



THIRD SUPPLEMENT
TO THE
FEDERATED MALAY STATES
GOVERNMENT GAZETTE

OF FRIDAY, THE 22ND OF DECEMBER, 1916.
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PUBLISHED BY AUTHORITY.

SATURDAY, 30TH DECEMBER, 1916.

The following Notifications are, by direction of the Chief Secretary to Government, published for general information.

M. S. H. McARTHUR,
Under Secretary, F.M.S.

No. 4071.—The following report which was laid before the Federal Council on the 28th December, 1916, is published for general information :

REPORT OF THE COMMITTEE APPOINTED IN ACCORDANCE WITH A RESOLUTION OF THE FEDERAL COUNCIL PASSED ON THE 14TH NOVEMBER, 1916, TO CONSIDER THE QUESTION OF A CONTRIBUTION TO THE IMPERIAL GOVERNMENT.

The terms of the resolution were as follows :

“That, whereas it appears to the Government that there is a general wish on the part of the various communities residing in the Federated Malay States that a contribution should be made to the Imperial Government for the prosecution of the war and that special taxation should be imposed for this purpose, this Council, being of the same opinion, resolves that a Committee be appointed for the purpose of advising what shall be the amount of such contribution and by what means the money required can best be raised.”

The Committee was constituted as follows :

The Chief Secretary to Government (Sir EDWARD LEWIS BROCKMAN, K.C.M.G.)
The Resident of Selangor (EDWARD GEORGE BROADRICK, Esq.)
The RAJA BENDAHARA OF PERAK.
The TENGKU MAHKOTA OF SELANGOR.
The ORANG KAYA KAYA SERI ADIKA RAJA OF PERAK.
The Hon'ble Mr. EU TONG SEN.
The Hon'ble Mr. A. K. E. HAMPSHIRE.
Towkay LOKE YEW, C.M.G.
The Treasurer, Federated Malay States (H. A. SMALLWOOD, Esq.)
The Commissioner of Trade and Customs (E. BURNSIDE, Esq.)
The Senior Warden of Mines (W. E. KENNY, Esq.)
G. GORDON BROWN, Esq.
H. P. CLODD, Esq.
H. A. KOEK, Esq.
F. E. MAIR, Esq.
W. H. MARTIN, Esq.
J. D. McCULLOCH, Esq.
M. R. Ry. K. T. PARIMANAM PILLAI.
J. L. SIME, Esq.

FIRST MEETING OF THE COMMITTEE.

The Committee met at Kuala Lumpur on the 7th December, 1916, all being present with the exception of Mr. H. A. Koek, absent on account of ill-health.

AMOUNT OF CONTRIBUTION.

The sum mentioned as the amount of the contribution was \$5,000,000, but if the taxation which the Committee recommends produces more than this sum there is no reason in the view of the Committee why the amount should be limited to \$5,000,000, this being regarded as a minimum.

The Committee makes the following recommendations:

TIN.

- (a) That the assumed metallic contents of tin-ore be raised from 70 per cent. to 72 per cent., and it is suggested that, although the proceeds be devoted to war purposes, this measure should be regarded not entirely as a war measure but that the question of its retention be considered by the Government as a matter of policy.

- (b) That a surtax be imposed on tin-ore at the following rates:

	\$	c.
(i) If the price of tin is under \$80 a pikul	0.25	a pikul
(ii) " " " " \$80 or over but less than \$95	0	50 "
(iii) " " " " \$95 or over	1	00 "

The rates for block tin to be: (i) 35 cents, (ii) 75 cents, (iii) \$1.50, a pikul.

RUBBER.

That the export duty on rubber be doubled if the price is 2s. 6d. a pound or under and that it be trebled if the price exceeds 2s. 6d. a pound.

It is recommended that applications for relief from the payment of the surtax might be dealt with by the Residents.

The question of the method of dealing with individual planters and Companies, who are now paying Income Tax and possibly excess Profits Tax, was considered by the Committee. It was the general opinion that relief from payment of the super-tax, both in the case of tin and rubber, should be granted either wholly or in part in such cases and the question was referred to a Sub-Committee for further consideration.

MOTOR VEHICLES, ETC.

