

M A L A Y S I A

AGREEMENT CONCLUDED BETWEEN THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
THE FEDERATION OF MALAYA, NORTH BORNEO,
SARAWAK AND SINGAPORE

The United Kingdom of Great Britain and Northern Ireland,
the Federation of Malaya, North Borneo, Sarawak and Singapore;
Desiring to conclude an agreement relating to Malaysia;
Agree as follows:-

ARTICLE I

The Colonies of North Borneo and Sarawak and the State of Singapore shall be federated with the existing States of the Federation of Malaya as the States of Sabah, Sarawak and Singapore in accordance with the constitutional instruments annexed to this Agreement and the Federation shall thereafter be called "Malaysia".

ARTICLE II

The Government of the Federation of Malaya will take such steps as may be appropriate and available to them to secure the enactment by the Parliament of the Federation of Malaya of an Act in the form set out in Annex A to this Agreement and that it is brought into operation on 31st August, 1963 (and the date on which the said Act is brought into operation is hereinafter referred to as "Malaysia Day").

ARTICLE III

The Government of the United Kingdom will submit to Her Britannic Majesty before Malaysia Day Orders in Council for the purpose of giving the force of law to the Constitutions of Sabah, Sarawak and Singapore as States of Malaysia which are set out in Annexes B, C and D to this Agreement.

ARTICLE IV

The Government of the United Kingdom will take such steps as may be appropriate and available to them to secure
/the enactment

the enactment by the Parliament of the United Kingdom of an Act providing for the relinquishment, as from Malaysia Day, of Her Britannic Majesty's sovereignty and jurisdiction in respect of North Borneo, Sarawak and Singapore so that the said sovereignty and jurisdiction shall on such relinquishment vest in accordance with this Agreement and the constitutional instruments annexed to this Agreement.

ARTICLE V

The Government of the Federation of Malaya will take such steps as may be appropriate and available to them to secure the enactment before Malaysia Day by the Parliament of the Federation of Malaya of an Act in the form set out in Annex E to this Agreement for the purpose of extending and adapting the Immigration Ordinance, 1959, of the Federation of Malaya to Malaysia and of making additional provision with respect to entry into the States of Sabah and Sarawak; and the other provisions of this Agreement shall be conditional upon the enactment of the said Act.

ARTICLE VI

The Agreement on External Defence and Mutual Assistance between the Government of the United Kingdom and the Government of the Federation of Malaya of 12th October, 1957, and its annexes shall apply to all territories of Malaysia, and any reference in that Agreement to the Federation of Malaya shall be deemed to apply to Malaysia, subject to the proviso that the Government of Malaysia will afford to the Government of the United Kingdom the right to continue to maintain the

/bases

bases and other facilities at present occupied by their Service authorities within the State of Singapore and will permit the Government of the United Kingdom to make such use of these bases and facilities as that Government may consider necessary for the purpose of assisting in the defence of Malaysia, and for Commonwealth defence and for the preservation of peace in South-East Asia. The application of the said Agreement shall be subject to the provisions of Annex F to this Agreement (relating primarily to Service lands in Singapore).

ARTICLE VII

(1) The Federation of Malaya agrees that Her Britannic Majesty may make before Malaysia Day Orders in Council in the form set out in Annex G to this Agreement for the purpose of making provision for the payment of compensation and retirement benefits to certain overseas officers serving, immediately before Malaysia Day, in the public service of the Colony of North Borneo or the Colony of Sarawak.

(2) On or as soon as practicable after Malaysia Day, Public Officers' Agreements in the forms set out in Annexes H and I of this Agreement shall be signed on behalf of the Government of the United Kingdom and the Government of Malaysia; and the Government of Malaysia shall obtain the concurrence of the Government of the State of Sabah, Sarawak or Singapore, as the case may require, to the signature of the Agreement by the Government of Malaysia so far as its terms may affect the responsibilities or interests of the Government of the State.

ARTICLE VIII

The Governments of the Federation of Malaya, North Borneo
/and Sarawak

and Sarawak will take such legislative, executive or other action as may be required to implement the assurances, undertakings and recommendations contained in Chapter 3 of, and Annexes A and B to, the Report of the Inter-Governmental Committee signed on 27th February, 1963, in so far as they are not implemented by express provision of the Constitution of Malaysia.

ARTICLE IX

The provisions of Annex J to this Agreement relating to Common Market and financial arrangements shall constitute an Agreement between the Government of the Federation of Malaya and the Government of Singapore.

