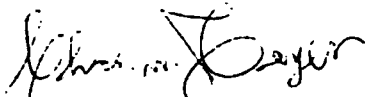
S/9.012

12 May 76

PS (Communications)
 (Attn: Mr Richard Lau)

VISIT TO HORSBURGH LIGHTHOUSE

- 1 I refer to your minute Min Com PS 479/7-1 dated 5 May 76.
- 2 As requested, I forward a Draft Programme for the visit of the Senior Minister of State (Communications) to Horsburgh Lighthouse on 22 and 23 May 76 for your consideration.
- 3 During the stay of the Senior Minister of State at Horsburgh Lighthouse, a RSN Missile Gun Boat (MGB) will be in the vicinity of the Lighthouse. In addition, a RSN Communications Rating will be stationed at Horsburgh Lighthouse with a portable radio set to facilitate communications between Horsburgh Lighthouse and the MGB. PSA Launch 'SHEATHBILL' will also be equipped with communication facilities so as to maintain direct contact with Horsburgh Lighthouse. Security at Jardine Steps for the departure and the return of the Senior Minister of State will be provided by the PSA Police.
- 4 Arrangements have been made for accommodation and provision of meals for the Senior Minister of State and his party during the period of their stay at Horsburgh Lighthouse. The Port Master, PSA, will brief you on the matter.
- 5 I should be grateful if you could let me know whether the Draft Programme is in order to enable me to finalise the arrangements for the visit. If you wish to seek clarification on any matter, please do not hesitate to let me know.



CHAS W MEYER
 SECRETARY (SPECIAL DUTIES)
 PORT OF SINGAPORE AUTHORITY

cc
 Port Master, PSA
 Asst Director (Port Promotion), PSA
 OC PSA Police
 Public Relations Officer, PSA

**CONFIDENTIAL**

Min Com PS 479/7-1


26 May 76

Lt Col Khoo Eng An
Commander
Republic of Singapore Navy
Ministry of Defence
Tanglin
Singapore 10

Dear Sir

The Senior Minister of State for Communications has requested me to express his appreciation to you and to your officers for making the thorough and courteous arrangements for his visit to Horsburgh Lighthouse on 22-23 May 76. Could you kindly also convey to the Commanding Officer of RSS SCOPEION, Lt Lim Khooa Boek and his officers the Senior Minister of State's appreciation.

Yours faithfully


RICHARD LAU
for PERMANENT SECRETARY
(COMMUNICATIONS)



Annex 50

Report from Singapore Police Force
concerning Arrest of 3 Indonesians by Singapore Navy Vessel
RSS Sea Lion for Committing Piracy on Singapore Fishing Vessels
Near Horsburgh Lighthouse on 26 June 1977



76

CONFIDENTIAL

M/G9/1 Vol 2

27 Jun 77

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Special Report No: M 69/77
'M' Div Report No: M112/77

SPECIAL REPORT ON THE ARREST OF 3 INDONESIAN
NAVAL PERSONNEL TOGETHER WITH AN INDONESIAN
CIVILIAN FOR PIRACY COMMITTED ON SINGAPORE
REGISTERED FISHING VESSELS IN INTERNATIONAL
WATERS APPROXIMATELY 8.5 MILES NORTH-EAST
OF HORSBURGH LIGHTHOUSE BETWEEN 0920 HOURS
AND 1000 HOURS ON 26 JUN 1977

* But before 1982
UNCLAS

On 26 Jun 77 at about 1032 hrs while the RSN ship, RSS 'SEA LION' was on patrol about 2 miles north of Horsburgh Lighthouse, their attention was attracted by the crew of a Singapore registered fishing vessel SF 785 who were waving their hands. On approaching the fishing vessel SF 785, the CO of the RSN ship, Capt Ho See Chee was informed by the fishermen that pirates were robbing other fishing vessels in the vicinity and they indicated the direction to the RSN ship. The RSS 'SEA LION' immediately proceeded towards the direction indicated. At about 1106 hrs, they sighted an Indonesian boat bearing registration number KRAL 227 alongside the fishing vessel SF 797. The RSN ship, RSS 'SEA LION' did not immediately close in but kept observation at a distance and with his naked eyes, Capt Ho could see 3 Indonesians (2 armed with rifles) on board the fishing vessel SF 797 and the 4th Indonesian was in their own boat. Capt Ho beckoned to the Indonesians to move off and the Indonesians complied. Capt Ho then brought his ship close to the fishing vessel SF 797. The fishermen shouted out to the Singapore Navy that the Indonesians were pirates and had robbed them of cash \$70/- and a wrist watch. The fishermen also informed the Singapore Navy that the Indonesians had intended to hijack their fishing vessel. On hearing this, the Singapore Naval ship went in pursue of the Indonesians who were still very close by as the Indonesian vessel was a small craft measuring 25 ft x 5 ft and powered by a 36 HP diesel engine and was slow moving. The Indonesians were ordered on board the RSS 'SEA LION' and on searching them, cash amounting to a total of \$486/- were found on the 3 Indonesian Naval personnel. Also, recovered from their persons were 2 wrist watches (one of which has been identified as that belonging to a crew of SF 749) and 2 cigarette lighters both of which were identified. From the Indonesian vessel, the RSN personnel found 3 rifles of .30 calibre made in

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77

2

C O N F I D E N T I A L

Belgium and 102 rounds of ammunition. They also found 3 pairs of binoculars in the Indonesian vessel and 1 pair has been identified as the property of the crew of SF 587.

2 The Indonesians together with their boat were detained by the RSN and brought back to Singapore where they were handed over to the Marine Police.

3 The Commanding Officer of the RSN ship, RSS 'SEA LION', Capt Ho was quite positive that the location (1° 26.6' North and 104° 29.4' East) which is approximately 8.5 miles bearing 037° from Horsburgh Lighthouse. He has expressed that even if the Indonesians were to claim a 12-mile Territorial Limits, the location is still about 1.6 miles outside the limits taken from the nearest Indonesian coast

4 Two of the talkongs of fishing vessels SF 749 and 797 respectively were brought along by the RSN ship to lodge their reports.

a SF 749

The talkong of this fishing vessel is one Tay Eng Chew, m/46 yrs (NRIC No 0811174-Z) of Blk 5, 122-E, Tampines Way stated that on 26 Jun 77 at about 0920 hrs, while trawling about 6 miles north-east of Horsburgh Lighthouse, he was approached by the Indonesian vessel KRAL 227. One of the Indonesians identified as Soetomo was standing at the bow of the boat armed with a rifle in his right hand and with his left hand signalled the fishing vessel to stop. The talkong complied and the said Indonesian came on board with another Indonesian identified as Abdul Karim (a civilian). It was alleged that the Indonesian named Soetomo asked the talkong how much money he could give. The talkong replied that he could only spare \$50/-. On hearing this, Soetomo requested for more and before the talkong could reply, Soetomo went up to the talkong's pair of trousers which was hanging in the wheelhouse and took away \$190/- from one of the pockets. The talkong pleaded for some money to purchase food and Soetomo returned \$15/-. Just before leaving the civilian Indonesian named Abdul Karim was alleged to have taken a ROSEON cigarette lighter and a SENESE wrist watch from one of

C O N F I D E N T I A L

C O N F I D E N T I A L

the fisherman named Cheng Tian Ser. The taikong kept observation over the Indonesian craft and saw them boarding another fishing vessel whose number could not be seen as it was quite some distance away. Then the Indonesian vessel again seen confronting another fishing vessel No SF 587 but the taikong could not see what took place and finally he saw the Indonesians going alongside another fishing vessel SF 797 when they were intercepted by the RSN ship identified as P 77, which is the RSS 'SEA LION'. The taikong was subsequently brought back to Singapore together with the Indonesians on board the RSS 'SEA LION'.

Lyas

b SF 797

The taikong of this fishing vessel is one Tan Eng Kiat, m/48 yrs (NRIC No 1045323-B) of 23-H Lorong Jerneh. He stated that at about 1000 hrs on 26.6.77 while trawling about 6 miles north-east of Eorsburgh Lighthouse, an Indonesian boat KRAL 227 approached his fishing vessel and an armed Indonesian ordered him to stop. Then this armed Indonesian together with 2 others jumped on board his vessel while 1 Indonesian stood guard over them and herded them to the aft, 2 others went into the wheelhouse and demanded money from the taikong. The taikong told the Indonesians that he had none but they disbelieved him and the armed Indonesian inserted his hand into the taikong shirt pocket and relieved the taikong \$70/-. After which the armed Indonesian pointed his rifle at the taikong's head and ordered him out of the wheelhouse. One of the Indonesians identified as Abdul Karim, the civilian, took over control of the fishing vessel and steered it towards Indonesian Waters. The taikong beg the Indonesians not to take them to Indonesian Waters but instead of which the armed Indonesian identified as Soetomo levelled his rifle at the taikong's head and ordered him to shut up. At this juncture, the RSN ship had arrived at the scene. The Indonesians jumped back into their boat but had difficulties in getting away as their propeller had got entangled with the fishing gears. The taikong shouted across to the RSN ship that they had been robbed. The RSN ship then went in pursue of the Indonesian boat and detained them. Later, at the Marine Police, Kallang, identified a cigarette lighter with the markings KIMSTEADY TRANSPORTATION (PTE) LTD as that belonging to him which was taken from the wheelhouse. This lighter was recovered by RSN Officers from the Indonesian named Abdul

C O N F I D E N T I A L

BEST COPY AVAILABLE

C O N F I D E N T I A L

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Karim (a civilian).

5 The Indonesians are personnel of the Naval Security Post at Kijang, South of Pulau Bintan. Their particulars are as follows:-

a Soetomo (NRP 30859), m/32 yrs

He is a Sergeant and the in-charge of the crew.

b Musar (NRP 37636), m/32 yrs

He is a 2nd Corporal and member of the crew

c Soeyono (NRP 37757), m/33 yrs

He is also a 2nd Corporal and member of the crew

d Abdul Karim (a civilian), m/20 yrs

He is assisting the Indonesian Naval personnel in the running and maintenance of the boat and engine.

They claimed that they have orders from their Komandan to proceed on patrol on 25 Jun 77 from Kijang up north to Tanjung Barakit and the surrounding coastal waters of Indonesia to check on illegal fishings, combat smuggling and piracy and prevent the entries of Vietnamese craft and illegal immigrants.

6 The in-charge, Sergeant Soetomo stated that at about 0800 hrs on 26 Jun 77 they saw about 10 Singapore fishing vessels trawling in Indonesian Waters off Tanjung Perakit, Pulau Bintan. Whilst attempting to intercept these Singapore fishing vessels his engine broke down and they drifted to one of the fishing vessels where they boarded the fishing vessel and wanted to take it back to their base but their propeller got entangled with the fishing net. While in the process of disentangling the fishing net, the RKM ship arrived and detained them. He admitted boarding 3 Singapore fishing vessels, 2 for the purpose of seeking assistance and the 3rd for the intention of arrest. He admitted receiving money from the fishing vessels but stated that he did not demand for the money but it was given voluntarily as the fishermen were in fear of being arrested for poaching.

7 The 2nd Corporal named Musar also admitted receiving money from one of the fishing vessels but denied using any

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C O N F I D E N T I A L

threat or force. He admitted that Sgt Soetomo pointed the rifle at the head of the taikong of SAE 797 when the taikong pleaded not to be taken to Indonesia.

8 Second Corporal Soeyono also admitted that his colleagues went on board the fishing vessels which were trawling in the vicinity of Tanjong Berakit and took money and cigarettes. All the money collected were kept by Sgt Soetomo. He also denied that they were in International Waters when they boarded the Singapore fishing vessels.

9 The 4th Indonesian, Abdul Karim who is a civilian but authorised by the Komandan to accompany the crew on patrol, is an engine hand who assist in the handling of the boat and repairs of the engine. He admitted that at about 1000 hrs on 26 Jun 77 they saw about 10 fishing vessels at a location East of Hornburgh Lighthouse which is in International Waters. This was also admitted by him when questioned by Col Emir, the Naval Attache of Indonesian Embassy although denied by the 3 Angkatan Laut personnel. They went on board 5 of these fishing vessels and each time they were given money by the fishermen and all of which were kept by Soetomo. It was Soetomo and Musar who were the ones armed with rifles each when boarding the fishing vessels. He is able to recall the registration numbers of 2 fishing vessels which he boarded. They were SAE 749 and 797. When boarding these 2 vessels, Soetomo and Musar went on board armed with a rifle each. Abdul Karim would take over control of the steering wheel while Soetomo and Musar would go to the rear of the fishing vessel. He admits that he has been out with them on 3 occasions. On the 1st occasion, they collected about S300/- and he was given 2,000 rupiahs which is about £12/-.

10 The Indonesian Embassy had been informed and the Naval Attache Col. Emir H Mangawang came and spoke to the 4 Indonesians.

11 PS (MINDEF), Mr S R Nathan was informed.

12 PS (Foreign Affairs) was also informed.

13 DG ISD, Insp Chan Teng Swee had also been informed.

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14 The case will be referred to A.G's Chambers for instructions.


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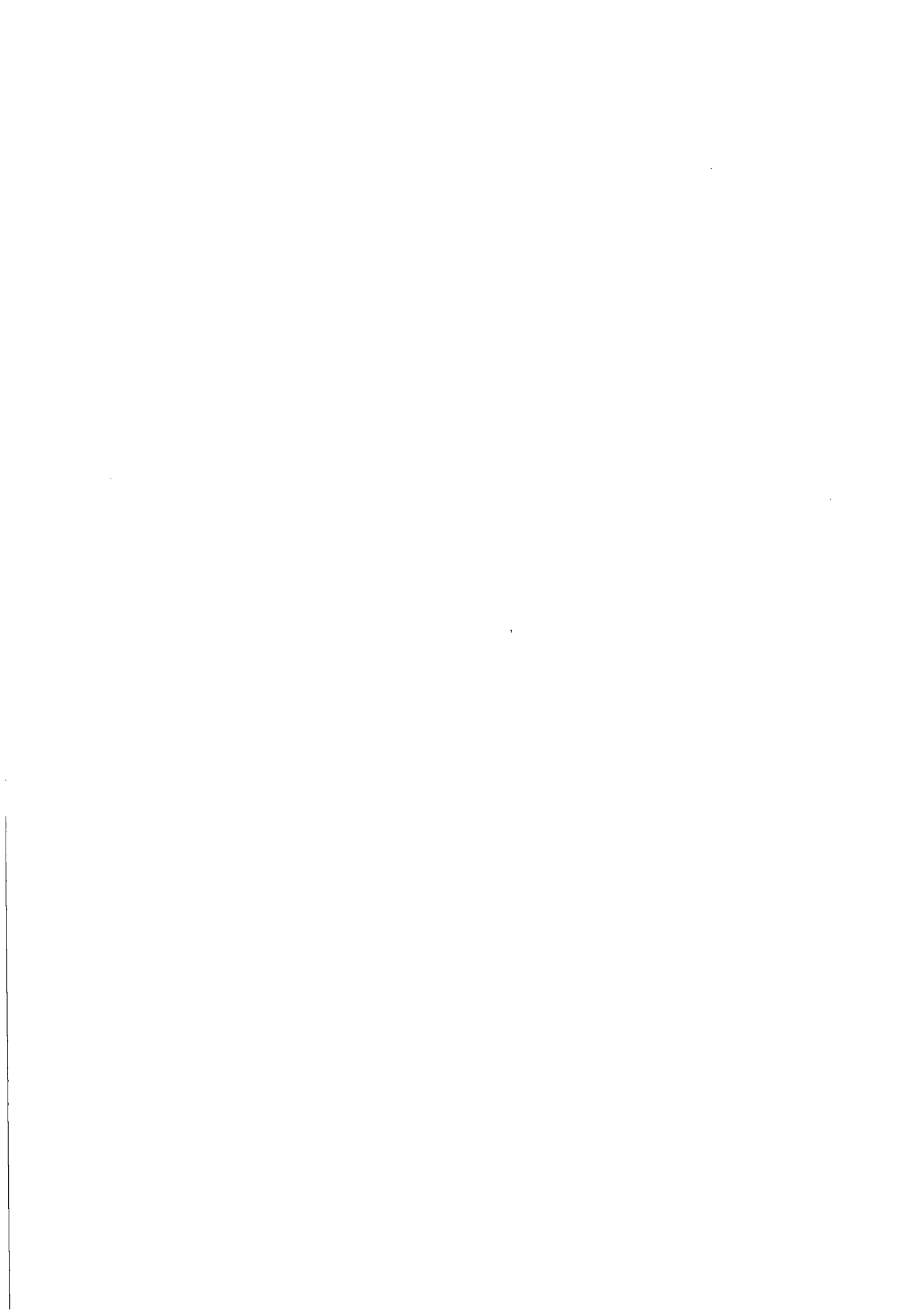
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LR/KKH

Annex 51

Note by Kishore Mahbubani (Counsellor, Singapore High Commission in Malaysia) regarding meeting with Halim Ali (Principal Assistant Secretary, South East Asia, Ministry of Foreign Affairs, Malaysia) on 13 Apr 1978



SECRET

KL Y 053:261/3/2/6A (MF 29/78)

13 Apr 78

PS (Foreign Affairs)

HORSBURGH LIGHTHOUSE

Malaysia will be writing to Singapore officially to claim sovereignty over the island on which Horsburgh Lighthouse stands. Halim Ali, PAS/SEA, Wisma Putra, informed me today that Malaysia had made a study and verified that Horsburgh Lighthouse belonged to Malaysia as it fell within Malaysian territorial waters. Singapore was ceded by the Sultan of Johore to the East India Company under a treaty in which Singapore was only allowed to lay claim to three miles of territorial waters. Horsburgh Lighthouse lay outside this three-mile limit.

2 Furthermore, in a separate letter, the British were given permission by the Sultan of Johore only for building and maintaining a lighthouse on the island. This letter did not state that the British would be granted sovereignty over the island.

3 Halim Ali also informed me that the Malaysian Government was somewhat upset over certain actions of Singapore concerning Horsburgh Lighthouse island. Firstly, Singapore had flown the Singapore flag over the island. Secondly, when certain Malaysian marine boats tried to dock on the island recently for some survey work, they were refused permission to land.

Response

4 In response, I said to Halim Ali that I was surprised that their study showed that Malaysia had sovereignty over the island on which Horsburgh Lighthouse stood. I said that we had done a detailed study of the matter and found incontrovertible legal evidence that the island belonged to Singapore. The documents in this respect were completely unambiguous and I added that my friends in the Attorney-General's Chambers had assured me that we could easily prove to any unbiased or international observer that Singapore had clear and full sovereignty over the island. I tried to convey this point to him as strongly as I could.

SECRET

2

Comment

5 This issue of Horsburgh Lighthouse arose when Halim Ali and I were going through our regular discussion of outstanding bilateral problems. He raised the matter. I did not think that he was merely trying to feel the waters before stepping in. Rather, I feel that they have arrived at a definite decision on Horsburgh and are now waiting for an opportune moment to make the move. He probably felt it opportune to raise this issue as I had just conveyed to him our agreement to conduct a joint hydrographic survey along the Strait of Johore.