That an import duty of 10 per cent. *ad valorem* be imposed on all motor vehicles, bicycles, tricycles and accessories, including tyres.

MOTOR SPIRIT.

That the import duty on motor spirit be raised from 5 cents to 10 cents a gallon. There was one dissentient from this proposal.

INCREASED TAXES ON CARS, ETC.

- (a) That the tax on motors let for hire be raised from \$12 for each passenger to \$20. This was carried by 10 votes to 8.

(The first proposal was that the tax should be raised to \$18.)

- (b) On a proposal that taxes on motor bicycles and tricycles should be doubled there were 9 votes for and 9 against, and as regards cycle cars 12 were in favour of doubling the tax, 4 against, and 2 for a smaller increase in surtax.

- (c) A suggestion that the taxes on private motor cars, which are at present, for 3-seaters \$24, 4-5-seaters \$36, 6-seaters \$50, be increased to \$30, \$50 and \$75, respectively, was agreed to with two dissentients.

MATCHES.

It is recommended that an import duty of \$60 a case of 7,200 boxes be imposed on matches. This was agreed to with two dissentients.

AERATED WATERS.

The Committee, with five dissentients, recommended a tax of 1 cent per small bottle and 2 cents per large bottle on mineral and aerated waters.

AMUSEMENTS.

An additional tax on cinematograph exhibitions and other places of amusement, including billiard saloons, is recommended. Whether the tax should be a ticket tax or an increase in the licence fees the Committee did not feel to be in a position to advise.

TELEGRAMS.

The Committee recommends that the rate for local telegrams be raised by 1 cent a word with a minimum of 28 cents a telegram.

MUNICIPAL ASSESSMENT.

The Committee, with three dissentients, recommended that the assessment on inhabited houses within Sanitary Board areas be increased by not more than 5 per cent. with the proviso that the general rate in any area shall not exceed 15 per cent.

STAMP DUTIES.

The following increases in stamp duties are recommended:

- | | |
|--|--|
| (a) Transfers on sale of property (except shares) | An increase from \$6 per thousand to \$7.50 per thousand |
| (b) Transfers of shares | An increase from 5 cents to 10 cents for every \$100 |
| (c) Receipts | An increase from 3 cents to 4 cents for receipts for money in excess of \$10 |
| (d) Cheques | An increase from 3 cents to 4 cents |

With regard to (a) there was one dissentient.

TOBACCO.

It is recommended that the duty on what is known as native tobaccos—that is, Javanese, Chinese and Indian—be increased from \$10 a pikul to \$20 a pikul, and that the duty on other grades of tobacco and cigars be increased by about 50 per cent., the actual rates in each case to be settled by a Sub-Committee.

OPIUM AND LIQUORS.

A suggestion that 10 per cent. of the revenue derived from opium and from the duty on liquors should be earmarked for the contribution is approved by the Committee.

INCOME TAX.

On the motion of Mr. Mair, seconded by Mr. Gordon Brown, the European Members of the Committee unanimously recommend that an Income Tax be levied in the case of Europeans at the same rates as are in force in Great Britain.

The recommendations, except where otherwise stated, were unanimous.

SECOND MEETING OF THE COMMITTEE.

The foregoing portion of this Report was circulated to Members of the Committee and submitted for confirmation by a meeting held at Kuala Lumpur on the 18th December, 1916, at which the following modifications in the proposals were recommended.

The Hon'ble Mr. Eu Tong Sen, Messrs. G. Gordon Brown, H. A. Koek, F. E. Mair, and M. R. Ry. Parimanam Pillai were unable to attend this meeting.

TIN.

It was decided to amend proposal (a) under this heading so as to read as follows:

- “(a) That the assumed metallic contents of tin-ore be raised from 70 per cent. to 72 per cent., but it is suggested that this question be considered by the Government as a matter of policy.”

EXEMPTION OF TIN MINE AND RUBBER PLANTATION OWNERS WHO ARE SUBJECT TO INCOME TAX IN THE UNITED KINGDOM, ETC.