ARTICLE X

The Governments of the Federation of Malaya and of Singapore will take such legislative, executive or other action as may be required to implement the arrangements with respect to broadcasting and television set out in Annex K to this Agreement in so far as they are not implemented by express provision of the Constitution of Malaysia.

ARTICLE XI

This Agreement shall be signed in the English and Malay languages except that the Annexes shall be in the English language only. In case of doubt the English text of the Agreement shall prevail.

United Kingdom of Great Britain dan Northern Ireland,
Persekutuan Tanah Melayu, Borneo Utara, Sarawak dan
Singapura;

Oleh kerana hendak membuat suatu perjanjian berkenaan
dengan Malaysia;

Bersetuju saperti di-bawah ini:-

PERKARA I

Tanah2 Jajahan Borneo Utara dan Sarawak dan Negeri
Singapura hendak-lah di-sekutukan dengan Negeri2 Persekutuan
Tanah Melayu yang ada sekarang sa-bagai Negeri Sabah, Negeri
Sarawak dan Negeri Singapura mengikut surat2 perlembagaan
yang di-kembarkan kapada Perjanjian ini dan Persekutuan itu
kemudian daripada itu hendak-lah di-namakan "Malaysia".

PERKARA II

Kerajaan Persekutuan Tanah Melayu akan mengambil langkah2
yang sesuai dan yang terbuka kapada-nya menentukan bahawa
Parlimen Persekutuan Tanah Melayu akan meluluskan suatu
Undang2 mengikut chara yang di-tetapkan dalam Kembaran A
kapada Perjanjian ini, dan bahawa Undang2 itu di-jalankan
kuat kuasa-nya pada 31 haribulan Ogos, 1963 (dan tarikh
Undang2 tersebut di-jalankan kuat kuasa-nya itu sa-lepas ini
di-gelar "Hari Malaysia").

PERKARA III

Kerajaan United Kingdom akan menyembahkan ka-bawah Duli
Yang Maha Mulia Baginda Queen sa-belum Hari Malaysia Parentah2
dalam Majlis Meshuarat bagi maksud menguat kuasakan Undang2
Tuboh Kerajaan Negeri2 Sabah, Sarawak, dan Singapura
sa-bagai Negeri2 di-dalam Malaysia saperti yang di-tetapkan

/dalam

dalam Kembaran2 B, C dan D kapada Perjanjian ini.

PERKARA IV

Kerajaan United Kingdom akan mengambil langkah2 yang sesuai dan yang terbuka kapada-nya menentukan bahawa Parlimen United Kingdom akan meluluskan suatu Undang2 supaya mulai daripada Hari Malaysia kedaulatan dan kuasa Duli Yang Maha Mulia Baginda Queen berhabitat Negeri Borneo Utara, Sarawak dan Singapura di-mansohkan, dan kedaulatan serta apa2 kuasa tersebut hendak-lah di-serahkan mengikut Perjanjian ini dan surat2 perlembagaan yang di-kembarkan kapada Perjanjian ini.

PERKARA V

Kerajaan Persekutuan Tanah Melayu akan mengambil langkah2 yang sesuai dan yang terbuka kapada-nya supaya menentukan sa-belum Hari Malaysia bahawa Parlimen Persekutuan Tanah Melayu akan meluluskan suatu Undang2 mengikut chara yang di-tetapkan dalam Kembaran E kapada Perjanjian ini bagi maksud meluas dan menyesuaikan Undang2 Imigerésen Tahun 1959, Persekutuan Tanah Melayu, ka-Malaysia dan menambah isi2 kandongan berkenaan dengan masuk ka-Negeri2 Sabah dan Sarawak; dan isi2 kandongan yang lain dalam Perjanjian ini hendak-lah bergantong kapada Undang2 tersebut itu diluluskan.

PERKARA VI

Perjanjian berkenaan dengan Pertahanan Luar Negeri dan Bantuan Bersama antara Kerajaan United Kingdom dengan Kerajaan Persekutuan Tanah Melayu yang bertarikh 12 haribulan Oktober, 1957, dan kembaran2-nya hendak-lah berkuat kuasa di-semua wilayah Malaysia, dan apa2 sebutan dalam Perjanjian itu kapada Persekutuan Tanah Melayu hendak-lah

/di-sifatkan

di-sifatkan sa-bagai sebutan kapada Malaysia, terta'alok kapada sharat Kerajaan Malaysia akan memberi kapada Kerajaan United Kingdom hak menggunakan lagi pengkalan2 dan lain2 kemudahan yang pada masa ini di-gunakan oleh pehak2 berkuasa Tentera-nya dalam Negeri Singapura dan akan membenarkan Kerajaan United Kingdom menggunakan pengkalan2 dan kemudahan2 itu sa-bagaimana yang di-fikirkan mustahak oleh Kerajaan itu bagi maksud membantu dalam usaha mempertahankan Malaysia dan bagi pertahanan Commonwealth dan bagi memelihara keamanan di-Asia Tenggara. Perlaksanaan Perjanjian tersebut hendak-lah terta'alok kapada isi2 kandongan Kembaran F kapada Perjanjian ini (terutama-nya berkenaan dengan tanah2 tentera di-Singapura).