Kishore

MAHESWARI KISHORE
COUNSELLOR
KUALA LUMPUR



SECRET

Annex 52

Investigation Report into the Grounding of the Panamanian Cargo
Vessel, MV "Yuseung-Ho" at Horsburgh dated 14 Dec 1979



Ref: Marine CA60

14 Dec 79

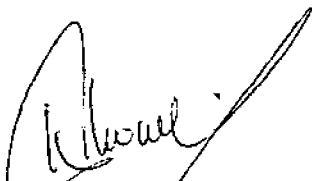
Director of Marine

**GROUNDING OF PANAMANIAN REGISTERED CARGO VESSEL
"YUSEUNG HO" AT HORSBURGH**


1 With reference to your minute CA60 of 4 Dec 79, the following witnesses were interviewed :-

- a Master : Bang No Hyeon, holder of Korean Master Certificate No 5-840
- b 2nd Officer : Bak Jong Hak, holder of Korean 2nd Mate Certificate No 5-465
- c 3rd Officer : Choi Chi Ju, holder of Korean 2nd Mate Certificate No 5-536
- d Radio Officer : Jeong Gyeong Ho, holder of Korean Radio Officer 2nd Class Certificate No 5-547
- e 2nd Engineer : Kang Soo Gon, holder of Korean 1st Engineer Certificate No 6-168.
- f Quarter-master : Bak Chang Su

2 Please find enclosed statements taken from the above witnesses and our investigation report.



WILSON CHUA NGIAM FOO
DY HYDROGRAPHER
PORT OF SINGAPORE AUTHORITY



P J THOMAS
PRINCIPAL MARINE SURVEYOR
MARINE DEPARTMENT

INVESTIGATION REPORT INTO THE GROUNDING OF THE PANAMANIAN REGISTERED CARGO VESSEL, MV "YUSEUNG-HO" AT HORSBURGH

I EVENTS AFTER LEAVING POHANG

The cargo vessel "Yuseung-Ho" left Pohang, Korea at 1240 hours on 16 Nov 1979. She was loaded with 4,735 metric tonnes of cargo. It consisted of steel plates and iron rods. Her departure draught was 5.75 metres forward and 7.15 metres aft. From the time she left Pohang to the evening before she grounded nothing uneventful happened.

II EVENTS PRIOR TO THE GROUNDING

1 At 2000 hours on the 26th of Nov 1979 the third officer took over watch from the chief officer. The Master came up to the bridge sometime between 2015 hours and 2100 hours. He was there to assist the third officer in navigating the vessel in congested waters. This was his usual practice. At 2330 hours the third officer obtained a position of the vessel by radar. This position was Lat $01^{\circ} 34'.9N$; Long $104^{\circ} 40'.5E$. At this time the Master adjusted course to 210° by gyro.

2 At 2340 hours the second officer came to the bridge to take over the watch from the third officer. A little later at 2344 hours the quartermaster, Mr Bak Chang Su, came to the bridge to relieve the quartermaster on duty. At 2345 hours the third officer left the bridge after handing over the watch to the second officer. Before leaving the bridge the third officer told the second officer the course the vessel was steering (210° gyro) and also the 2400 D.R. position he had marked on the chart. When the third officer left the bridge both Bintang and Horsburgh lights were visible.

3 Around midnight the second officer read and signed the Master's night orders which stated :

- a " Keep lookout for ships and anything forward of ship.
- b Keep on the course line. If you need me you can call me anytime.
- c Engine R.P.M. 200.
- d If visibility becomes bad report to me. "

At 0030 hours on the 27th the Master altered course to 242° by gyro. This alteration was made at a position approximated by the Master. Although there were navigational lights and the radar switched on and in good working condition, the position was not ascertained before making this crucial alteration. When the vessel was steadied on 242° by gyro, Horeburgh light was observed to be about 5° to 7° on the port bow.

4 After making this alteration the Master left the bridge because he felt very tired and needed some rest. In addition to his instructions in the night order book the Master told the second officer to keep Horeburgh light on his port bow. He also told him to call him at anytime if required and if everything was well, then to call him at the position marked on the chart. This position was about 11 miles after passing Horeburgh light.

5 While the vessel was on the course of 242° (gyro) the second officer noticed that Horeburgh light was fine on the port bow. He assumed the vessel was drifting southwards due to strong current. He ordered the quartermaster to put the vessel on hand steering and adjusted course to 250° (gyro) at about 0110 hours. According to the quartermaster he was ordered to the wheel at about 0100 hours by the second officer and told to steer 250° (gyro). When he took over the wheel the quartermaster noticed that Horeburgh light was about 10° on the port bow. At 0120 hours a position was marked on the chart. According to the second officer this position was obtained by a single visual bearing and an estimated distance off Horeburgh light.

6 The second officer also stated that around this time he noticed a big tanker approaching him and the adjustment of course to 250° (gyro) was also to keep clear of this tanker. A little later he noticed that the tanker was altering course to his starboard. Both the vessels were very close and on a collision course. So he ordered "port easy" on the helm. This was about 0135 hours. When the tanker finally passed clear of her the second officer ordered wheel "amidships" and then to "starboard easy". It was at this time that the vessel grounded in position Lat $1^{\circ} 19' .8N$, Long $104^{\circ} 24' .3E$ at about 0145 on the 27th of Nov 1979. The grounded position was only about 3.7 cables to the east of Horeburgh Lighthouse.

III EVENTS AFTER THE GROUNDING

1 When the vessel grounded the second officer put the telegraphs to stop. He then ran down to call the Master. After leaving the bridge at 0030 hours the Master had gone to his cabin and was dozing in his bed when he was awakened by a slamming motion between 0140 hours and 0145 hours. After this there was silence. Soon the second officer and the quartermaster were at his door. The second officer told him that the vessel had grounded.

2 The Master hurried to the bridge. He found that the telegraphs was already at stop. He saw oil on the main deck at No 1 and No 2 port side. He thought of refloating the vessel but when he realized that the vessel had grounded on rocks he decided it was safer not to refloat her.

3 The Master ordered the Chief Officer to make a detailed check of the situation. He told the radio officer to send out distress signals and the radio officer sent out an SOS on the emergency radio. The Chief Officer used some distress rockets. At the same time Master also ordered lifeboat stations.

4 The Chief Officer reported that No 3 and No 5 fuel tanks and one ballast tanks were holed. Water was entering the vessel rapidly and it was difficult to prevent this ingress of water. The vessel was now listing about 5° to starboard. According to the Master the weather was very rough and as he feared for the safety of the crew he decided to abandon ship and between 0200 hours and 0230 hours the Master gave orders to abandon ship. According to the rest of the crew no abandon ship signal was given. As they came on deck they found the lifeboats being lowered so they went into the lifeboats. All crew were safely landed at the lighthouse at about 0330 hours.

5 On the 27th at 0600 hours a helicopter lowered some salvage personnel at the lighthouse. The Master signed the Lloyds Open Form for salvage operations to commence. At about 0800 hours the Master and the radio officer went back to the ship with the salvage crew to assist in the salvage operation and also to send a message to the owners. All crew members who were not involved in helping in the salvage work were brought to Singapore on the 30th of November. There was very little oil pollution from the bunkering tanks. No lives were lost.

IV FINDINGS

- 1 Neither the Master nor the second officer was concerned as to the actual position of the vessel during the 2 hours prior to the grounding. From 2330 hours on the 26th upto 0145 hours on the 27th when the vessel grounded no positions were fixed although Horsburgh and Bintang lights were visible during this period. The radar was switched on and in good working order yet it was not used in the navigation of the vessel.
- 2 A crucial alteration of course to 242⁰ (gyro) was made by the Master at 0030 hours on an assumed position when it was possible to take good fixes.
- 3 The Master left the bridge at a time when he was most needed on the bridge. His excuse was that he was very tired and needed some rest and also because he considered this was an easy passage. Therefore he left the navigation in this narrow and congested area entirely to the second officer.
- 4 It is surprising to note that the Master left orders to be called about an hour after the most crucial part of the passage was over.
- 5 The Master did not ensure the vessel's position before leaving the bridge.
- 6 The second officer treated this part of the passage very lightly. According to him as long as Moreburgh light was on his port bow it was quite safe. He relied too much on his estimated positions of the vessel. He did not check the vessel's position for about 2 hours prior to the grounding when he had ample means and time for doing so.
- 7 Although he was in busy waters the second officer did not call the Master because he felt that the Master should have been on the bridge without being called. This was contrary to the Master's night orders and the instructions given to him.
- 8 The avoiding actions taken by the second officer to keep out of the way of an oncoming vessel was very poorly executed. These consisted of a number of small alterations. This was done without determining his own position in very narrow waters. Although the engines were on stand by the second officer did not make use of the engines.
- 9 The manner in which bearings and distances were estimated by the second mate were very unseamanlike.

V CONCLUSIONS

1 In our opinion it is difficult to believe that the Master's reason for leaving the bridge about an hour and a quarter before the vessel grounded was that because he was very tired as he had only come up on the bridge about 3 hours earlier. A prudent master would have stayed on the bridge until Horsburgh was cleared.

2 We fail to understand why the second officer did not call the Master nor fix any positions of the vessel during his watch.

3 We have no doubts whatsoever that the grounding of the vessel was due to the very incompetent and irresponsible manners in which the Master and the second officer navigated this crucial part of the passage.

4 We do not recommend a formal inquiry as it will not throw any further light into the cause of the grounding.

5 We recommend that the Master Mr Bang No Hyeon and the Second Officer Mr Bak Jong Hak should not be employed on Singapore registered vessels.

6 A shipping circular should be sent to the shipping community reminding them of our shipping circular No.7 of 1974 on "IMCO Recommendation On Basic Principles And Operational Guidance Relating To Navigational Watchkeeping".

APPENDIXES

- I Particulars of Vessel
- II Crew list
- III Photographs of the vessel aground.
- IV Chart used for navigation.
- V Extract of engine-room log book.
- VI Extract of deck log book.
- VII Extract of Master's night orders.
- VIII Copies of certificates of officers.
- IX Copies of ship's certificates.

APPENDIX I

PARTICULARS OF VESSELS

Name : m.v. "Yuseung Ho" ex "Young Star"
Official No : 4161 - 74 - B
Port of Registry : Panama
Call Sign : HOEF
Year Built : 1967
Gross Tonnage : 2,998.98
Nett Tonnage : 1962.85
Length : 95.58 metres
Breadth : 15.00 metres
Depth : 7.80 metres
Speed : 11.00 knots
H.P. : 3000 HP
Type & No of Engine : UN(1) Juego De Motor Diesel
Type of vessel : General Cargo
Classification : Nippon Kaiji Kyokai (NKK)
Owners : Chander (Panama) S.A.
Singapore Agents : Trans-Associates Shipping (S) Pte Ltd

C R E W L I S T

M/V "YUSEUNG HO"

NAME	RANK	NATIONALITY
BANG NO HYEON	CAPTAIN	KOREAN
LEE DONG GUL	CHIEF OFFICER	"
BAK JONG HAK	2ND OFFICER	"
CHOI CHI JOO	3RD OFFICER	"
KIM SEUNG HO	ASSISTANT OFFICER	"
SIM MOO UNG	CHIEF ENGINEER	"
YUN SANG IN	1ST ENGINEER	"
KANG SOO GON	2ND ENGINEER	"
SEO JUNG MOO	3RD ENGINEER	"
LEE HEE JONG	ASSISTANT ENGINEER	"
JEONG GYEANG HO	RADIO OFFICER	"
BAK JEOM SUN	BOSUN	"
LEE JEONG HWAN	1ST QUARTERMASTER	"
BAK CHANG SU	2ND QUARTERMASTER	"
MOON HONG JUN	2ND SAILOR	"
YU YUN SUK	3RD SAILOR	"
IM SEONG IG	GENERAL SAILOR	"
KIM PAN SIG	1ST OILER	"
WOO SUN JUNG	3RD OILER	"
LEE TIE MIN	1ST FIREMAN	"
SHIM GU BO	4TH FIREMAN	"
HAN BOYNG HYO	ELECTRICAL ENGINEER	"
CHEA JONG HAK	CHIEF STEWARD	"
LEE IL SEONG	COOK	"

Annex 53

Extracts from

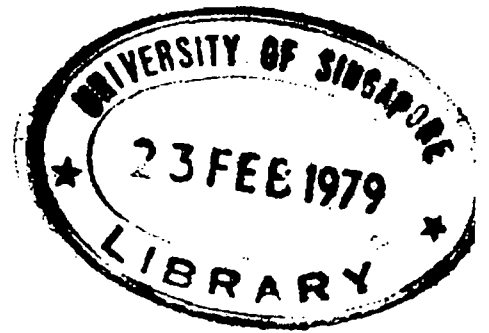
Trocki C., *Prince of Pirates: The Temenggongs and the
Development of Johor and Singapore* (1979)



PRINCE OF PIRATES

THE TEMENGGONGS AND THE DEVELOPMENT
OF JOHOR AND SINGAPORE
1784-1885

Carl A. Trocki



*Issued under the auspices of the
Institute of Southeast Asian Studies*



SINGAPORE UNIVERSITY PRESS

to Europe, for the building and outfitting of lavishly appointed palaces at Johor Baharu, Tyresall in Singapore, and at Muar, and for his frequent and bountiful entertainments put a severe drain on the shrinking resources of the state. However, it was just this sort of thing that kept Johor independent during these years. The Governors of Singapore were perhaps right in calling attention to his extravagance. When he died, the state was some £200,000 in debt and even the members of the Johore Advisory Board in London felt that the state would soon be taken over.³⁸

Abu Bakar must have been aware of this dilemma. With the failure of European development schemes in Johor and the gradual decline of gambier cultivation, he appears to have accepted that there was little he could do to bolster the state's economy. He did have an ample supply of cash and apparently very good credit, but he saw no way of investing it in the material resources of the state. Thus, the diplomatic effort. In addition to this, he also invested in the state's human resources and began training an elite to take over from him. The archetype of the new Malay elite was Enche Abdul Rahman bin Andak, the Sultan's personal secretary in his last years. He was also given the title of Dato Sri Amar di Raja, made Secretary to the Johor Government, and sat on the State Council. "Abdul Rahman, a nephew of the Sultan, was 'a very clever' English-educated Malay who became the Sultan's private secretary.... Cecil Smith suspected that it was Abdul Rahman who drafted the Sultan of Johore's replies to communications from the Singapore authorities."³⁹

While he was the most well known, perhaps most notorious, as far as the Straits government was concerned, there was a whole group of English-educated Malays now coming to maturity in Johor. When Florence Caddy visited Johor in 1889, she met two of the Sultan's nephews, both of whom were English-educated. One was a surveyor and the other an engineer. "The Sultan kept his nephews waiting at a distance in their launch till the Duke came on board the *Pantie*, when he called them alongside and on board and introduced them. Mr. Swan, who understands Malay, told us he

38. *Ibid.*, p. 228.

39. *Ibid.*, p. 225.

Annex 54

Excerpts from
Press Conference by Malaysian Prime Minister Hussein Onn and
Singapore Prime Minister Lee Kuan Yew on 13 May 1980



**EXCERPT FROM PRESS CONFERENCE BY
MALAYSIAN PRIME MINISTER HUSSEIN ONN AND
SINGAPORE PRIME MINISTER LEE KUAN YEW
ON 13 MAY 1980**

**[An audio recording of this excerpt is provided
in a compact disc enclosed with this Reply]**

Questioner : Mr Prime Minister, my name is McHill with the Asian Wall Street Journal.

Malaysian Prime Minister Hussein Onn : Which one? Are you referring to the Singapore Prime Minister?

Q : I will take either one with this question. (*Laughter in background*) One of the things which is obviously not mentioned in the joint statement is the current discussions about the possession of a series of islands that Malaysia has claimed on a recently-produced map. I was wondering if there was any discussion of that between you two and if so, what was the import of that discussion?

Prime Minister Hussein Onn : Well, as we have explained...I think...when the map was published ... and I think this is normal practice in the countries publishing the maps ... and this does not mean to say that countries affected or countries which have got claims on the islands or areas which are included in the map published by Malaysia ...(pause)...should not bring any to the attention of Malaysia. But we have always taken the stand ... and, of course, this is unilateral action on the part of Malaysia in publishing the map and you don't solve problems and claim ... and take possession of islands, areas which are included in the map when other countries say that they equally have a claim to the area.

As regards Singapore, I think this is especially in connection with the Batu Puteh ...*(pause)*... Pulau Batu Puteh ... Branca ...*(pause)*... Pedra Branca, on which there is the lighthouse by the name of Horsburgh, and I have mentioned this to Mr Lee Kuan Yew, saying that we have received your note with regard to the island and let's talk. And this is the question of producing ... I think Mr Lee Kuan Yew is aware ... this is a question of going back into whatever documents there are, to prove who, to which nation, to which country this island really belong in the light of whatever documents *may* be available. And I think Mr Lee Kuan Yew says...*(pause)*...he has got...*(pause)*...some documents. We are also looking into the question because this is not very clear to us with regard to this island and we include that in the...*(sudden pause)*... If there are any evidences to that effect, we are willing and prepared to settle this thing peacefully, amicably.

Q : It has been claimed in some circles that the purpose of claiming the Horsburgh Lighthouse was to give you a bargaining card to allow you to throw that away and wind up with possession of the other group of islands. Is this part of the Malaysian strategy?

Prime Minister Hussein Onn : We don't work that way. *(Laughter in background)*

Q : Mr Prime Minister, everybody works that way.

Prime Minister Hussein Onn : *(Pause)*...I...I don't work that way. *(Laughter in background)*

Q : O.K.

Annex 55

"3 Missing after Navy Launch Sinks" in Straits Times dated 26 June 1980 and "Missing RSN Men: It's Misadventure" in Straits Times dated 11 July 1981

3 missing after navy launch sinks

A SEARCH-and-rescue mission was mounted yesterday for three crew members of a Republic of Singapore Navy launch which sank off Horsburgh Lighthouse on Tuesday afternoon.

Passing ships rescued 13 other sailors yesterday — several hours after the vessel sank in stormy waters.

The incident occurred 3.2 km north-east of the lighthouse, 80 km east of Singapore, when the launch ran into a squall.

All 16 on board baled out, a Defence Ministry statement said yesterday.

Two of the sailors were picked up by a passing fishing vessel yesterday morning, nine by the tanker *Esso Chawan*, at 2 p.m. and two more by a Thai fishing vessel at 5 p.m.

Inquiry

The statement said that when a report of the incident reached the RSN headquarters yesterday morning, an immediate rescue mission was mounted with nine ships supported by search aircraft from the Republic of Singapore Air Force.

It said initial search operations were hampered by bad weather.

The two sailors who were rescued by the Thai fishing vessel in the morning were sent by helicopter to the Singapore General Hospital.

Others were also sent to the hospital later.

The condition of the 13 is said to be "fair."