The following recommendations of the Sub-Committee are considered and endorsed by the Committee:

1. Companies, firms or persons claiming exemption from super-tax on tin, tin-ore or rubber exported from their mines or estates in the Federated Malay States are required to satisfy the Commissioner of Trade and Customs, subject to appeal to an Exemptions Board, that they are liable for, or paying, Income Tax in the United Kingdom or such country as is notified in the *Gazette* by the Chief Secretary, on the produce of the mine or estate for which exemption is claimed.

2. When such claim is allowed, the name of the Company, firm or person, together with the name or description of the mine or estate for which exemption is granted, shall be registered as exempted by the Commissioner of Trade and Customs.

3. When tin, tin-ore or rubber from such exempted mine or estate is exported or sold, a declaration shall be made by the producer that the tin, tin-ore, or rubber so exported or sold is the *bona fide* produce of the exempted mine or estate and stating the weight of the produce so exported or sold.

4. Such declarations shall be accepted by the Customs authorities at the port of export as *prima facie* evidence to exempt the produce detailed in the declaration from super-tax.

INCREASED TAXES ON CARS, ETC.

It was decided to delete proposals (a) and (b) under this heading. One Member was of the opinion that (c) should also be deleted.

MATCHES.

It was decided to amend the former recommendation so as to read as follows:

"That an import duty be imposed on matches at the rate of \$60 per case of 7,200 boxes or, if imported in smaller quantities, at the rate of 1 cent per box, with the proviso that no duty be collected if the quantity imported does not exceed two packets (20 boxes)."

AERATED WATERS.

It was decided to withdraw the previous recommendation under this head.

STAMP DUTIES.

It was decided to add the words "and Dividend Warrants" after the word "Cheques" in heading (d).

INCOME TAX.

It was decided to amend the original recommendation by omitting the words "at the same rates as are in force in Great Britain" and to suggest that incomes of less than \$3,600 per annum should be exempted.

The case of Asiatics who might be desirous of paying Income Tax was considered and it was decided to recommend that the tax should be levied from such individuals as should notify the Government of their desire to pay it.

The Committee were in favour of a Board empowered to deal with petitions for exemption on the ground of hardship, etc.

They were also of opinion that differential treatment should be accorded to married and unmarried persons with a rebate in respect of children. Two Members were dissentient in so far that they did not consider that childless married persons should receive preferential treatment.

The recommendations of the Committee are in respect of taxation during the year 1917 only. They were, except where otherwise stated, unanimous.

(Signed)

E. L. BROCKMAN.
E. G. BROADRICK.
R. A. ISKANDAR.
T. MAHKOTA.
MUHAMMAD SALEH.
EU TONG SEN.
A. K. E. HAMPSHIRE.
H. A. SMALLWOOD.
E. BURNSIDE.
W. EYRE KENNY.
LOKE YEW.
G. GORDON BROWN.
H. P. CLODD.
H. A. KOEK.
FRANK E. MAIR.
W. H. MARTIN.
J. DAVIDSON McCULLOCH.
K. T. PARIMANAM PILLAY.
J. L. SIME.

No. 4072.—The following Enactment, passed at a meeting of the Federal Council held on the 28th December, 1916, is published for general information:

FEDERATED MALAY STATES.

ENACTMENT No. 27 OF 1916.

An Enactment to impose certain Taxes for the year 1917.

ARTHUR YOUNG,
President of the Federal Council.

[30th December, 1916.]

WHEREAS it is desirable that a contribution payable out of the revenues of the Federated Malay States be made to His Britannic Majesty's Government to assist the prosecution of the war in which the British Empire is engaged:

AND WHEREAS it is expedient for the purpose of such contribution that further taxation be imposed:

NOW THEREFORE it is hereby enacted by the Rulers of the Federated Malay States in Council as follows:

1. This Enactment may be cited as "The War Taxation Enactment, 1916," and shall come into force on the 1st day of January, 1917, and shall continue in force until the 1st day of January, 1918. Short title, commencement and period of operation.
2. In addition to the customs duties payable on tin and tin-ore, there shall be charged, levied and paid on all tin and tin-ore exported from the Federated Malay States the following duties—namely,
 - (a) whenever the price of tin is or exceeds \$70 per pikul but is less than \$80 per pikul, a duty of 35 cents per pikul on block tin and 25 cents per pikul on tin-ore;
 - (b) whenever the price of tin is or exceeds \$80 per pikul but is less than \$95 per pikul, a duty of 75 cents per pikul on block tin and 50 cents per pikul on tin-ore; and
 - (c) whenever the price of tin is or exceeds \$95 per pikul, a duty of \$1.50 per pikul on block tin and \$1 per pikul on tin-ore.Additional duty on tin and tin-ore.
3. In addition to the customs duties payable on cultivated rubber, there shall be charged, levied and paid on all cultivated rubber exported from the Federated Malay States a duty which shall be at the rate of $2\frac{1}{2}$ per centum *ad valorem* when the price of cultivated rubber does not exceed two shillings and six pence per pound, and at the rate of 5 per centum *ad valorem* when the price of rubber exceeds two shillings and six pence per pound. Additional duty on cultivated rubber.
4. For the purpose of calculating the duties imposed by sections 2 and 3, the price of tin or of cultivated rubber, as the case may be, shall be ascertained in the manner from time to time prescribed in rules made under the Customs Duties Enactments, 1897 and 1898. Price of tin and rubber how to be ascertained.
5. If upon the exportation from the Federated Malay States of any tin, tin-ore or cultivated rubber the owner thereof proves to the satisfaction of the Commissioner of Trade and Customs that he is the owner or occupier of the land from which the same was derived and that he is liable, under the laws for the time being in force in the

Exemption in favour of Income Tax payers.

4

No. 27 OF 1916.

Additional fees
on private
motor cars.

15. (i) In addition to the fees payable under the provisions of "The Traction Engines and Motor Cars Enactment, 1912," there shall be charged, levied and paid upon all motor cars not licensed for letting out on hire or for the conveyance of passengers for hire annual fees at the following rates:

- (a) for every motor car for the conveyance of not less than three persons, including the driver, six dollars;
- (b) for every motor car for the conveyance of more than three but not more than five persons, including the driver, fourteen dollars; and
- (c) for every motor car for the conveyance of six or more persons, including the driver, twenty-five dollars.

(ii) The fees imposed by this section shall be paid to the licensing officer at the time of the issue of the licence, and no licence shall be issued until the same shall have been paid.

Increased
stamp duty on
conveyances.

16. The stamp duty chargeable under the heading "Conveyance, Assignment or Transfer on sale of any property (except shares in a Company)" in the Second Schedule to the Stamp Enactments, 1897, shall when the amount or value of the consideration for the sale exceeds \$500 be \$3.75 for every \$500 or any part thereof.

Increased
stamp duty on
share transfers.

17. The stamp duty chargeable under the heading "Conveyance, Assignment or Transfer of shares in a Company, whether on sale or otherwise, where the name of the transferee is filled in prior to the execution of the transfer by the transferor" in the Second Schedule to the Stamp Enactments, 1897, shall be 10 cents for every \$100 or fractional part of \$100 of the nominal value of the shares.

Increased
stamp duty on
receipts.

18. The stamp duty chargeable under the heading "Receipt for any money or other property the amount or value of which exceeds ten dollars" in the Second Schedule to the Stamp Enactments, 1897, shall be four cents.

Increased
stamp duty on
cheques.

19. The stamp duty chargeable under the heading "Cheque" in the Second Schedule to the Stamp Enactments, 1897, shall be four cents.

Power to
remit duties,
etc.

20. The High Commissioner may at any time by order direct that any duty, fee or rate imposed by this Enactment shall cease to be charged or levied or shall be charged, levied and paid upon a scale to be prescribed in such order, which scale shall be lower than the scale imposed in that behalf by this Enactment, and upon the publication of such order in the *Gazette* such duty, fee or rate shall cease to be charged or levied or shall be charged, levied and paid upon such lower scale, as the case may be.

Passed this 28th day of December, 1916.

W. H. MACKRAY,
Clerk of Council.

No. 4073.—WAR CONTRIBUTION TO THE IMPERIAL GOVERNMENT.—The following resolution, proposed by His Highness the Sultan of Perak and seconded by His Highness the Sultan of Selangor, was passed unanimously by the Federal Council at Kuala Lumpur on the 28th December, 1916:

"That this Council resolves that a contribution of £500,000 be made from the funds of the Federated Malay States during the year 1917 to the Imperial Government towards War Expenditure."