The statement said the next-of-kin have been informed. A committee of inquiry has been convened to look into the incident.

THE STRAITS TIMES, SATURDAY, JULY 11, 1981

Missing RSN men: It's misadventure

STATE Coroner Tan Soo Kiang yesterday recorded misadventure verdicts on the three Republic of Singapore Navy men who drowned in the sea off Horsburgh Lighthouse during a freak storm in June last year.

Mr Tan said that although their bodies were not found, he was satisfied that they died.

Staff Sergeant T. Gopinathan, 29, Cpl Chang Kong Lam, 21, and Cpl Chan Joo Seng, 23, together with 13 others went on a "special assignment" to Horsburgh Lighthouse on the morning of June 24 last year.

On arrival there at about 1.30 p.m. there was a storm and the sea became very rough. Because of this, the harbour launch they were in could not go alongside the jetty.

As they were turning back to return to Singapore, the launch was buffeted by metre-high waves. And when the bow became submerged, coxswain Cpl K. Jaleel ordered his men to don their life-jackets and abandon ship.

The court heard that Sgt Gopinathan was last seen floating away with the current. Cpl Chang and Cpl Chan, who had together with several others attempted to swim to the lighthouse decided to break away from the group after two hours when they made no headway because of strong current.

They told their colleagues that if they tried going off on their own, they might make it to the lighthouse. That was the last time they were seen alive.

Sea-worthy

Mr Tan said in his findings yesterday that there was "no culpability" on the part of anyone.

He was satisfied that the launch was sea-worthy and although it was a harbour launch, its usage not limited to within the harbour limits only. Harbour launches

had previously been used for trips to the lighthouse without any mishaps.

Annex 56

Extracts from
The Republic of Singapore Navy, Naval Archives (Singapore) (1988)



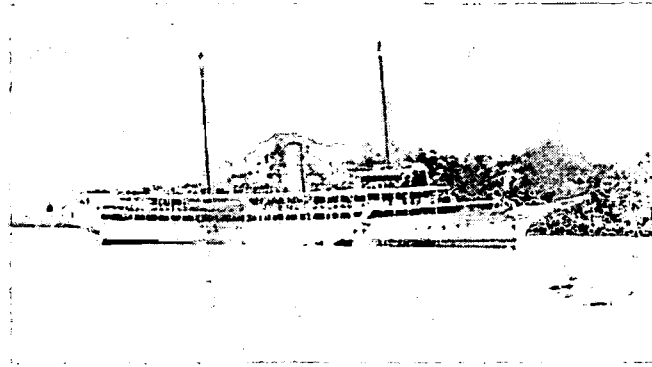
THE REPUBLIC OF SINGAPORE NAVY

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Part One

THE ORIGINS



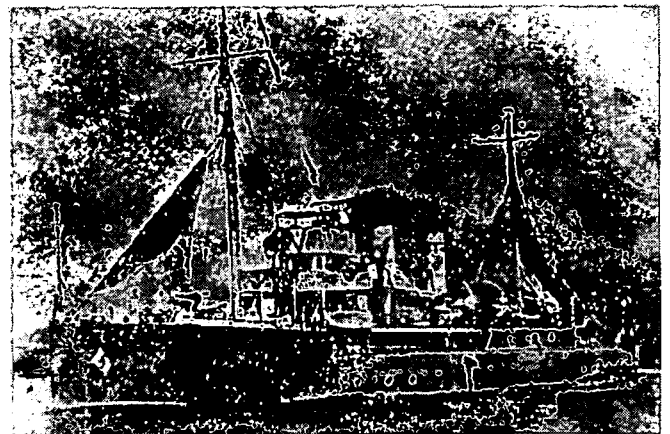
SS SEA BELLE II

The Republic of Singapore Navy inherits its existence from the Royal Navy in the Far East in the 1930's. With the rise of Japan as a military power in that period, Great Britain took steps to strengthen its forces in the Far East and developed its largest Naval Base East of Suez in Singapore.

Volunteer Naval forces were recruited in the Dominions and in Singapore, the Straits Settlements Royal Naval Volunteer Reserve (SSRNVR) was established on 20 April 1934. This volunteer force in Singapore numbering 25 officers and 150 ratings did its training on the Governor's yacht SS SEA BELLE II.

On 18 January 1935, His Majesty's Ship (HMS) LABURNUM a British Flower-class Corvette on loan to the Royal New Zealand Navy (RNZN) was presented to the SSRNVR by the British Admiralty. She was steamed to Singapore by an RNZN crew and berthed at Telok Ayer Basin, at the headquarters of the SSRNVR.

In 1937 Motor Launch (ML) PANGLIMA, a 75-foot motor launch similar to ML PAHLAWAN which was already in service, was built in Singapore by Messrs Thornycroft Limited. The PAHLAWAN and the PANGLIMA were used for sea training of SSRNVR officers and ratings.



HMS LABURNAM

At the outbreak of World War II in 1939, SSRNVR personnel were called up for full time service. At the same time the British Government decided to strengthen the strategically important base of Singapore by raising the Malay Section of the Royal Navy. Officers were all loaned by the Admiralty while the ratings were recruited mainly into the seaman and communications branches for service in minesweepers and patrol craft.

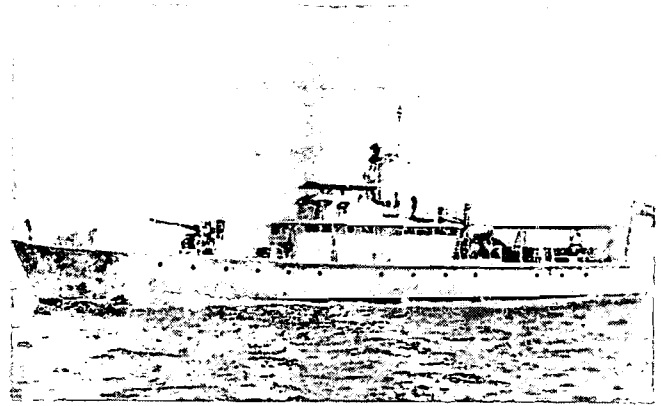
In 1941 the Straits Settlements Royal Naval Volunteer Reserve (SSRNVR) became the Singapore Division of the Malayan Royal Naval Volunteer Reserve (MRNVR).

Japan entered the war in 1941 at a time when Britain was desperately engaged in the West. During the two-month Malayan Campaign, personnel of the MRNVR and the Malay Section were distributed among more than a hundred minesweepers and patrol craft under the operational command of the Captain Auxiliary Vessels, Royal Navy.

After the surrender of Japan, the Malay Section was demobilised and disbanded by the British Labour Government due to post-war financial stringency.

On 5 September 1948, Malayan Reserve Vessel (MRV) PANGLIMA, a 90-foot motor boat built in England in 1944 for the Royal Navy and the second craft to bear the name of PANGLIMA was presented to the Singapore Government as replacement for the first PANGLIMA for practical sea training of the MRNVR officers and ratings (the first PANGLIMA was bombed and sunk just off Singapore on 10 February 1942 whilst evacuating military personnel from Singapore).

In December 1948, the Malayan Naval Force (MNF) was raised by the Singapore Government as the colony's contribution towards the defence of the Malayan Peninsula. The Force was later granted the title of Royal Malayan Navy (RMN) in 1952, in recognition of its services in action during the Malayan Emergency.

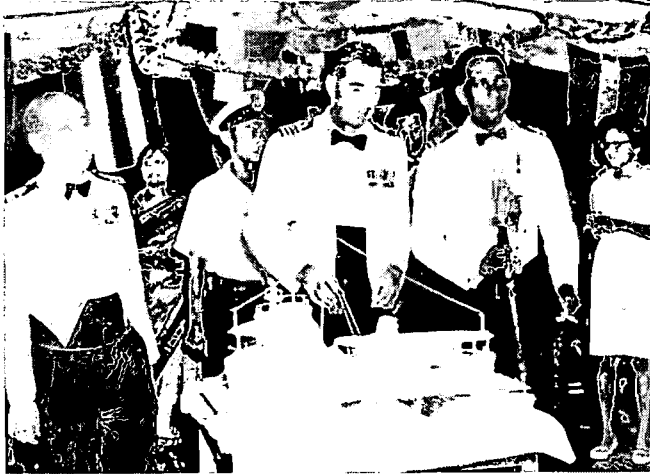


HMS PANGLIMA

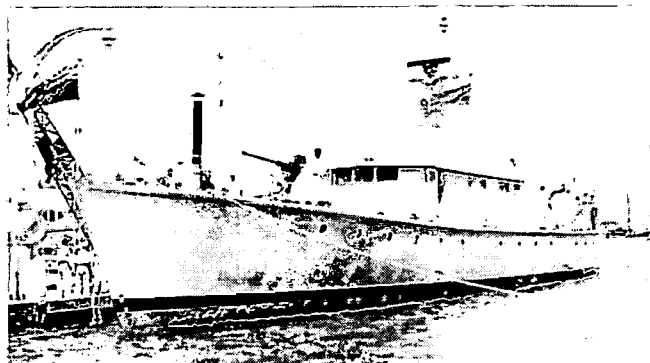
Like the majority of the other wooden craft built in England in 1944, MRV PANGLIMA's hull was not suited to tropical waters and before long she came to the end of her useful life.

In 1954 the keel of the third vessel, a 117-foot Ford-class Large Patrol Craft bearing the illustrious name of PANGLIMA was laid in the shipyard of Messrs United Engineers Limited. She was bought at a cost of S\$1 million and was launched as HMS PANGLIMA on 14 January 1956. This vessel was invaluable for sea training as she had anti-submarine sonar equipment and carried out frequent cruises calling at ports in Malaya, Borneo, Sarawak, Vietnam and Thailand. This is the third vessel named PANGLIMA. She is still in service with the RSN.

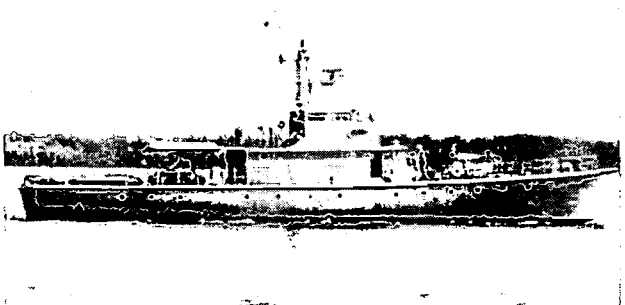
On 1 January 1959, the Royal Malayan Navy (RMN) was administratively and operationally transferred from the British Government in Singapore to the Government of Malaya.



"PANGLIMA" joins the MRNVR



PANGLIMA - at Launch



PANGLIMA - Today



Swans on parade

On 16 February 1963, the Federation of Malaysia came into being and Singapore became a state of Malaysia. On that day the Royal Malayan Navy came to be known as the Royal Malaysian Navy. At an impressive ceremony held on 22 September 1963, the Singapore Division of the MRNVR, including the Singapore Womens Auxiliary Naval Service (SWANS), were formally transferred from the command of the Royal Navy to that of the Royal Malaysian Navy, becoming the Singapore Division of the Royal Malaysian Naval Volunteer Reserve (RMNVR).

From October 1963, the Indonesian "Confrontation" forced the pace of RMN expansion. This expansion was not enough to cope with the threat and reservists from the RMNVR were called up for full time service. In April 1964 PANGGLIMA was put on seaward defence patrolling the Singapore Strait.

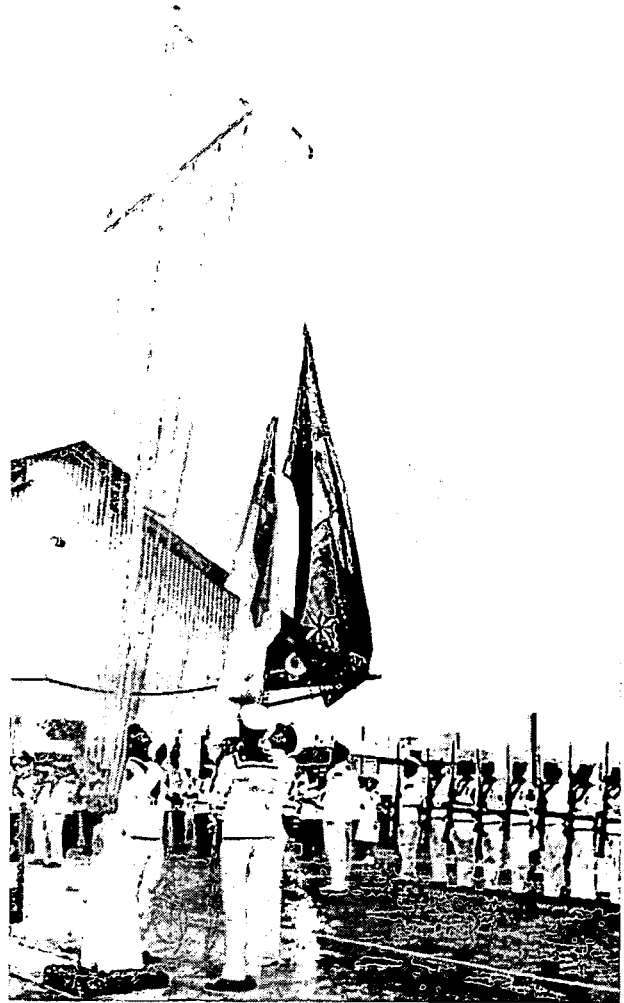


A get together of RMNVR in the 60's

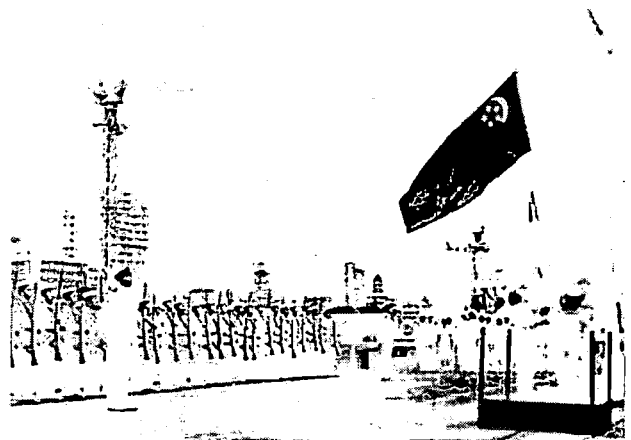
On 9 August 1965, Singapore separated from Malaysia to form an independent and sovereign nation within the Commonwealth.

A transitional period took place for the handing over of the RMNVR to the Singapore government. These arrangements were completed in December 1965. On 1 January 1966 its name was once again changed to the Singapore Naval Volunteer Force (SNVF). The command of the SNVF was taken over by the Ministry of Interior and Defence. In the absence of a regular navy in Singapore, the SNVF was charged with the responsibility of carrying out the duties normally expected of a navy. Its three vessels were recommissioned as the Republic of Singapore Ships (RSS). The vessels were RSS SINGAPURA, RSS BEDOK and RSS PANGLIMA. RSS PANGLIMA and RSS BEDOK, a police patrol craft taken over by the SNVF, undertook patrols in the Singapore Straits on anti-smuggling duties and the protection of fishing vessels and other small craft.

In May 1967, after many months of preparations, the first step towards the formation of the Singapore Navy was taken when, at a historic ceremony held at Telok Ayer Basin on 5 May 1967, the Singapore Naval Volunteer Force ensign was hoisted for the first time. Its headquarters was also shifted to Pulau Blakang Mati (now Sentosa). The first Commander was LTC JASWANT SINGH GILL who took appointed on 1 December 1967.



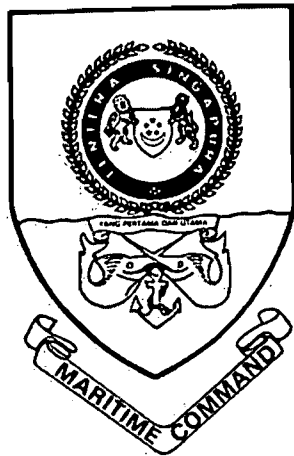
Birth of the Singapore NAVAL FORCE



5 MAY 1967

Part Two

EARLY DEVELOPMENTS

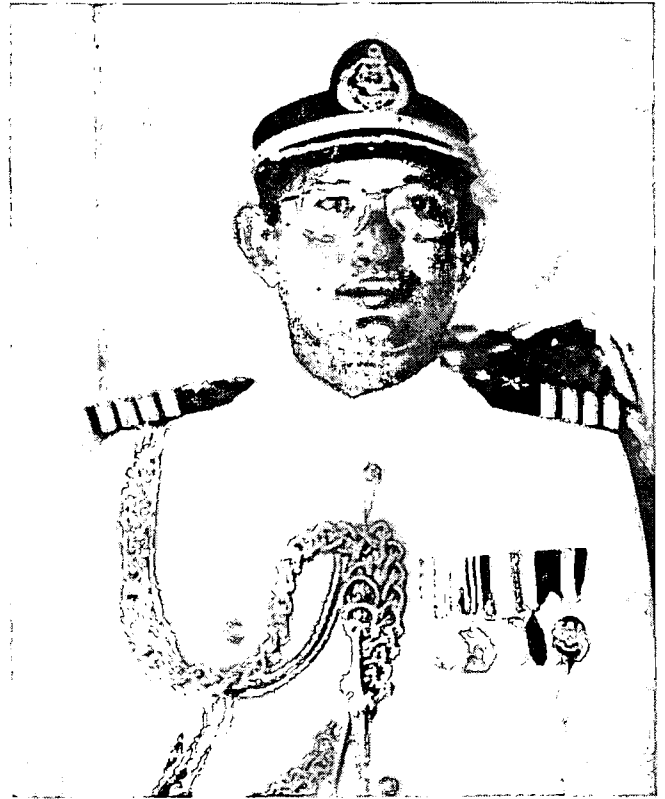


In 1968, the Singapore Naval Volunteer Force (SNVF) was re-designated the People's Defence Force (Sea) under the Sea Defence Command (SDC). At the close of that year, the SDC was re-named the Maritime Command (MC), the fore-runner of the Navy of today.

On 31 December 1968, LTC JASWANT SINGH GILL, relinquished his command to LTC MOHAMMED SALLEH who took office till 31 July 1969. MAJ C.V. DENNIS succeeded LTC SALLEH and commanded the Navy from 1 August 1969 to 31 August 1970.

On 1 September 1970, the leadership of the Navy was passed on to MAJ JAMES AERIA. He was to hold office for the next five years.

In the decade following the establishment of the Maritime Command, the Naval service grew in stature to become a trim but effective fighting force.

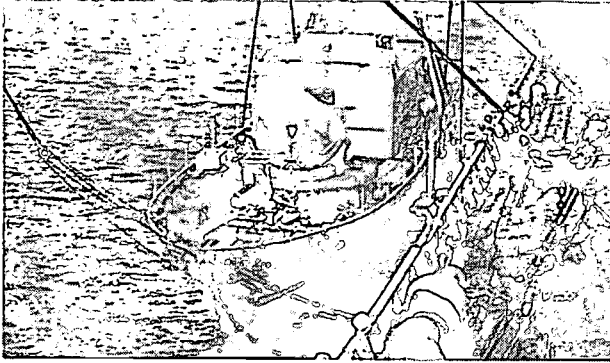


COL JAMES AERIA



COL KHOO ENG AN

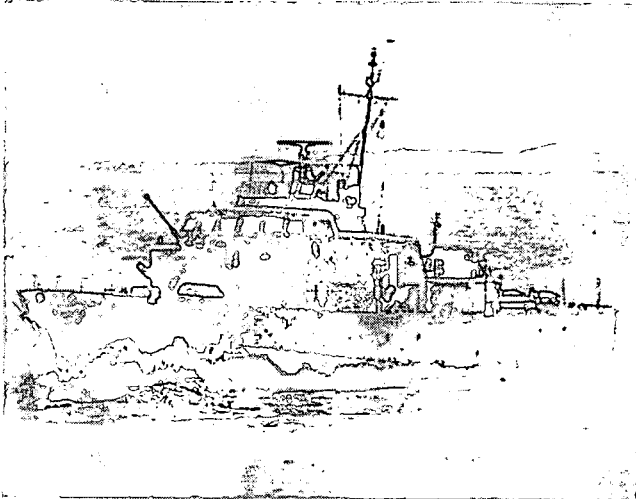
EARLY DEVELOPMENTS



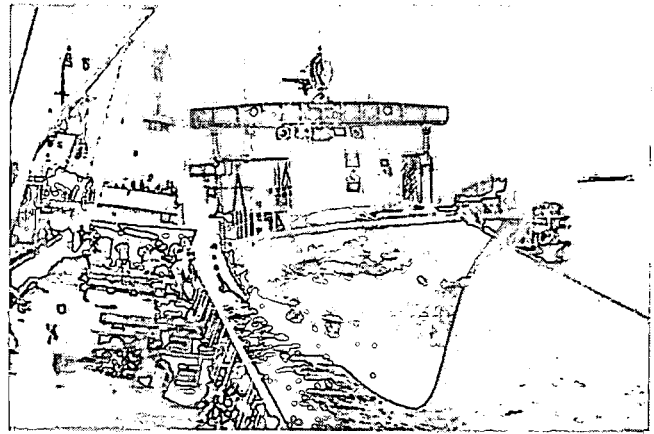
Arrival of RSS INDEPENDENCE in Singapore

In order to carry out its duties of seaward defence effectively, the Maritime Command went on an expansion programme. An order was placed with Vosper Thornycroft (Shipbuilders) U.K. for six patrol craft (PC) at a total cost of S\$30 million. Of these, two (RSS INDEPENDENCE and RSS SOVEREIGNTY) were constructed in UK in 1969. The remaining ships (RSS FREEDOM, RSS JUSTICE, RSS DARING and RSS DAUNTLESS) were constructed locally, the last being delivered in 1971.

To man the expanding fleet the Navy increased recruitment. This included National Servicemen in intakes which started in 1969.



RSS INDEPENDENCE

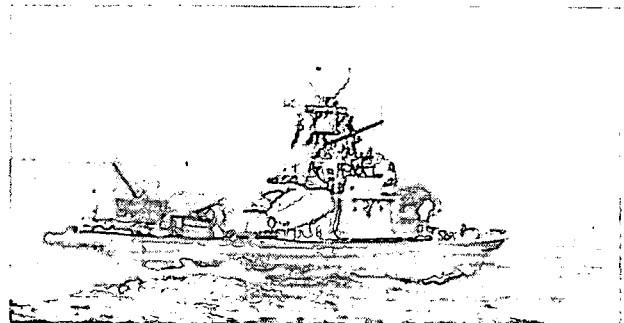


Arrival of RSS SEA WOLF

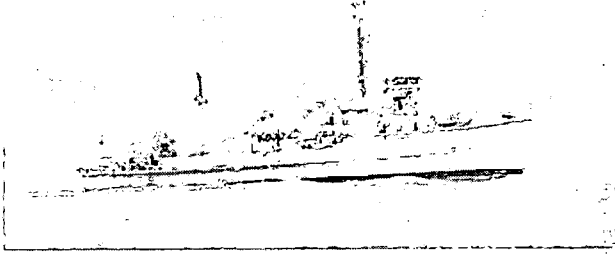
Fleet expansion continued in 1971 when a S\$160 million order was placed with Lurssen Werft of West Germany for six Missile Gunboats (MGB) equipped with Gabriel missiles. The first two of these 45m long ships, RSS SEA WOLF and RSS SEA LION were constructed in Germany and, the rest, RSS SEA DRAGON, RSS SEA TIGER, RSS SEA HAWK and RSS SEA SCORPION, in the Singapore Shipbuilding and Engineering Pte Ltd (SSE). The first missile firing took place in 1974 onboard RSS SEA WOLF.



RSS SEA WOLF

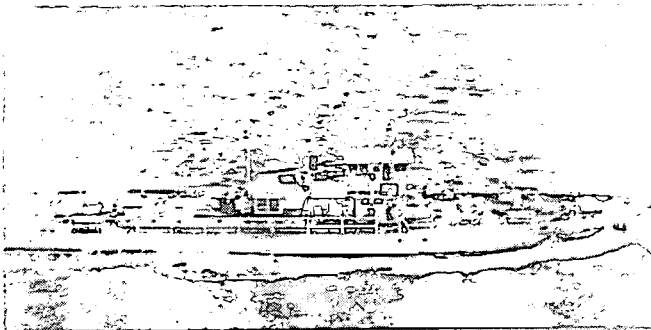


*First Missile firing onboard
RSS SEA WOLF - 1974*

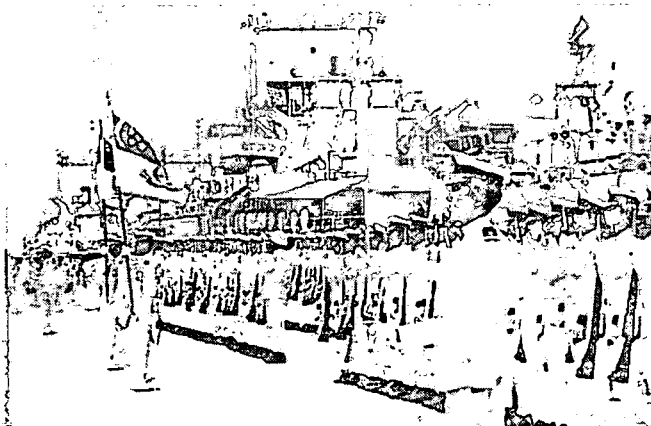


RSS MERCURY

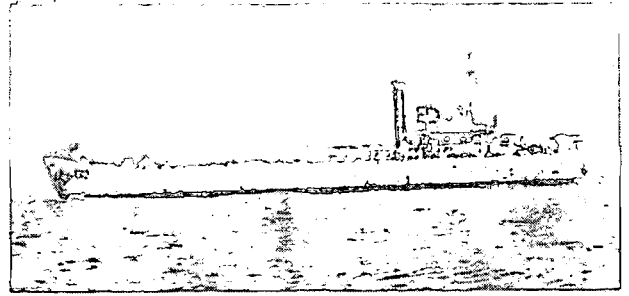
Other naval ships acquired during this decade of expansion in the Navy included the RSS ENDEAVOUR, an ex-Dutch river boat, RSS ENTERPRISE, an ex-cargo ship and two ex-US Minesweepers, RSS MERCURY and RSS JUPITER. Ocean going capability was achieved when five ex-US Landing Ship Tanks (LST) were acquired between 1971 and 1976. They included the RSS ENDURANCE, RSS EXCELLENCE, RSS INTREPID, RSS RESOLUTION and RSS PERSISTENCE. By the end of the decade an order was placed for twelve Coastal Patrol Craft (CPC) to be built locally. The addition of the CPC squadrons was intended to better enable the RSN to fulfil its role of coastal defence.



RSS ENDEAVOUR

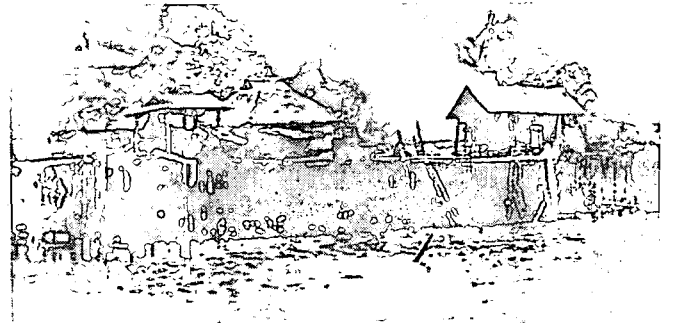


Commissioning the LSTs into service

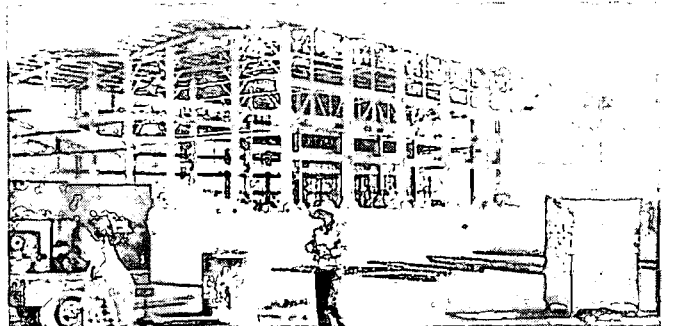


RSS INTREPID

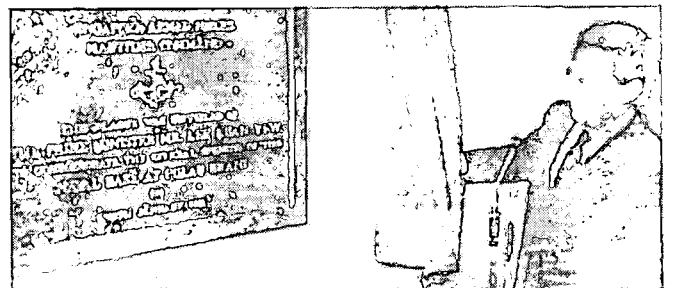
The rapidly expanding Navy required a more modern base with better support and maintenance facilities than that originally provided by Pulau Blakang Mati. A new Naval Base was constructed in Pulau Brani to permit berthing of the Fleet and house Fleet Headquarters, and the Maintenance, Supply and Administration bases. It was officially opened by the Prime Minister MR LEE KUAN YEW on 26 January 1974.



Clearing a vacated settlement in PULAU BRANI



Two buildings being constructed in Feb. 1972

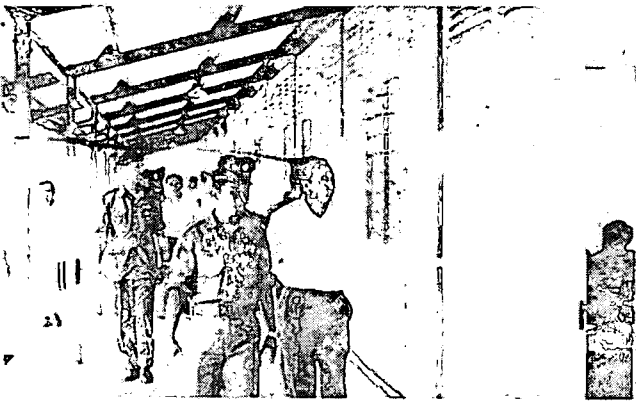


Prime Minister, Mr Lee Kuan Yew unveiling the Plaque on the occasion of the official opening of PULAU BRANI NAVAL BASE.

To provide qualified personnel to man the fleet and support bases, the navy established various training schools. On 1 February 1969, the School of Maritime Training was officially opened in Pulau Blakang Mati by the Permanent Secretary to the then Ministry of Interior and Defence. The school catered for the training of Combat non-commissioned officers (NCOs) in Seamanship, Communications, Gunnery and Radar Plotting. It was re-sited to Jalan Bahar Camp in Jurong for a short spell and again to Sembawang Camp (then Terror Barracks) on 15 December 1971.



The main parade ground at PULAU BLAKANG MATI with volunteers reporting at divisions



Dr Goh Keng Swee, the Minister for Defence visiting SNT in JALAN BAHAR CAMP



The School of Maritime Training in TERROR BARRACKS

In September 1970, the Maritime Command inherited a Diving Centre located at Sembawang Camp. The unit became responsible for the training of divers for the Navy and the training of bomb disposal personnel for the Army.

A Maritime Technical Training School was established on 1 March 1972 to train technical personnel to maintain equipment and ships. It was originally located at Seletar West Camp but later moved to the new naval base at Pulau Brani on 12 August 1974.

From 1968, the Navy sent personnel to overseas training institutions to meet its requirements for qualified naval officers. On 1 April 1974, the Midshipman School was established. The School currently undertakes both Midshipman and advanced officer training.

On 1 April 1975, the Singapore Armed Forces (SAF) established its 3 component forces into distinct services and the Republic of Singapore Navy came into being. By that time, the Navy had developed into an effective fighting force to fulfil its role of the seaward defence of Singapore.

On 1 November 1975, LTC JAMES AERIA handed over the appointment of Commander RSN to the then LTC KHOO ENG AN. COL KHOO retired as Commander on 1 March 1985. He was succeeded by COL JAMES LEO CHIN LIAN, the present Commander.



Naval Diving Centre in SEMBAWANG CAMP



Maritime Technical Training School in PULAU BRANI



Midshipman School in its present premises in SEMBAWANG CAMP

Annex 57

Malaysia's Note EC 8/2003 dated 14 Jan 2003



15-JAN-2003 09:15 FROM MFAOPSCENTRE

TO

AG CHAMBERS P.03/13



EC 8/2003

The Ministry of Foreign Affairs of Malaysia presents its compliments to the High Commission of the Republic of Singapore and has the honour to refer to the collision between the Dutch registered container vessel, ANL Indonesia and the Singapore Naval vessel RSS Courageous at approximately 2330m hrs on 3 January 2003 at 01 21.3'N 104 24.6'E.

The Ministry of Foreign Affairs wishes to convey its sympathies on the loss of life resulting from the collision. However, the Government of Malaysia protests the violation of Malaysia's territorial waters around the Malaysian island of Pulau Batu Puteh by the Singapore Naval Vessel RSS Courageous at the time of the collision. The Government of Malaysia reminds the Government of the Republic of Singapore that the lighthouse was constructed on Pulau Batu Puteh for the purposes of navigational safety. The constant presence of Singapore enforcement vessels in the vicinity of Pulau Batu Puteh is a navigational hazard and is contrary to the purpose of establishing and maintaining a lighthouse on Pulau Batu Puteh.

In view of the fact that the collision has taken place in Malaysian territorial waters, the Malaysian Marine Department had immediately after the incident, commenced investigation into the circumstances of the incident. In this regard the Government of Malaysia calls upon the Government of the Republic of Singapore to declare the circumstances leading to said collision and to further declare whether there is any hazardous material that may have been leaked as a result of this collision. The form entitled 'Report of a Shipping Casualty' from the Malaysian Marine Department is enclosed herewith. Said form is to be filled by the Officer Commanding the RSS Courageous at the time of the incident and is to be returned forthwith to the Malaysian Marine Department through the Ministry of Foreign Affairs of Malaysia. The Government of Malaysia reaffirms that Pulau Batu Puteh is Malaysian territory, the airspace over

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Pulau Batu Puteh and the surrounding waters are part of Malaysia's airspace and the waters around it are part of Malaysia's territorial and maritime waters as depicted in the Territorial Waters and Continental Shelf Boundaries of Malaysia Map of 1979.

The Government of Malaysia reiterates that the presence of Singapore enforcement vessels in the vicinity of Pulau Batu Puteh is a constant danger to navigational safety and does nothing to further Singapore's claims before the International Court of Justice. The Government of Malaysia calls upon the Government of the Republic of Singapore to immediately withdraw all Singapore vessels from the vicinity of Pulau Batu Puteh.

The Ministry of Foreign Affairs, Malaysia avails itself of this opportunity to renew to the High Commission of the Republic of Singapore the assurances of its highest consideration.

Putrajaya, 14 January 2003

Singapore High Commission
KUALA LUMPUR



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15-JAN-2003 09:16 FROM MFAOPSCENTRE

TO

AG CHAMBERS P.05/13

Investigation into the Collision between Naval Ship RSS Courageous and Container Ship ANL Indonesia off the South Coast of Malaysia

Account given by the Officer in Command and the Officer Charge of the navigational watch should cover the following information.

1. Function and experience on board.
2. State and condition of the sea and weather and the state of visibility at the time of incident.
3. His whereabouts at the time of the accident.
4. Action and reaction during the accident.
5. Condition of the ship including the navigational equipment.
6. Damages and losses suffered.
7. Personnel were placed on navigational watch at the time of the accident.
8. Standing orders on navigational duties.

4/13

Investigation into the Collision between Naval Ship RSS Courageous and Container Ship ANL Indonesia off the South Coast of Malaysia

Account given by the Officer in Command and the Officer Charge of the navigational watch should cover the following information.

1. Function and experience on board.
2. State and condition of the sea and weather and the state of visibility at the time of incident.
3. His whereabouts at the time of the accident.
4. Action and reaction during the accident.
5. Condition of the ship including the navigational equipment.
6. Damages and losses suffered.
7. Personnel were placed on navigational watch at the time of the accident.
8. Standing orders on navigational duties.