No. 4074.—The following Enactment, passed at a meeting of the Federal Council held on the 28th December, 1916, is published for general information :

FEDERATED MALAY STATES.

ENACTMENT No. 28 OF 1916.

An Enactment to further amend "The Federal Rubber Dealers Enactment, 1909."

ARTHUR YOUNG,

[30th December, 1916.]

President of the Federal Council.

It is hereby enacted by the Rulers of the Federated Malay States in Council as follows :

1. (i) This Enactment may be cited as "The Federal Rubber Dealers Enactment, 1909, Amendment Enactment, 1916 (No. 2)," and shall come into force on the publication thereof in the *Gazette*. Short title, commencement and construction.

(ii) This Enactment shall be read and construed as one with "The Federal Rubber Dealers Enactment, 1909," hereinafter called "the principal Enactment," and any copies of the principal Enactment printed after the commencement of this Enactment may be printed with the amendments made by this Enactment.

2. Sub-section (ii) of section 4 of the principal Enactment is repealed and the following sub-section is substituted therefor: Substituted section 4 (ii).

"(ii) A licence to purchase cultivated rubber may be issued by the licensing officer upon application and payment of a fee of \$100 and shall be substantially in the form of Schedule B; but no such licence shall be issued until the applicant therefor shall have entered into a bond with sureties conditioned for the due performance of the obligations imposed upon a licensee by this Enactment. Every such bond shall be for such sum and in such form as the Resident of the State, with the approval of the Chief Secretary to Government, may from time to time prescribe."

3. Section 6 of the principal Enactment is amended by deleting from sub-section (i) the words "either upon application by the licensee for the withdrawal of the deposit made under sub-section (ii) of section 4 or". Amendment of section 6.

4. Section 12 of the principal Enactment is repealed. Repeal of section 12.

5. Schedule B to the principal Enactment is amended

(a) by deleting the word and figures "Deposit \$200"; and

(b) by deleting the figures "25" and by substituting therefor the figures "100". Amendment of Schedule B.

Passed this 28th day of December, 1916.

W. H. MACKRAY,

Clerk of Council.

THE CUSTOMS DUTIES ENACTMENTS, 1898
(PERAK, SELANGOR AND PAHANG), 1897 (NEGRI
SEMBILAN).

No. 4075.—In exercise of the powers in them severally vested by section 3 of the Customs Duties Enactments, 1898 (Perak and Selangor) and 1897 (Negri Sembilan), and by section 4 of the Customs Duties Enactment, 1898 (Pahang), and with the approval of the Chief Secretary to Government, the Residents of Perak, Selangor, Negri Sembilan and Pahang, each in respect of the State whereof he is Resident, hereby cancel as from the 1st day of January, 1917, the duties imposed by Notifications Nos. 3903 and 3915, published in the *Gazette* on the 8th and 19th December, 1916, respectively, and impose import duties upon the articles specified in the schedule hereunder at the rates therein severally specified, with effect from the same date :

SCHEDULE.

IMPORT DUTIES IMPOSED.

Description of article.	Duty.
Petroleum	\$.05 per gallon
Tobacco—	
Cigars valued at not less than \$2 per lb. and snuff of whatsoever value . . .	1.50 per pound
Cigars valued at less than \$2 per lb. and not less than \$1.40 per lb.75 „
Tobaccos and cigarettes valued at not less than \$1.40 per lb. and Egyptian, Russian and Turkish cigarettes of whatsoever value75 „
Javanese, Chinese and Indian tobaccos other than cigars and cigarettes . . .	10.00 per pikul
Tobaccos, cigars and cigarettes of any kind not herein otherwise provided for	.40 per pound

(The valuation hereinbefore referred to is that contained in the invoice relating to the imported tobacco, unless there be no such valuation or the propriety of such valuation be questioned by any officer of Customs in which cases the valuation hereinbefore referred to is that which may be put upon the tobacco by the Commissioner of Trade and Customs.)