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15-JAN-2003 09:16 FROM MFAOPSCENTRE

TO

AG CHAMBERS P.07/13

24. Jika didalam Pelabuhan Nyatakan Samada Sedang Memuat, Memunggah, Dipcrbaiki atau Sebagainya.
If in port state whether loading, unloading, under repair or others

25. Tarikh dan Waktu <i>Date and time</i>		26. Keadaan Pasang Surut Air <i>State of tide</i>		27. Keadaan Cuaca dan Atmosfer <i>State of weather and atmosphere</i>	
28. Arah dan Kekuatan Angin <i>Direction and force of wind</i>				29. Keadaan Laut dan Ombak <i>State of sea and swell</i>	
30. Bilangan Mangsa <i>Number of victims</i>					
a. Korban <i>Dead</i>		b. Cedera <i>Injured</i>		c. Hilang <i>Missing</i>	
Bilangan Nyawa yang diselamatkan dan Dengan Cara Apa <i>Number of lives saved and by what means</i>					
32. Bilangan Nyawa Terkorban <i>Number of lives lost</i>					
a. Ansk kapal <i>Crew</i>				b. Penumpang <i>Passengers</i>	
33. Jika Salvaj Diberi, Nyatakan Oleh Siapa dan Samada Dibayar Atas Salvaj atau Kadar Biasa <i>If salvage rendered, state by whom and whether paid for as salvage or ordinary rates</i>					

34. Catatan Kemalangan (sertakan ulasan keatas sebab dan samada ianya boleh dielakkan)
Account of casualty (with remarks as to cause and whether it could have been avoided)

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15-JAN-2003 09:16 FROM MFAOPSCENTRE

TO

AG CHAMBERS P.08/13

BUTIR - BUTIR VESEL DAN KARGO (Isikan untuk semua kes)
Particulars of vessel and cargo (to be filled for all cases)

36. Draf (meter) <i>Draught (meter)</i>		Draf Hadapan <i>Forward Draught</i>		Belakang <i>Aft</i>	
37. Nama, nombor, tarikh dan penerbit carta yang digunakan semasa kemalangan dan bilangan pembetulan besar dan kecil terakhir <i>Title, number, date and publisher of the chart in use at the time of the casualty and number of the last large and small correction</i>					
38. Bilangan kompas. Adakah didalam keadaan yang memuaskan? <i>Number of compasses. Were they in good order?</i>		(a) Kompas Gyro <i>Gyro compass</i>			
		(b) Kompas Magnet <i>Magnetic compass</i>			
39. Adakah bahagian-bahagian kargo yang boleh mengganggu kompas? <i>Could any part of cargo affect any compass?</i>					

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15-JAN-2003 09:16 FROM MFAOPSCENTRE

TO

AG CHAMBERS P.09/13

40. Adakah kelengkapan penyelamat nyawa diatas kapal menurut keperluan status? <i>Were the life saving appliances in accordance with the statutory requirements?</i>			
41. Bilangan ruangan kedap air <i>Number of watertight compartment</i>			
42. Adakah ruangan tersebut berguna didalam kes ini? <i>Did they prove of use in this case?</i>			
43. Adakah kelengkapan pemadam api diatas kapal menurut keperluan status? <i>Were the fire appliances on board in accordance with the statutory requirements?</i>			
44. Kargo dan/atau balast: <i>Cargo and/or ballast</i>			
a) Jenis dan jumlah kargo dan/atau balast dibawa <i>type and quantity of cargo and/or ballast carried</i>			
b) Tempat dibawa <i>Where it was carried</i>			
45. Jika arangbatu dibawa sebagai pembakar damdang, Bagaimanakah bunker diperanginkan? <i>If coal was carried as boiler fuel, how were the bunkers ventilated?</i>			
46. Adakah keadaan keseluruhan vesel memuaskan? <i>Was the vessel well found in all respect?</i>			
47. Adakah muatan diatas geladak vesel? <i>Had vessel a deck load?</i>			
48. Jika balak, adakah menurut keperluan status? <i>If of timber, was it in accordance with the statutory requirements?</i>			
49. Adakah vesel melebihi muatan? <i>Was the vessel overloaded?</i>			
50. Adakah kargo disimpan dengan betul? <i>Was the cargo properly stowed?</i>			
51. Jika membawa kargo bijian, adakah disimpan menurut peraturan? <i>If vessel had a grain cargo, was it stowed in accordance with the statutory requirements?</i>			
52. Jika vesel membawa kargo arangbatu, adakah semua palka penuh diisi. Jika tidak nyatakan ruangan yang kosong bagi tiap-tiap palka. Bagaimanakah palka diperanginkan? <i>If coal cargo, were all holds completely full, if not state capacity of space left in each holds. How were holds ventilated?</i>			
53. Keadaan cuaca semasa kiriman <i>State of weather at time of shipment?</i>			
54. Apakah jenis bantuan pelayaran dan perhubungan yang dibawa dan yang digunakan sebelum kemalangan berlaku? (Tandakan didalam petak A kalau dibawa dan dalam petak B kalau digunakan) <i>What navigational and communication aids were carried and which were in use prior to the casualty?</i> <i>(Insert in box A if carried and in box B if in use)</i>	Radar Decca Navigator Radio Direction Finder Echo Sounder Automatic Steering MF Radiotelegraph MF Radiotelephone VHF Radiotelephone Lain-lain (namakan)/Others (name them)	A	B

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15-JAN-2003 09:17 FROM MFAOPSCENTRE

TO

AG CHAMBERS P.10/13

55. Nyatakan skel jarak radar yang digunakan sebelum kemalangan.
State radar range scale in use prior to the casualty.

BUTIR - BUTIR YANG DIPERLUKAN UNTUK KES VESEL TERKANDAS

Particulars required for stranding

56. Jika fiks Decca Navigator diperolehi, nyatakan bacaan Decometer. <i>If Decca Navigator fix obtained, state decometer reading.</i>	
57. Apakah dan pada waktu berapa tanda daratan, matarrah atau boya terakhir kelihatan? Nyatakan samada GMT atau waktu tempatan. <i>What and at what time were the last landmark beacon or buoy visible? State whether GMT or local time.</i>	
58. Adakah tanda-tanda ini kelihatan dengan sebenar atau melalui radar? Berikan galas kelihatan atau jarak dan galas radar. <i>Were these marks seen directly or by radar? Give visual bearing or radar ranges and bearings.</i>	
59. Adakah galas diperolehi daripada matarah atau stesyen pencari arah? Jika ya, nyatakan galas yang diperolehi. (Nyatakan samada galas adalah sebenar, kompas atau berhubungan) <i>Were bearings obtained from any beacon or direction finder station? If so, state bearing obtained. (State whether bearings are true, compass or relative.)</i>	
60. Berapa lama sebelum terkandas apabila galas diperolehi? <i>How long before stranding were bearing obtained?</i>	
61. Had dalam pada kali pertama dan terakhir "sounding". <i>Depth at first and last sounding.</i>	
62. Haluan kemudi apabila kemalangan berlaku. <i>Course steering when casualty happened.</i>	
63. Kelajuan semasa vesel terkandas. <i>Speed at time of stranding.</i>	
64. Arah kepala vesel selepas terkandas. <i>Direction of vessel's head after stranding.</i>	
65. Adakah kemalangan disebabkan oleh halangan yang tidak dicartakan? <i>Was the casualty due to an uncharted obstruction?</i>	

BUTIR - BUTIR YANG DIPERLUKAN UNTUK KES PELANGGARAN

Particulars required for collisions

66. Haluan vesel semasa vesel yang kedua kelihatan <i>Course of own vessel when other vessel was first observed.</i>	
67. Kelajuan vesel semasa vesel kedua kelihatan. <i>Speed of vessel when other vessel was first observed.</i>	
68. Apakah <i>What was</i>	
(a) galas vesel yang kedua semasa kelihatan? <i>bearing of other vessel when first observed?</i>	
(b) galas dan jarak vesel yang kedua semasa mula kelihatan didalam radar? <i>bearing and range of other vessel when first observed by radar?</i>	
69. Warna lampu atau lampu-lampu vesel yang kedua	

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5-JAN-2003 09:17 FROM MFAOPSCENTRE

TO

AG CHAMBERS P.11/13

<p>semasa mula kelihatan dan berapa lama sebelum pelanggaran? <i>Colour of light or lights of other vessel first seen and how long before the collision?</i></p>	
<p>Haluan vesel yang kedua semasa mula kelihatan? Nyatakan bagaimana diperolehi; dari pandangan mata atau dari binaan radar? <i>Course of other vessel when first observed? State how obtained; visually or by radar?</i></p>	
<p>Haluan kepala vesel sendiri semasa pelanggaran. <i>Direction of own vessel's head at time of collision</i></p>	
<p>Adakah enjin vesel sendiri diperlahankan atau diberhentikan? Berikan butir-butir. <i>Were engines of own vessel slowed or stopped? Give particulars.</i></p>	
<p>Kelajuan vesel sendiri apabila pelanggaran berlaku. <i>Own speed when collision took place</i></p>	
<p>Adakah lampu-lampu dipasang dengan betul dan diunjuk dan semboyan kabus disediakan menurut peraturan? <i>Were lights properly fitted and shown and fog signals made in accordance with regulations?</i></p>	
<p>Adakah vesel yang kedua memberikan namanya dan bersiap-sedia selepas pelanggaran, menurut keperluan status? <i>Did the other vessel give her name and standby after the collision in accordance with the statutory requirements?</i></p>	
<p>Nama, kerakyatan, pelabuhan dan nombor rasmi vesel kedua yang terlibat? <i>Name, nationality, port and official number of other vessel?</i></p>	

BUTIR - BUTIR YANG DIPERLUKAN UNTUK KES KARAM
Particulars required for foundering

<p>Adakah enjin utama rosak sebelum karam? <i>Did the main engine break down/become inoperative before foundering?</i></p>	
<p>Adakah gear kemudi rosak sebelum vesel karam? <i>Did the steering gear break down/become inoperative before foundering?</i></p>	
<p>Adakah pam-pam kapal rosak sebelum kapal karam? <i>Had any of the ship's pumps break down/become inoperative before foundering?</i></p>	
<p>Tarikh dan waktu kebocoran berlaku atau vesel menghadapi laut yang bergelora. <i>Date and hour of springing leak or of vessel shipping heavy seas.</i></p>	
<p>Haluan pelayaran sebelum kapal karam? <i>Course steered prior to vessel foundering?</i></p>	
<p>Kedudukan pelayaran sejurus sebelum kapal karam. <i>Circumstances of the voyage immediately preceding the foundering.</i></p>	
<p>Maklumat mengenai langkah-langkah yang diambil untuk mengelakkan kapal karam. <i>Details of measures taken to prevent the foundering.</i></p>	

L - 10

10/13

BUTIR - BUTIR YANG DIPERLUKAN UNTUK KES - KES KEBAKARAN
Particulars required for fire

84. Bahagian diatas kapal dimana kebakaran berlaku. <i>Part of ship where fire broke out.</i>	
85. Perkara yang mungkin telah mengakibatkan kebakaran. <i>Probable cause of fire.</i>	
86. Sumber cecair yang mudah terbakar jika berkenaan. <i>Probable origin of flammable liquids, if applicable.</i>	
87. Keterangan mengenai kerosakan. <i>Description of damage.</i>	
88. Struktur perlindungan kebakaran (Ceritakan berkenaan sekatan pintu, geladak dll. Yang tahan api diseluruh kawasan yang mengalami kebakaran) <i>Structural fire protection (briefly describe fire retarding and resisting bulkheads, doors, decks etc. through the whole area effected by fire)</i>	
89. Cara pengesanan api ditempat kebakaran. <i>Fire detection method at site of fire</i>	
Otomatik <i>Automatic</i>	
Lain-lain cara <i>Others</i>	
90. Alat pemadam api tetap: <i>Fixed fire extinguishing installations:</i>	
- ditempat kebakaran <i>- at site of fire</i>	
kawasan sekeliling <i>- adjacent area</i>	
1. Alat pemadam api yang digunakan diatas kapal (foam, kimia kering, CO ₂ , air, wap dll.) <i>Ship's fire extinguishing equipment use (foam, dry chemical, CO₂, water, steam etc.)</i>	
Tetap (fa)	
Mudah (portable)	
2. Kesan tindakan yang diambil oleh anak kapal untuk memadam api. <i>Efficacy of action taken by crew to extinguish fire.</i>	
3. Pertolongan yang diterima dari luar dan jenis yang digunakan (Jabatan Bomba & Penyelamat, Kapal lain dan lain-lain) <i>Outside assistance given and the equipment used (Fire & Rescue Department, Other vessel etc)</i>	
4. Masa diambil untuk memadam api <i>Time taken to fight fire:</i>	
Mengawal (to control)	
Memadam (to extinguish)	
i. Sinopsis <i>Synopsis</i>	
ii. Pemerhatian <i>Observations</i>	
7. Klasifikasi <i>Classification</i>	

L-11

11/12

15-JAN-2003 09:18 FROM MFAOPSCENTRE

TO

AG CHAMBERS P.13/13

<p>Tandatangan dan nama pemberi maklumat di atas. Signature and name of person providing the above information.</p>	<p>..... Tarikh : Date</p>
---	--

Tandatangan dan nama Penerima Wrek, Pegawai Konsul, Pegawai Laut atau Pemeriksa Kapal Jabatan Laut
Signature and name of Receiver of Wreck, Consul Officer, Marine Officer or Surveyor of Ships of Marine Department.

.....
.....
Tarikh:
Date

L-12

12/12

TOTAL P.13
P.13
TOTAL P.13

Annex 58

Maritime and Port Authority of Singapore Press Release on
Collision between *M.V. Everise Glory* and *M.V. Uni Concord*
dated 4 June 2005



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At about 1150 hrs on 4 Jun 05, the Maritime and Port Authority of Singapore (MPA) received a report from the Taiwan-registered container ship, *Uni Concord*, (12,405 GT) that she had collided with the Malaysia-registered bulk carrier, *Everise Glory* (13,519 GT). The bulk carrier sank after the collision. The incident occurred outside the Singapore Strait, about 14 km northeast of Horsburgh Lighthouse.

MPA is co-ordinating the search and rescue operation. There were 24 crew members on the *Everise Glory*. 23 were rescued by vessels belonging to the Republic of Singapore Navy, the Police Coast Guard and a passing fishing trawler that was in the vicinity. Two crew members were reported injured. The search is continuing for one crew member still missing.

The *Uni Concord* sustained damage to her bow and is in stable condition. There was no injury reported to the crew members of the *Uni Concord*.

The *Uni Concord* had departed the Port of Tanjong Pelepas and was bound for Bintulu, Sarawak. The *Everise Glory* was heading for Singapore from Western Australia.

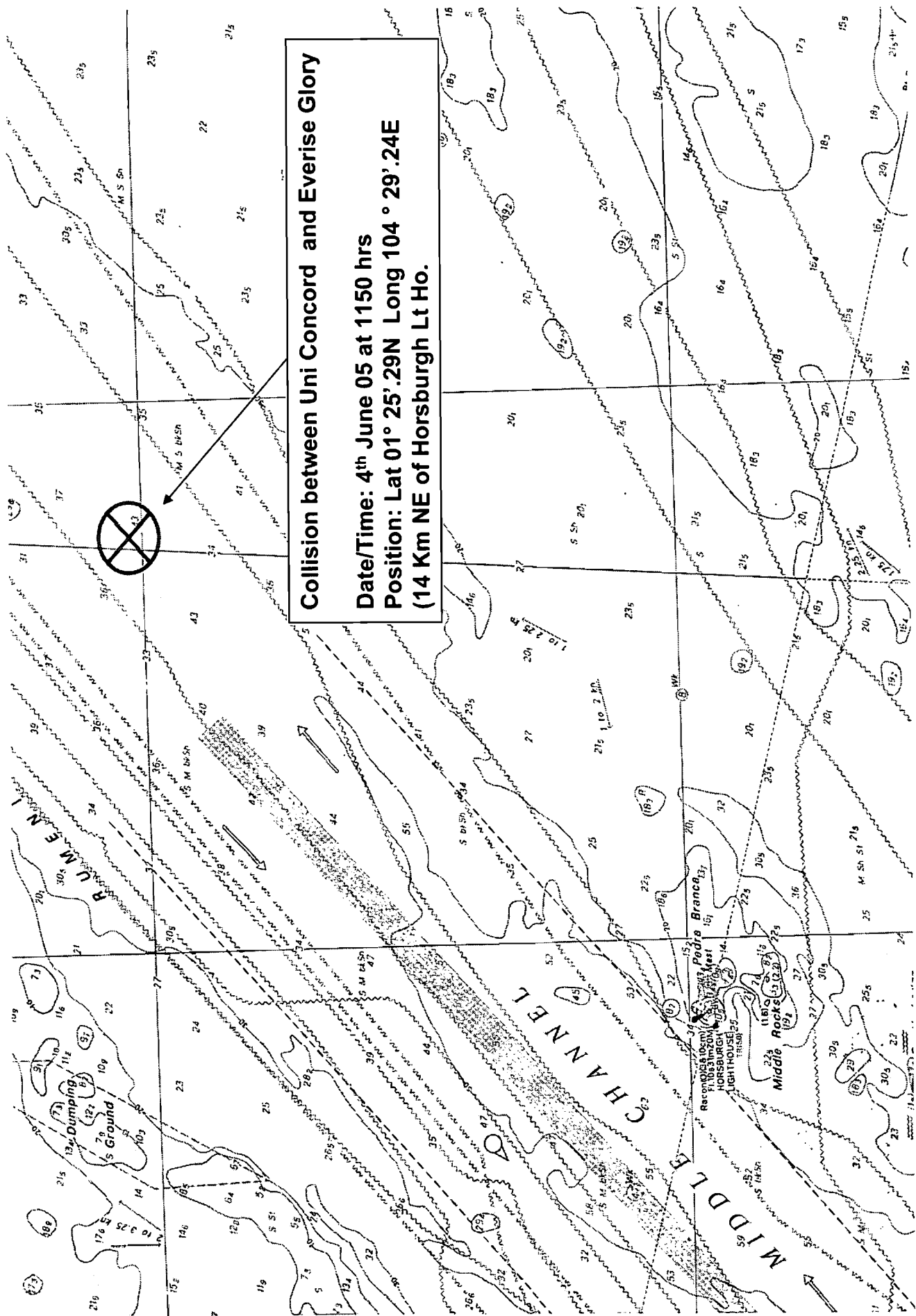
There was no report of any oil pollution from the two ships.

MPA has issued navigational warnings on the position of the sunken ship and advised passing ships to keep clear and to navigate with caution. Vessel traffic along the Singapore Strait remains unaffected.

MPA will be investigating the incident.

End of Release.

Attached:
Chartlet of incident location



Annex 59

Letter from Segar M (Port Master, Singapore) to Raja Datuk Malik
(Director General, Malaysia Marine Department)
dated 9 June 2005





MPA
SINGAPORE

PT/PM/8.029

Maritime and Port Authority of Singapore
460 Alexandra Road PSA Building #18-00 Singapore 119963
PSA Building Post Office P O Box 313 Singapore 911141
Tel: (65) 6375 1600 Fax: (65) 6275 9247
<http://www.mpa.gov.sg>

DID: 65-63252468
FAX: 65-63252454

9 June 2005

Director General
Malaysia Marine Department
Ibu Pejabat Laut
Jabatan Laut Semenanjung Malaysia
42007 Pelabuhan Klang
Fax: 03-31685289

Dear Capt Raja Datuk Malik

SUNKEN VESSEL "EVERISE GLORY"

1 I refer to my conversation on 5 Jun 2005 (Sunday) with Deputy Director-General of Marine, Capt Ahmad, regarding the collision between *Everise Glory* and *Uni Concord* on 4 Jun 2005 at about 1150 hrs in Singapore waters.

2 I should keep you informed that immediately after the collision on 4 Jun 2005, the Maritime and Port Authority of Singapore (MPA) undertook investigations into the incident, and coordinated search-and-rescue efforts with the assistance of the Republic of Singapore Navy (RSN) and the Singapore Police Coast Guard (PCG). MPA also held meetings with the owners of both vessels and approved their proposals for salvage operations (carried out by Smit International) which began on 5 Jun 2005.

3 On 5 Jun 2005 (Sunday), Smit International reported to MPA that their operations were disrupted because of the presence of Malaysian Marine Department craft. I made the call to Capt Ahmad to inform him of the measures that had already been taken for the search-and-rescue and salvage operations. I also sought his cooperation to advise the Marine Dept craft not to hamper with the operations, and he agreed to instruct the Director, Marine (Southern Region) accordingly.

4 However, I regret to inform you that in spite of this, at about 1650 hrs on 5 Jun 2005, the Malaysian Marine Dept craft proceeded to deploy an "Isolated Danger Buoy" barely 1 km away from the "Isolated Danger Buoy" which MPA had already deployed at 1400 hrs the same day. The placement of a second Isolated Danger Buoy by the Malaysian Marine Department in close proximity to the Isolated Danger Buoy already deployed by MPA is wholly unnecessary.

5 Further, on 7 and 8 Jun 2005, it was reported to MPA that Malaysian Marine Department craft tried to deploy another buoy, this time directly over the wreck. Given that two Isolated Danger Buoys have already been deployed in the vicinity of the sunken vessel, the deployment of a further buoy on the vessel itself can serve no useful purpose in terms of navigational safety. On the other hand, such action on the part of the Malaysian Marine Department will hamper the on-going salvage and recovery operations. The longer the salvage and recovery operations remain impeded, the longer the sunken vessel will continue to remain an obstruction to navigation in the busy sea lanes there and a risk to navigational safety generally.

6 We note that the Malaysian Marine Department craft at the scene are operating in Singapore's waters without our prior approval, and that the type of action which these craft are engaging in is wholly unprecedented and has never been undertaken before by the Malaysian Marine Department in relation to any shipping accidents in the vicinity.


7 While we remain open to cooperation with the Malaysian Marine Department in the interest of maritime safety and recovery efforts, we stress that this should be done in consultation with, and with the approval of, MPA. I would like to repeat my earlier request for the Malaysian Marine Department not to interfere with the salvage and recovery operations, and to remove the buoys, which are unnecessary.

8 We have also just been informed by the salvage operator that they have received oral instructions from an official of your Department to stop all work and leave the area. Quite apart from that fact that your Department is in no position to issue instructions concerning a sunken vessel in Singapore waters, any attempt to put a complete stop to the ongoing salvage and recovery operations will only add to the further obstruction of navigation and endangerment of maritime safety and the marine environment.

9 We hope that both our departments can continue to cooperate amicably as we have always done in the past, for the benefit of the safety of the maritime community.

Thank you.

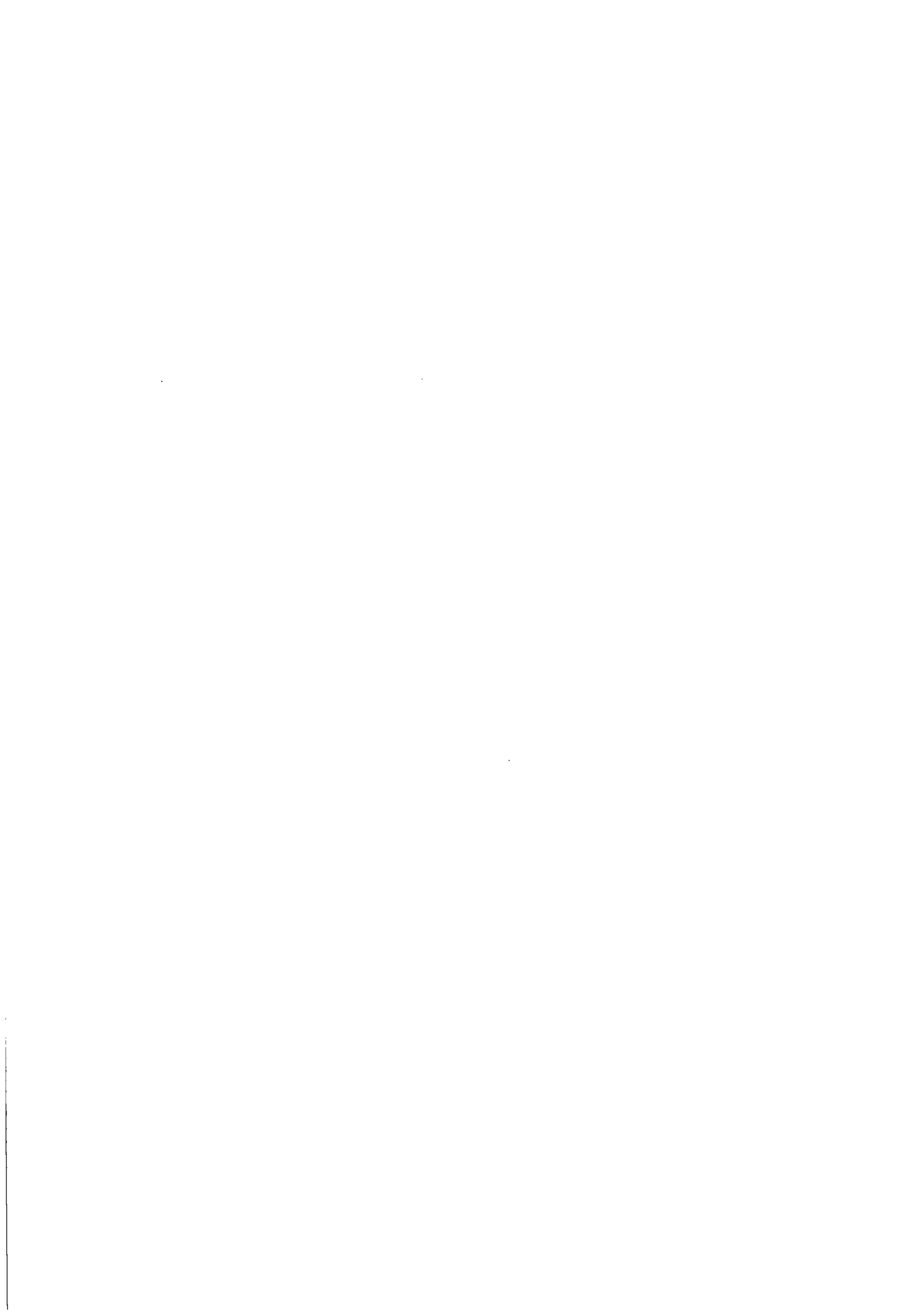
Yours sincerely



M SEGAR
PORT MASTER
MARITIME AND PORT AUTHORITY OF SINGAPORE

Annex 60

Singapore's Note MFA/SEA/00017/2005 dated 13 June 2005





MFA/SEA/00017/2005

The Ministry of Foreign Affairs of the Republic of Singapore presents its compliments to the High Commission of Malaysia and has the honour to refer to the collision between the *Everise Glory* and the *Uni Concord* on 4 June 2005, at approximately 1150 hours, 7 nautical miles Northeast of Horsburgh Lighthouse, within Singapore Territorial Waters, and the subsequent sinking of the *Everise Glory* at the said location.

The Singapore Government emphasises that the above maritime accident occurred in Singapore Territorial Waters off Pedra Branca. Search and rescue operations for the 24 crew of the *Everise Glory* were conducted by the Republic of Singapore Navy and the Singapore Police Coast Guard in coordination with the Maritime and Port Authority of Singapore, which also undertook immediate investigations into the incident. The Maritime and Port Authority of Singapore also held meetings with owners of both vessels on Saturday 4 June 2005, and approved their proposals for salvage operations. The Singapore Government therefore strongly protests the following acts by the Marine Department Peninsular Malaysia (MDPM):

i) Deployment of Buoys

The repeated intrusions of MDPM vessels into Singapore Territorial Waters beginning on Sunday 5 June 2005, and the laying of two buoys by MDPM personnel at the site on Sunday 5 June 2005 (1650 hours)

and on Wednesday 8 June 2005 (1740 hours). Moreover, as pointed out in the Maritime and Port Authority of Singapore's letter, PT/PM/8.029 dated 9 June 2005 to the Director-General, Marine Department Peninsular Malaysia, the laying of these buoys was unnecessary, since the Maritime and Port Authority of Singapore had already laid an "Isolated Danger Buoy" at the site on Sunday 5 June 2005 at 1400 hours, and had broadcast navigation warnings to alert shipping in the vicinity.

It is to be noted that the second MDPM buoy (deployed on 8 June 2005) hampered salvage and recovery operations. In fact, on Thursday 9 June 2005 at approximately 1105 hours, this buoy broke from its moorings and drifted into the Traffic Separation Scheme (TSS), posing a hazard to the safety of navigation. This resulted in the Maritime and Port Authority of Singapore issuing a navigation warning to alert shipping of this danger, and maintaining a close watch on passing ships through its Vessel Traffic Information Service (VTIS) until such time the buoy was retrieved by the MDPM.

On Friday 10 June 2005 at 2020 hours, MDPM personnel re-deployed its second buoy at the site of the sunken vessel. This was despite the objections of the Maritime and Port Authority of Singapore in its 9 June 2005 letter to the MDPM. The Singapore Government reiterates that the longer the salvage and recovery operations remain impeded by the MDPM, the longer the sunken vessel will continue to remain an obstruction to navigation in the busy sea lanes, thereby posing a risk to navigational safety.

ii) Issuance of Notices

The issuance of two Notices (44)JLWS/KP/01/4/1 dated 8 June 2005 by the "Receiver of Wreck for the State of Johor", and (53)dim./PL.1861J/d.23 dated 8 June 2005 by Director of Marine. Given that the location of the *Everise Glory* is in Singapore Territorial Waters, the MDPM has no authority to issue such directives to the owners of the sunken vessel.

The Singapore Government notes that the former notice was issued for a purpose that was wholly unnecessary. It purports to take possession of the *Everise Glory* and to invite interested persons to lay claim to the sunken vessel by making an application to the said Receiver of Wreck in circumstances where ownership of the vessel was not in doubt and salvage operations were going on. The second notice purports to direct the owner of the vessel to take measures to prevent oil pollution when such action has been ongoing for several days prior to the issuance of the said notice. Both notices were clearly issued for no other purpose than to shore up Malaysia's maritime claim in the area.

The Singapore Government strongly protests the above acts by the MDPM, which have caused hindrance and delay to the urgent salvage operations. In the strong interest of navigational safety, the Government of Singapore requests the Malaysian Government to ensure that the MDPM desists from interfering with salvage operations being carried out by agents of the owner of the sunken vessel.

The Singapore Government once again reminds the Malaysian Government that Pedra Branca is an integral part of the territory of Singapore. The Singapore Government has, since the 1840s, by virtue of both its acts and those of its predecessor governments, occupied and exercised sovereignty over Pedra Branca and the waters around it. It follows that Pedra Branca, its surrounding waters and airspace above are an integral part of the territory of Singapore. The basis of Singapore's sovereignty over Pedra Branca has been previously communicated to Malaysia through various documents and meetings.

The Singapore Government categorically rejects any and all attempts to implicitly or explicitly claim that the waters around Pedra Branca are Malaysian territorial waters.

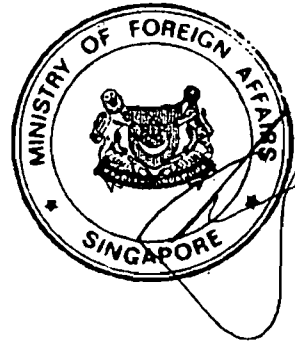
The foregoing actions on the part of the MDPM are not consistent with the agreement between our respective Governments to refer the issue of Pedra Branca to the International Court of Justice for peaceful settlement. The Singapore Government seeks the co-operation of the Malaysian Government to ensure the immediate cessation of incidents of this nature. The Singapore Government wishes to point out that no number of actions on the part of Malaysian Government vessels will affect the ICJ's determination of this dispute.

The Ministry of Foreign Affairs of the Republic of Singapore avails itself of this opportunity to renew to the High Commission of Malaysia the assurances of its highest consideration.

SINGAPORE

13 June 2005

High Commission of Malaysia
Singapore





Annex 61

Philippines Department of Foreign Affairs Press Releases
SFA-AGR-389-05 dated 17 June 2005, SFA-AGR-405-05 dated
21 June 2005 and SFA-AGR-423-05 dated 24 June 2005



DEPARTMENT OF FOREIGN AFFAIRS
P R E S S R E L E A S E

www.dfa.gov.ph

2330 Roxas Blvd., Pasay City, Philippines

Tel. No. 834-4000

SFA-AGR-389-
05
17 June 2005

**DFA, PHILIPPINE EMBASSIES IN SINGAPORE & KUALA LUMPUR
ARRANGE FOR SHIPMENT OF REMAINS OF FILIPINO CREWMAN
WHO DIED IN SINGAPORE SHIP COLLISION**

16 June 2005 – Chargé d'Affaires of the Philippine Embassy in Kuala Lumpur, Malaysia Luis T. Cruz reported to the Department of Foreign Affairs that they are coordinating with the relevant Malaysian authorities and the Philippine Embassy in Singapore to ensure the speedy shipment back to the Philippines of the remains of Filipino seafarer Rogelio D. Desamito.

According to the report, the remains of Mr. Desamito were found floating in the middle of the sea near Pulau, Tioman in Pahang, Malaysia. Police officials in the area informed the Embassy that the body of Mr. Desamito was recovered on 11 June 2005 at about 1500 HRS and was already in an advanced stage of decomposition. The Embassy was also informed that the body is now at the Muazamshah Hospital in Rompin, Pahang for postmortem examination and proper police documentation.

Here at the DFA, the Office of the Undersecretary for Migrant Workers' Affairs (OUMWA) is communicating with the deceased OFW's next-of-kin to inform them of the sad news. The OUMWA is also coordinating with the Philippine Embassy in Singapore to make arrangements with Mr. Desamito's Singaporean agent Rapid Shipping Pte. Ltd. to facilitate the shipment of his remains and put into order his employee benefits.

Mr. Desamito, 40 years old, was the chief officer of the Malaysian-registered bulk carrier M/V Everise Glory, which collided with the Taiwan-registered container vessel the M/V Uni Concord on 04 June at around 1145 HRS while at sea off Pedra Branca, Singapore. The M/V Everise Glory sank as a result of the mishap and five of the 21 Filipino crewmembers aboard were slightly injured and were promptly given medical attention, while Mr. Desamito went missing and was feared to have perished.

The Philippine Embassy in Singapore kept its close coordination with the Singapore Coast Guard and the Philippine Embassies in Jakarta, Indonesia and Kuala Lumpur, Malaysia for any news or developments on the search that was immediately launched for the missing Filipino seafarer. The M/V Everise Glory had 21 Filipino crewmembers including the late Mr. Desamito, while the rest of the crew were Indonesian.

Meanwhile, the Philippine Embassy in Jakarta reported to the Department that 18 of the 20 surviving Filipino crewmembers of the ill-fated M/V Everise Glory have been repatriated on Saturday 11 June via Philippine Airlines. The two remaining Filipinos, the ship's master Ermelo L. Daelo and Able Seaman Claro M. Malavi were left behind to assist the Singapore Coast Guard in the investigation of the collision incident.

All crewmembers received a sum of US\$2,000 each as compensation for their lost personal belongings and the Philippine Embassy in Singapore extended all possible assistance to the 20 Filipino survivors who were brought to Singapore after the accident. The Philippine Embassy issued travel documents to facilitate their repatriation to the Philippines. END

/bjg

DEPARTMENT OF FOREIGN AFFAIRS
P R E S S R E L E A S E

www.dfa.gov.ph

2330 Roxas Blvd., Pasay City, Philippines

Tel. No. 834-4000

SFA-AGR-404-
05
21 June 2005

SINGAPORE PE WORKING ON EXPEDITIOUS SHIPMENT TO RP OF FILSEAMAN DESAMITO'S REMAINS

21 June 2005 – Ambassador Belen F. Anota of the Philippine Embassy in Singapore reported to the Department of Foreign Affairs that the Embassy is coordinating the expeditious shipment to the Philippines of the remains of seaman Rogelio Dres Desamito, Chief Officer of the ill-fated Malaysia-registered bulk carrier "Everise Glory" that sank off the Singapore coast on 4 June 2005 after colliding with the Taiwan-registered container vessel "Uni Concord."

Ambassador Anota said that the Embassy is communicating with Mr. Collin Ang, manager of shipping agent Rapid Shipping Pte. Ltd., regarding the shipment of Chief Officer Desamito's remains. Mr. Ang told Embassy officials that representatives from the Malaysia-based company that owned "Everise Glory" are directly coordinating with the Philippine Embassy in Kuala Lumpur, Malaysia, regarding the arrangements for the shipment back home of OFW Desamito's remains.

The Embassy earlier assisted the twenty other Filipino seamen who worked on the "Everise Glory" to return to the Philippines and to be compensated for the loss of their personal items due to the shipping accident. (Please refer to press release SFA-AGR-373-05, dated 15 June 2005.) END

/epa

DEPARTMENT OF FOREIGN AFFAIRS
P R E S S R E L E A S E

www.dfa.gov.ph

2330 Roxas Blvd., Pasay City, Philippines

Tel. No. 834-4000

SFA-AGR-423-
05
24 June 2005

**PHILIPPINE EMBASSIES IN MALAYSIA AND SINGAPORE ASSIST IN RETURNING TO THE PHILIPPINES
REMAINS OF FILIPINO CREWMEMBER WHO PERISHED IN SINGAPORE SEA COLLISION**

24 June 2005 – The Department of Foreign Affairs today announced that the remains of Filipino seafarer Rogelio D. Desamito have been returned to the country on the afternoon of Sunday 19 June 2005 via a Malaysian Airlines flight. The remains were met at the airport by the deceased's next-of-kin and by representatives of the Overseas Workers' Welfare Administration.

The Philippine Embassy in Kuala Lumpur, Malaysia and the Philippine Embassy in Singapore closely coordinated with the relevant authorities in their areas of jurisdiction, including the agent of Mr. Desamito to ensure the speedy shipment of his remains back to the Philippines.

Mr. Desamito, 40 years old, was the chief officer of the Malaysian-registered bulk carrier M/V Everise Glory, which collided with the Taiwan-registered container vessel the M/V Uni Concord on 04 June at around 1145 HRS while sailing off Pedra Branca, Singapore. The M/V Everise Glory had 21 Filipino crewmembers including the late Mr. Desamito, while the rest of the crew were Indonesian.

The M/V Everise Glory sank as a result of the mishap and five of the 21 Filipino crewmembers aboard were slightly injured and were promptly given medical attention, while Mr. Desamito went missing. On the afternoon of 11 June 2005, the remains of Mr. Desamito were found floating in the middle of the sea near Pulau, Tioman in Pahang, Malaysia.

Earlier, 18 of the 20 surviving Filipino crewmembers of the ill-fated M/V Everise Glory had been repatriated on 11 June via Philippine Airlines. (For background, please see DFA press releases SFA-AGR-373-2005 and SFA-AGR-389-2005 dated 15 and 17 June respectively.) END

Annex 62

Singapore's Note MFA/SEA/00025/2005 dated 29 July 2005





MFA/SEA/00025/2005

The Ministry of Foreign Affairs of the Republic of Singapore presents its compliments to the High Commission of Malaysia and has the honour to refer to the former's Note MFA/SEA/00017/2005 dated 13 June 2005 concerning the sunken vessel *Everise Glory*, located 7 nautical miles Northeast of Horsburgh Lighthouse in Singapore Territorial Waters.

The Singapore Government has been informed by the insurers for the owners of *Everise Glory* that they are being prevented from effecting a complete removal of the wreck of *Everise Glory* because the Marine Department of Peninsular Malaysia (MDPM) is insisting that the wreck should only be partially removed. (Please see enclosed series of correspondence between the Maritime and Port Authority of Singapore and the insurers.)

The Singapore Government strongly protests the above act by the MDPM, which is not only inconsistent with Singapore's sovereignty over the territorial waters in question, but which has also caused hindrance and delay to the ongoing efforts towards the complete removal of the wreck. The wreck of *Everise Glory* lies in an extremely busy shipping area, with converging traffic, leaving, joining and crossing the Traffic Separation Scheme. Leaving the wreck partially in place will

cause changes in traffic pattern which will pose an unacceptable danger to navigation. Furthermore, with the impending approach of the North East Monsoon at the end of September, time is of the essence, and the safety of navigation requires that there should be no further delay to efforts to effect a complete removal of the wreck.

In the interest of navigational safety, the Government of Singapore requests that the Malaysian Government ensure that the MDPM desists from interfering with the salvage operations and from taking any action which will prevent or impede the complete removal of the wreck of *Everise Glory*.

The Singapore Government once again reminds the Malaysian Government that Pedra Branca is an integral part of the territory of Singapore. The Singapore Government has, since the 1840s, by virtue of both its acts and those of its predecessor governments, occupied and exercised sovereignty over Pedra Branca and the waters around it. It follows that Pedra Branca, its surrounding waters and airspace above are an integral part of the territory of Singapore. The basis of Singapore's sovereignty over Pedra Branca has been previously communicated to Malaysia through various documents and meetings.

The Singapore Government categorically rejects any and all attempts to implicitly or explicitly claim that the waters around Pedra Branca are Malaysian territorial waters.

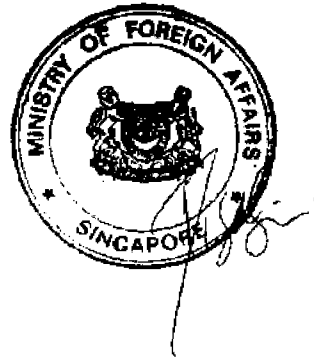
Any attempt by MDPM to assert jurisdiction in the waters around Pedra Branca is not consistent with the agreement between our respective Governments to refer the issue of Pedra Branca to the International Court of Justice for peaceful settlement. The Singapore Government wishes to point out that no number of actions on the part of the MDPM will affect the ICJ's determination of this dispute.

The Ministry of Foreign Affairs of the Republic of Singapore avails itself of this opportunity to renew to the High Commission of Malaysia the assurances of its highest consideration.

SINGAPORE

29 July 2005

High Commission of Malaysia
Singapore





M P A
SINGAPORE

PT/PM/8.043/1/UC-EG

Maritime and Port Authority of Singapore
460 Alexandra Road PSA Building #18-00 Singapore 119963
PSA Building Post Office P O Box 313 Singapore 911141
Tel: (65) 6375 1600 Fax: (65) 6275 9247
<http://www.mpa.gov.sg>

DID: 6325 2468

Fax: 6325 2454

25 Jul 05

The Owners of the Everise Glory
c/o Rajah & Tann
Advocates & Solicitors
4 Battery Road #26-01
Bank of China Building
Singapore 049908

Given By Hand

Attn: Mr Jainil Bhandari

(Fax: 6536 1335)

Dear Sirs

REMOVAL OF SUNKEN VESSEL "EVERISE GLORY"

1 Please refer to your letter Ref JBI/ALH/ml/168938-10 dated 16 Jul 05, requesting MPA to re-consider a partial removal of the sunken vessel *Everise Glory*.

2 We have carefully considered all your representations, including those made at our meetings of 13 and 15 Jul 05 and in your latest letter JBI.alo.168938-10 dated 21 July 2005. The sunken vessel lies in a very busy shipping area with converging traffic i.e. vessels leaving, joining and crossing the Traffic Separation Scheme ("TSS"). The safety of navigation is of paramount importance. MPA has consulted members of the international shipping community, including practicing VLCC shipmasters who have recently transited through the TSS, tanker operators/owners/managers, oil terminal operators, shipping associations and nautical institutes. We sought their views as to partial removal of the "Everise Glory". From their responses, it is clear to us that laden tankers will not knowingly pass over a chartered, partially "cut-down" wreck of the "Everise Glory". The resulting changes in traffic patterns and course adjustments by vessels will be prejudicial to the proper and stable operation of the TSS. We therefore cannot accede to your request to accept the partial "cut-down" in lieu of complete removal of the wreck.

3 In this connection, we refer to the "Notice To Remove" issued to the owners on 6 June 2005, pursuant to section 57(1) of the Maritime and Port Authority of Singapore Act, to remove the sunken vessel "Everise Glory", and to MPA's letter of 13 June 2005 (PT/PM/8.029) to the owners' agents Ocean Maritime Consultants (Far

East) Pte Ltd re-confirming our requirement that the sunken vessel be completely removed. Please be reminded that the deadline specified in the Notice to Remove has already passed. As far as we know, you have not yet appointed any salvage company to remove the vessel. However, I am prepared to hold my hands on further proceedings concerning the non-compliance with the Notice to Remove if action is taken by you immediately to commence work on the complete removal of the vessel. It is imperative, for the safety of navigation, that the vessel be completely removed before the onset of the North East Monsoon. We note that you already have proposals from various salvors, and in view of the urgency of the matter, we ask that you inform my office, not later than noon of 27 July 2005, of the details of the salvage company that you have appointed to effect the complete removal of the wreck of the Everise Glory, and the dates of intended commencement and scheduled completion of the salvage operations.

Yours faithfully



M SEGAR
PORT MASTER
MARITIME AND PORT AUTHORITY OF SINGAPORE

cc

The Steamship Mutual P&I Club
Attn: Mr Mark Dawson

[Fax: 001 44 207 377 2912]

Everise Maritime Sdn Bhd.
Attn: Mr Julian Seah

[Fax: 02 03 4043 8380]

Ocean Maritime Consultants (Far East) Pte Ltd
Attn: Capt James Ong

[Fax: 63245761]

Rec'd on 26/7/05 @ 5.15pm

STEAMSHIP MUTUAL

FAX TRANSMISSION

TO: Maritime and Port Authority of Singapore
ATTENTION OF: Capt. M. Segar - Port Master
FACSIMILE NO: 0065 6325 2454
YOUR REF: PT/PM/8.043/1/UC-EG

CC: Rajah & Tann, Singapore
ATTENTION OF: Mr. Jainil Bhandari
FACSIMILE NO: 0065 6536 1335

CC: Everise Maritime Sdn Bhd, Kuala Lumpur
ATTENTION OF: Mr. Julian Seah
FACSIMILE NO: 00603 4043 8380

CC: Ocean Maritime Consultants (Far East) Pte Ltd,
 Singapore
ATTENTION OF: Capt. James Ong
FACSIMILE NO: 0065 6324 5761

SENDER: Mark Dawson
OUR REF: BD05/326449/WRE/TMHD

RE: "EVERISE GLORY"

DATE: 25 July 2005

TOTAL PAGES: 3 (Including Cover Note)

Dear Capt. Segar,

We thank you for your facsimile of today's date addressed to the Owners of *Everise Glory* c/o Messrs Rajah & Tann and copied to the Club.

Although we and owners do appreciate your concern we are nevertheless bitterly disappointed that you have decided to order a full removal of the wreck of *Everise Glory*. There is no doubt that the *Everise Glory* interests and MPA share the sentiment that safe navigation is of paramount importance. However where we do differ is the assessment of what "reasonable" steps are necessary to facilitate safe navigation at the site of the wreck. Having fully considered all of the circumstances relating to the position of the *Everise Glory*, it is our view, and that of our experts that the partial "cut-down" option

guarantees the safety of the wreck for navigation and should therefore be considered as the reasonable option. You will be aware this is also the view taken by the Malaysian Authorities.

In brief the following factors are included in those that have been taken into account when considering whether the "cut-down" option is the reasonable option.

1. The deepest draft VLCC transiting the Singapore Strait is about 22 metres. Even allowing for a 10% squat this would provide a draft of 24.2 metres.
2. The "cut-down" option proposed by Smit provides for more than 28 metres clearance above chart datum. We can confirm that the wreck will be swept to a depth of 28 metres. In either case this would provide more than sufficient under keel clearance for a VLCC transiting the Strait.
3. There is a 23 metre patch reported in 2002 to the north east of the wreck position approximately 5 n.miles distance. This patch is in the direction of the traffic flow and would be avoided by VLCCs given the maximum drafts and squat allowances mentioned in 1. above. There are also depths of 24 & 25 metres to the north east which cover very wide areas and certainly present a far greater hazard than the partially cut down wreck of *Everise Glory*. There is a 22 metre sounding 1.5 miles SE of the wreck and again would present a much greater risk. More important still is that it is impossible to enter the westbound or exit the eastbound lanes of this traffic separation scheme crossing an area where the depth is more than 24 metres.
4. The seabed at the location is mud, coarse sand and broken shells. Undoubtedly the wreck will have made a bed for itself at the time of sinking and will sink further in to the seabed over the passage of time.
5. Given that VLCC masters would adjust course to avoid the reported shallow patches above, they would have less concern and need to alter course for the presence of the wreck. There are numerous similar circumstances the world over including the southern basin of the North Sea where there are busy traffic lane approaches to large tanker ports.
6. In addition to leaving the guarantee in place the Club is willing to conduct an annual survey of the wreck to confirm its position and clearance depth on an annual basis for the next 3 years.
7. There are many computer programs for traffic modelling available to conduct traffic movement analysis and in particular for regions such as the Singapore Strait. This should assist in allaying any fears about the risk of contact with the subject wreck and will also demonstrate the safe navigation in the vicinity of areas of even lesser water depth as identified in 3. above. We can discuss this further with you if you are interested.

8. Against the above background, the partial "cut-down" option is entirely reasonable and justified and would not compromise safe navigation.

Given the excellent relationship that Steamship Mutual has with the MPA and the prompt steps taken in this case to ensure that the wreck was sealed and the bunkers removed, and thereafter to mark the wreck, we very much hope that the you will give the "cut-down" further due consideration. We very much want to work with you to ensure safe navigation though the full removal of the wreck is in the circumstances a lengthy and unreasonable option.

The Club is willing to meet with you to discuss this further and respectfully requests that you extend the deadline imposed to the end of this week.

We very much look forward to hearing from you.

Kind regards,

Mark Dawson
Syndicate Manager
Tel: +44 20 7650 6449 (direct)
Fax: +44 20 7426 8434 (direct)
Email: mark.dawson@simsi.com



STEAMSHIP MUTUAL

FAX TRANSMISSION

TO: Maritime and Port Authority of Singapore
ATTENTION OF: Capt. M. Segar – Port Master
FACSIMILE NO: 0065 6325 2454
YOUR REF: PT/PM/8.043/1/UC-EG

CC: Rajah & Tann, Singapore
ATTENTION OF: Mr. Jainil Bhandari
FACSIMILE NO: 0065 6536 1335

CC: Everise Maritime Sdn Bhd, Kuala Lumpur
ATTENTION OF: Mr. Julian Seah
FACSIMILE NO: 00603 4043 8380

CC: Ocean Maritime Consultants (Far East) Pte Ltd, Singapore
ATTENTION OF: Capt. James Ong
FACSIMILE NO: 0065 6324 5761

SENDER: Mark Dawson
OUR REF: BD05/326449/WRE/TMHD

RE: "EVERISE GLORY"

DATE: 25 July 2005

TOTAL PAGES: ONE (Including Cover Note)

2nd fax

Dear Captain Segar,

Further to our earlier fax of today we would very much appreciate knowing the identity of the members of the shipping community consulted by you and it would also be of great interest to see their written views.

Thank you and kindest regards,

Mark Dawson

Syndicate Manager
 Tel: +44 20 7650 6449 (direct)
 Fax: +44 20 7426 8434 (direct)
 Email: mark.dawson@sims1.com



M P A
SINGAPORE

Maritime and Port Authority of Singapore
460 Alexandra Road PSA Building #18-00 Singapore 119963
PSA Building Post Office P O Box 313 Singapore 911141
Tel: (65) 6375 1600 Fax: (65) 6275 9247
<http://www.mpa.gov.sg>

PT/PM/8.043/1/UC-EG

DID: 6325 2468

FAX: 6325 2454

27 Jul 05

Mr Mark Dawson
Syndicate Manager
Steamship Insurance Management Services Ltd
Fax: 4420 7426 8434

Dear Sir,

REMOVAL OF SUNKEN VESSEL "EVERISE GLORY"

I refer to your two faxes dated 25 July 2005, both of which we received only on 26 July 2005. The first fax, which requested a reconsideration of my decision concerning the complete removal of the wreck of *Everise Glory*, was received by my office at 5:15pm Singapore time. The second fax, which sought information concerning our previous consultations with members of the international shipping community, was received at 8:25pm Singapore time.

2. I have carefully studied all the points raised in your fax requesting a reconsideration of my decision. None of the points made in your fax are new. They are all factors which I have already taken into consideration prior to issuing my letter PT/PM/8.043/1/UC-EG dated 25 July 2005.

3. As I have previously explained, the issue is not how much under-keel clearance you are able to provide over the wreck of *Everise Glory* in a "cut down" option. The real issue is that the majority of prudent shipmasters will not deliberately sail over the top of a wreck which has been marked on the charts. The resulting changes in traffic pattern will pose a serious hazard to navigation in this extremely busy shipping area, with converging traffic, leaving, joining and crossing the Traffic Separation Scheme. In light of this, as well as other relevant considerations, it is my view that, if the wreck is not removed completely, it will present an unacceptable danger to navigation. I therefore affirm my decision to require the complete removal of the wreck of *Everise Glory*.



4. You had requested for the details of our consultations with the international shipping community. You may wish to note that although I took these consultations into account in making my decision to require the complete removal of the wreck, these consultations form merely one part of the full range of relevant factors I took into consideration before reaching my final decision. For your information, in addition to tanker operators/owners/managers and oil companies, we have also consulted various shipping associations, including the Oil Companies International Marine Forum (OCIMF), Singapore Nautical Institute, the Singapore Maritime Foundation and Nippon Maritime Centre. All are in favour of the complete removal of the wreck. In addition, we have consulted no less than 40 shipmasters of laden tankers which have sailed through the Singapore Strait in the past month. More than 90% of these shipmasters indicated that they would not deliberately sail over the wreck if the "cut down" option is adopted. More than 60% of these shipmasters had requested that the wreck be completely removed.

5. In my letter of 25 July 2005, I have given the owners of *Everise Glory* up to noon (Singapore time) on 27 July 2005 to inform me of the details of the salvage company that they have appointed to effect the complete removal of the wreck. You have requested that I extend this deadline to the end of the week. I am not prepared to accede to your request. In this regard, please be reminded that the Notice to Remove was issued on 6 June 2005 and I have been in correspondence with your salvage consultant since our first meeting on 10 June 2005. The merits of the various solutions have been debated long enough.

6. Given the urgent need to take immediate action in order to ensure complete removal of the wreck before the onset of the North East Monsoon, I am granting you a half-working day extension – i.e. until 6:00 p.m. Singapore time on 27 July 2005 – to provide my office with the information required by my letter of 25 July 2005. All other aspects of my letter of 25 July 2005 remain unchanged.

Yours faithfully



M SEGAR
PORT MASTER
MARITIME AND PORT AUTHORITY OF SINGAPORE

27-JUL-2005 12:06 FROM DD(P)'S OFFICE

TO DD(PT)/PTMA

P.03/03

cc

Everise Maritime Sdn Bhd.

Attn: Mr Julian Seah

[Fax: 02 03 4043 8380]

Ocean Maritime Consultants (Far East) Pte Ltd

Attn: Capt James Ong

[Fax: 63245761]

Rajah & Tann

Advocates & Solicitors

Attn: Mr Jainil Bhandari

(Fax: 6536 1335)



STEAMSHIP MUTUAL

FAX TRANSMISSION

TO: Maritime and Port Authority of Singapore
ATTENTION OF: Capt. M. Segar – Port Master
FACSIMILE NO: 0065 6325 2454
YOUR REF: PT/PM/8.043/1/JC-EG

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CC: Everise Maritime Sdn Bhd, Kuala Lumpur
ATTENTION OF: Mr. Julian Seah
FACSIMILE NO: 00603 4043 8380

CC: Ocean Maritime Consultants (Far East) Pte Ltd,
 Singapore
ATTENTION OF: Capt. James Ong
FACSIMILE NO: 0065 6324 5761

SENDER: Mark Dawson
OUR REF: BD05/326449/WRE/TMHD

RE: "EVERISE GLORY"

DATE: 27 July 2005

TOTAL PAGES: Two (Including Cover Note)

URGENT

We thank you for your fax of today.

1. We have fully noted your position though our Members are now placed in a terribly difficult position. You are aware that the Malaysian Authorities have also claimed jurisdiction of the wreck and have issued their own formal Removal Notice. The MMD has this week re-confirmed their insistence for the owners to proceed with the partial cut-down option and have summoned the Owners and their technical advisors to appear before them on Friday 29th July 2005 to finalise arrangements and discuss the technical issues. Indeed, we must emphasise for the sake of clarity that the MMD simply will not agree to the complete removal as required by your office.

2. We and our Members do not wish to take sides in something that should really not concern us though you will appreciate that the jurisdiction dispute between Malaysia and Singapore places *EVERISE GLORY* interests in a simply impossible position. Which of the conflicting wreck removal orders issued by Singapore or Malaysia are we supposed to follow? As you can see, whatever we do our Members and the Club will face the unwelcome wrath of the MPA or MMD, notwithstanding that we have, since day one of this incident, acted in a responsible and transparent manner.
3. We have at all times done our utmost to satisfy both sides and keep them fully apprised on the developing situation. However, for as long as there is a jurisdiction dispute between Malaysia and Singapore it is exceedingly difficult to know how to proceed.
4. One has to take into account that the owner of *EVERISE GLORY* is a Malaysian company and some of her officers remain under detention in Malaysia pending the outcome of their collision inquiry.
5. What we propose to do to break the impasse and satisfy the requirements of both sides is to immediately contract with salvors and undertake the partial cut-down of the wreck. Thereafter we propose to leave the Club's original letter of undertaking in place with you for a period of three years or, potentially until the resolution of the International Court of Justice (ICJ) decision into the territory dispute between Singapore and Malaysia. Should the ICJ decide that the wreck is in Singapore waters, we can then agree at that time to revisit the issue and undertake a survey to establish the need to undertake the removal of the remainder of the wreck. Meanwhile we would be agreeable to undertake an annual sweep of the wreck to confirm the depth of water.
6. Please urgently advise whether the above compromise solution in paragraph 5. above is acceptable or you have any other suggestions to break the impasse. We have no desire to enter into a dispute with you on this matter and sincerely hope that you can look favourably on our request, which is made in the utmost good faith. We are conscious of the passage of time and the forthcoming monsoon season. There is a great desire at the Club to move this matter forward and we are of course prepared to discuss this matter with you personally in Singapore.
7. Meanwhile given that the owners and their technical advisors have been summoned to appear before the MMD on Friday 29th July 2005, we again respectfully request an extension of time be given to Monday 1st August 2005.

Best regards,

Mark Dawson
Syndicate Manager
Tel: +44 20 7650 6449 (direct)
Fax: +44 20 7426 8434 (direct)
Email: mark.dawson@simsl.com

Annex 63

Malaysia's Notes No. EC 74/2005 dated 2 Aug 2005,
No. EC 75/2005 dated 2 Aug 2005, and No. EC 76/2005
dated 2 Aug 2005





EC 74/2005

The Ministry of Foreign Affairs of Malaysia presents its compliments to the High Commission of the Republic of Singapore and has the honour to refer to Diplomatic Note MFA/SEA/00017/2005 dated 13 June 2005 from the Ministry of Foreign Affairs of the Republic of Singapore pertaining to the collision between the *M.V. Everise Glory* (a Malaysian registered vessel) and the *Uni Concord* (a vessel registered in Taiwan) and the ensuing sinking of the former which occurred within Malaysian Territorial Waters off the Malaysian island of Pulau Batu Puteh on 4 June 2005.

In respect of the search and rescue operations conducted by the Singapore Navy and Singapore Police Coast Guard for the crew of the *M.V. Everise Glory*, the Government of Malaysia is pleased to note from statements by the crew of the vessel that they were rescued by an Indonesian vessel *K.M. Sinar Mustika* and subsequently transferred to a Singapore Navy vessel and brought to Singapore. Such action reflects positively on humanitarian considerations and the Government of Malaysia thanks the Government of the Republic of Singapore for the said assistance rendered to the crew of the Malaysian registered vessel *M.V. Everise Glory*.

The Government of Malaysia however strongly protests all actions subsequently undertaken by the Government of the Republic of Singapore, in particular by the Singapore Navy and Singapore Police Coast Guard following the search and rescue operations including investigations into the said accident. Such actions which are in violation of the territorial waters of Malaysia in and around Pulau Batu Puteh should not be construed by Singapore as an act to assert its sovereignty in and around Pulau Batu Puteh. Indeed such acts do not amount to conduct *à titre de souverain* in respect of Pulau Batu Puteh and cannot be used to attribute territorial sovereignty.

The Government of Malaysia is deeply concerned that the Government of the Republic of Singapore did not promptly notify the Government of Malaysia of the accident. The Maritime and Port Authority of Singapore informed the Marine Department of Malaysia of the accident only seven hours after it occurred. The Government of Malaysia wishes to remind the Government of the Republic of Singapore that the involvement of Singapore authorities in connection with the accident was by virtue of the fact that the vessel *Uni Concord* had reported the collision to Singapore Vessel Traffic Services (VTS) East which is the station assigned for Sector 9 of the arrangements under STRAITREP (the joint Malaysia-Indonesia-Singapore Mandatory Ship Reporting System in the Straits of Malacca and Singapore implemented under the auspices of the IMO).

The Government of Malaysia firmly reiterates that the accident which occurred 7.6 nautical miles from Pulau Batu Puteh at the approximate position of Latitude 01°25.46'N, Longitude 104°29.39'E was clearly within the Territorial Waters of Malaysia as depicted in the Territorial Waters and Continental Shelf Boundaries of Malaysia Map of 1979. Therefore, the allegations made by Singapore on intrusions by the Marine Department of Malaysia are unjustifiable.

The Marine Department of Malaysia had at all times acted lawfully within its authority and jurisdiction.

The Government of Malaysia further disputes the laying of a buoy by Singapore Vessel Official No. SR 9543 at Latitude 001°25.132'N, Longitude 104°29.134'E, 500 meters west of the wreck, which was not conducted in accordance with the recommendation of the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA) that requires an isolated danger mark to be erected on, or moored on or above, an isolated danger which has navigable waters all around it. Singapore's action thus endangered navigation by creating a wrongful impression of the true location of the hazard.

On the contrary, the Government of Malaysia emphasizes that the laying of buoys by the Marine Department of Malaysia was in accordance with Malaysia's international obligations under SOLAS 1974 and the recommendations of IALA. The laying of the buoys was undertaken pursuant to a comprehensive assessment of the best position to install navigational aids. The first buoy laid by the Marine Department of Malaysia was to ensure quick response to the safety of navigation especially for ships proceeding inwards the Traffic Separation Scheme (TSS) while the second buoy which was attached to the wreck was deemed prudent because of the possible movement of the wreck due to prevailing current and tidal conditions. The mooring position of the buoy attached to the wreck was also chosen after consultation with the salvor (Smit International). At no time did the buoy hamper the pollutant recovery operation. Further, the issuance of notices in respect of the wreck by the Marine Department of Malaysia and the Receiver of Wreck for the State of Johor respectively, were in accordance with Malaysia's Merchant Shipping Ordinance 1952 and were well within their authority. The Government of Malaysia reiterates that all actions taken by the Marine Department to mark the wreck, issue

navigational warnings and notice in respect of the removal of the wreck as well as control and prevention of pollution, are consistent with Malaysian law and international conventions as well as international recommendations in the interest of ensuring prompt action for safety of navigation and protection of the marine environment.

The Government of Malaysia reiterates that Pulau Batu Puteh has always been part of the territory and under the sovereignty of Malaysia. The Government of Malaysia further reiterates that any and all activities undertaken by Malaysia in its territory, including activities pertaining to Pulau Batu Puteh, its surrounding waters and airspace are legitimate exercises of its sovereignty and jurisdiction. The vessels and aircraft of the Royal Malaysian Navy, Royal Malaysian Air Force, Malaysian Marine Police and the Malaysian Marine Department have and will continue to patrol and carry out all their normal duties in the territorial waters and maritime area and airspace of Malaysia in, over and around Pulau Batu Puteh.

Further thereto, Malaysia also informs the Government of the Republic of Singapore that Malaysia has not acted inconsistently with the agreement to submit the issue of Pulau Batu Puteh to the International Court of Justice for peaceful settlement. In fact Malaysia's actions are consistent with what Malaysia has all along been undertaking and will continue to undertake in the future. In this regard, Malaysia expresses deep concern over Singapore's statement that *"no number of actions on the part of Malaysian Government vessels will affect the ICJ's determination of this dispute."* Malaysia reminds the Government of the Republic of Singapore that no amount of protest by the Government of the Republic of Singapore will affect the determination of the dispute and deter Malaysia from continuing its actions in and around Pulau Batu Puteh.

Malaysia further reiterates that Singapore's presence in and around Pulau Batu Puteh is not an assertion of sovereignty. On the contrary, Malaysia reminds the Government of the Republic of Singapore that its presence on Pulau Batu Puteh which is for the purpose of administration and maintenance of Horsburgh Lighthouse is with Malaysia's permission.

The Ministry of Foreign Affairs of Malaysia avails itself of this opportunity to renew to the High Commission of Republic of Singapore the assurances of its highest consideration.

Putrajaya, 2 August 2005

High Commission of the Republic of Singapore
Kuala Lumpur





EC 75/2005

The Ministry of Foreign Affairs of Malaysia presents its compliments to the High Commission of the Republic of Singapore and has the honour to refer to Diplomatic Note MFA/SEA/00025/2005 dated 29 July 2005 from the Ministry of Foreign Affairs of the Republic of Singapore concerning the removal of the wreck of the Malaysian vessel the M.V. *Everise Glory* which is located in Malaysian Territorial Waters off the Malaysian island of Pulau Batu Puteh.

The Government of Malaysia categorically rejects the contention of the Government of the Republic of Singapore that the Marine Department of Malaysia acted inconsistently with Singapore's sovereignty over the area concerned and had caused hindrance and delay in the removal of the wreck. The Government of Malaysia reminds the Government of the Republic of Singapore that Pulau Batu Puteh has always been part of the territory and under the sovereignty of Malaysia. The airspace over Pulau Batu Puteh and the surrounding waters are part of Malaysia's airspace and the waters around Pulau Batu Puteh are part of the territorial waters and maritime area of Malaysia as depicted in the Territorial Waters and Continental Shelf Boundaries of Malaysia Map of 1979.

The Government of Malaysia strongly protests the issuance of the "Notice to Remove" by the Maritime and Port Authority of Singapore to the owners of the vessel on 6 June 2005 directing the complete removal of the wreck and thereby undermining the owners attempts to comply with the Removal Notice issued by

the Marine Department of Malaysia dated 14 July 2005 which directed partial removal of the wreck. The Government of Malaysia emphasizes that the decision of the Marine Department of Malaysia prescribing partial removal of the wreck was a thoroughly considered decision backed by expert views. With time being of the essence and safety of navigation the paramount consideration, the Marine Department of Malaysia is fully convinced that partial removal of the wreck far outweighs complete removal as the most reasonable option. The prescribed depth clearance of 27 metres at Admiralty Chart Datum (ACD) directed by the Marine Department of Malaysia is more than sufficient to meet the needs of vessels plying the area mindful of the under keel clearance of 3.5 metres set for deep draft vessels transiting the Straits of Malacca and Singapore adopted by the Maritime Safety Committee of the International Maritime Organization at its sixty-ninth session in 1998. The shorter period of disruption of traffic and curtailed maneuverability of vessels arising from partial removal as opposed to complete removal, reduces the risk of any untoward incidents in the area. The Government of Malaysia will hold the Government of the Republic of Singapore fully responsible for any loss of lives or damage, including pollution to Malaysian waters and coastal areas, due to accidents that may occur should it undertake unilateral action to completely remove of the wreck in total disregard for safety of navigation and Malaysia's jurisdiction over the wreck. The Government of Malaysia strongly urges the Government of the Republic of Singapore to immediately desist from taking any action in respect of the removal of the wreck.

The Government of Malaysia reminds the Government of the Republic of Singapore that both countries have referred the issue of sovereignty over Pulau Batu Puteh to the International Court of Justice. In this regard, the Government of Malaysia emphasizes that all actions by the Government of the Republic of Singapore in and around Pulau Batu Puteh, its airspace and surrounding territorial waters, does nothing to further Singapore's claims. The Government of Malaysia therefore calls upon the Government of Singapore to refrain from

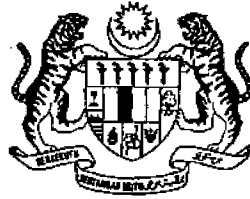
further violations of the territorial waters and airspace in and around Pulau Batu Puteh.

The Ministry of Foreign Affairs of Malaysia avails itself of this opportunity to renew to the High Commission of Republic of Singapore the assurances of its highest consideration.

Putrajaya, 2 August 2005

**High Commission of the Republic of Singapore
Kuala Lumpur**





EC 76 /2005

The Ministry of Foreign Affairs of Malaysia presents its compliments to the High Commission of the Republic of Singapore and has the honour to refer to the matter of the removal of the wreck of the Malaysian vessel the *M.V. Everise Glory*.

Without prejudice to the respective claims by Malaysia and Singapore concerning sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge, which is currently before the International Court of Justice, the Government of Malaysia has further the honour to propose in the interest of maritime safety and international navigation as well as in the spirit of resolving this issue in an amicable manner, that bilateral discussions be held between Malaysia and Singapore as soon as possible with a view to reaching mutually acceptable arrangements to secure the removal, as appropriate, of the wreck of the *M.V. Everise Glory*. This is in line with the general understanding reached between their Excellencies the Minister of Foreign Affairs of Malaysia and the Minister for Foreign Affairs of the Republic of Singapore in Batam on 1 August 2005.

Notwithstanding the above proposal, the Government of Malaysia reminds the Government of the Republic of Singapore that the dispute over Pulau Batu Puteh has already been referred to the International Court of Justice and in this regard neither country can credibly rely upon any of its actions in respect of the *M.V. Everise Glory* to bolster its respective claim to sovereignty before the International Court of Justice. Therefore, the Government of Malaysia strongly calls upon the Government of the Republic of Singapore to immediately cease any unilateral action in respect of the

removal of the wreck in accordance with the aforementioned general understanding between the Foreign Ministers of both countries to resolve this issue in a friendly manner.

The Ministry of Foreign Affairs of Malaysia avails itself of this opportunity to renew to the High Commission of Republic of Singapore the assurances of its highest consideration.

Putrajaya, 2 August 2005

High Commission of the Republic of Singapore
Kuala Lumpur



Annex 64

Singapore's Note MFA/SEA/00026/2005 dated 3 Aug 2005



MFA/SEA/00026/2005

The Ministry of Foreign Affairs of the Republic of Singapore presents its compliments to the High Commission of Malaysia and has the honour to refer to Diplomatic Note No. EC 76/2005 dated 2 August 2005 from the Ministry of Foreign Affairs of Malaysia, pertaining to the removal of the sunken vessel *Everise Glory*.

The Government of Singapore is agreeable to Malaysia's proposal for bilateral discussions, with a view to reaching mutually acceptable arrangements concerning the removal of the wreck. This meeting will be without prejudice to either Government's claim to sovereignty over Pedra Branca, Middle Rocks and South Ledge. In light of Malaysia's request that the meeting take place as soon as possible, Singapore offers to host this meeting on **Thursday 4 August 2005 at 3.00 pm**, or on **Friday 5 August 2005 at 9.00 am**. The venue will be the Ministry of Foreign Affairs, Singapore. The delegation list from Singapore is attached at Annex. In order to ensure an expeditious resolution of this issue, Singapore suggests that Malaysia also includes representatives from the relevant technical agencies in their delegation.

The Singapore Government wishes to highlight that prior to receipt of Malaysia's proposal to meet, the Maritime and Port Authority of Singapore had already set in motion the process for the complete removal of the wreck, in light of the fact that the owner of *Everise Glory* has failed to comply with the Maritime and Port Authority's notice to remove the wreck. The Maritime and

Port Authority of Singapore is prepared to delay commencement of actual removal works in light of the impending meeting. However the Singapore Government wishes to highlight that time is of the essence for the removal of the wreck, in view of the approaching North East Monsoon. In the interest of navigational safety and the protection of the marine environment, the Singapore Government will have to proceed with the original course of action unless we are able to reach a mutually acceptable alternative course of action within the next one week.

The Ministry of Foreign Affairs of the Republic of Singapore avails itself of this opportunity to renew to the High Commission of Malaysia the assurances of its highest consideration.

SINGAPORE

3 August 2005

The High Commission of Malaysia
Singapore



SINGAPORE DELEGATION**Ministry of Foreign Affairs**

1. Professor Tommy Koh
Ambassador-at-Large (Leader)
2. Mr Kwok Fook Seng
Deputy Director, Southeast Asia Directorate
3. Ms Disa Sim
Assistant Director, Southeast Asia Directorate

Maritime and Port Authority of Singapore

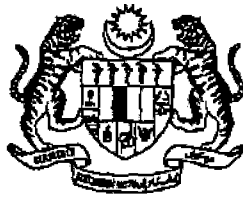
4. Mr Parry Oei
Chief Hydrographer
5. CAPT Muhammad A Segar
Director Ports and Port Master
6. CAPT Lee Cheng Wee
Deputy Port Master

Attorney-General's Chambers

7. Mr Lionel Yee
Senior State Counsel
8. Mr Pang Khang Chau
Deputy Senior State Counsel

Annex 65

Malaysia's Note No. EC 77/2005 dated 3 Aug 2005



EC 77/2005

The Ministry of Foreign Affairs of Malaysia presents its compliments to the High Commission of the Republic of Singapore and has the honour to refer to Diplomatic Note MFA/SEA/00026/2005 dated 3 August 2005 from the Ministry of Foreign Affairs of the Republic of Singapore concerning the removal of the wreck of the Malaysian vessel the M.V. *Everise Glory*.

The Government of Malaysia welcomes Singapore's concurrence with Malaysia's proposal and its offer to host the meeting. The Government of Malaysia is tentatively agreeable that the meeting be held at the Ministry of Foreign Affairs, Singapore on **Friday 5 August 2005 at 9.00 am** but will provide confirmation on the afternoon of Thursday, 4 August 2005 through diplomatic channels. The delegation of Malaysia will be headed by Raja Datuk Malik Saripulazan, Director General, Marine Department, Peninsular Malaysia. The list of the Malaysian delegation will be conveyed in due course.

While the Government of Malaysia recognizes that time is of the essence to ensure safety of navigation in the area concerned, the Government of Malaysia is of the view that it is highly inappropriate and rejects the placement of any deadlines for discussions. The Ministers of Foreign Affairs of both countries have agreed that this issue be resolved in a friendly manner and accordingly these discussions should be held in that positive spirit.

The Ministry of Foreign Affairs of Malaysia avails itself of this opportunity to renew to the High Commission of Republic of Singapore the assurances of its highest consideration.

Putrajaya, 3 August 2005

**High Commission of the Republic of Singapore
Kuala Lumpur**



Annex 66

**Joint Statement from the Governments of Malaysia and Singapore
on Removal of Sunken Vessel *M.V. Everise Glory* dated 5 Aug 2005**

Press Releases

05/08/2005

Removal of sunken vessel M.V. Everise Glory: Joint statement from the Governments of Malaysia and Singapore

REMOVAL OF SUNKEN VESSEL M.V. EVERISE GLORY JOINT STATEMENT FROM THE GOVERNMENTS OF MALAYSIA AND SINGAPORE

5 AUGUST 2005

1. The Officials of the Governments of Malaysia and Singapore met at the Ministry of Foreign Affairs, Singapore on 5 August 2005 to exchange views on the removal of the sunken vessel M.V. Everise Glory which lies approximately 7 nautical miles North East of Pedra Branca/Pulau Batu Puteh, following a collision on 4 June 2005.
2. Discussions were conducted in an open and friendly atmosphere, with both sides gaining a deeper understanding of each other's concerns.
3. The Governments were in agreement that the safety of international navigation was of primary consideration, and that the consensus reached is without prejudice to claims by both countries concerning sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge, which is currently before the International Court of Justice. It cannot be interpreted as a change in the position of any party with regard to the sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge.
4. The Governments recognised that the decision on the method for removing the hazard posed by the sunken vessel depends on a multitude of factors, including the specific location of the wreck in the middle of one of the world's busiest sealanes, at a point where there is heavy converging and crossing traffic, the width of the sealane, the safety of the salvage operation, the protection of the marine environment and the interests of the international maritime community.
5. Both Malaysia and Singapore entered into discussions in the spirit of good neighbourliness and good faith, with close bilateral relations as the cornerstone of the discussions. After taking all factors into consideration, both Governments agreed that the sunken vessel should be completely removed. The conclusion of this meeting resolves the issue on the extent of wreck removal of M.V. Everise Glory. The two Governments also agreed that this agreement is not intended to set a precedent on wreck removal as each case has to be considered on its own merit.

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