PERKARA VII

(1) Persekutuan Tanah Melayu bersetuju bahawa Duli Yang Maha Mulia Baginda Queen boleh sa-belum Hari Malaysia membuat Perentah2 Dalam Majlis Meshuarat mengikut chara yang di-tetapkan dalam Kembaran G kapada Perjanjian ini bagi maksud membuat peratoran bayaran2 sagu bati dan faedah2 masa bersara kapada sa-tengah2 pegawai seberang laut yang berkhidmat, sa-belum sahaja Hari Malaysia, dalam perkhidmatan 'awam Tanah Jajahan Borneo Utara atau Tanah Jajahan Sarawak.

(2) Pada Hari Malaysia atau sa-berapa segera-nya Perjanjian2 Pegawai2 Kerajaan mengikut chara yang di-tetapkan dalam Kembaran2 H dan I kapada Perjanjian ini hendak-lah di-tanda tangani bagi pehak Kerajaan United Kingdom dan Kerajaan Malaysia, dan Kerajaan Malaysia hendak-lah meminta persertaan Kerajaan Negeri Sabah, Sarawak atau Negeri Singapura, herkenaan dengan Kerajaan Malaysia menanda

/tangani

tangani Perjanjian itu sa-takat mana sharat2 Perjanjian itu mengenai tanggong-jawab2 atau kepentingan2 Kerajaan Negeri itu.

PERKARA VIII

Kerajaan Persekutuan Tanah Melayu, Kerajaan Borneo Utara dan Kerajaan Sarawak akan mengambil tindakan membuat Undang2, menjalankan kuasa atau lain2 tindakan yang mustahak bagi melaksanakan jaminan2, pengakuan2 dan shor2 yang terkandong dalam Bab III dan Kembaran2 A dan B kepada Penyata Jawatan Kuasa Antara Kerajaan yang di-tanda tangani pada 27 haribulan Februari Tahun 1963, sa-takat mana jaminan2, pengakuan2 dan shor2 itu tiada di-laksanakan dengan isi2 kandongan yang tertentu dalam Perlembagaan Malaysia.

PERKARA IX

Isi2 kandongan Kembaran J kepada Perjanjian ini berhabitat pasaran bersama dan peratoran kewangan hendak-lah menjadi Perjanjian antara Kerajaan Persekutuan Tanah Melayu dan Kerajaan Singapura.

PERKARA X

Kerajaan Persekutuan Tanah Melayu dan Kerajaan Singapura akan mengambil tindakan membuat Undang2 menjalankan kuasa atau lain2 tindakan yang mustahak bagi melaksanakan atoran2 berkenaan dengan siaran radio dan television yang di-tetapkan dalam Kembaran K kepada Perjanjian ini sa-takat mana atoran2 itu tiada di-laksanakan dengan isi2 kandongan yang tertentu dalam Perlembagaan Malaysia.

PERKARA XI

Perjanjian ini hendak-lah di-tanda tangani dalam bahasa Inggeris dan bahasa Melayu kechuaui Kembaran2-nya ada-lah di-dalam bahasa Inggeris sahaja. Jika ada persalah faham maka naskhah bahasa Inggeris hendak-lah di-gunakan.

In witness whereof the undersigned, being duly authorised thereto, have signed this Agreement.

Done at London this ninth day of July, 1963,
in five copies of which one shall be deposited with each
of the Parties.

Bagi menyaksikan Perjanjian ini, yang menanda tangan di-bawah ini dengan mendapat kuasa berbuat demikian, telah menanda tangan Perjanjian ini.

Di-perbuat di-London pada sembilan haribulan July, tahun 1963 sa-banyak lima naskhah, satu naskhah daripada-nya hendak-lah di-simpan oleh tiap2 Pehak yang membuat Perjanjian ini.

For the United Kingdom:
Bagi pehak United Kingdom:

*Mark Harborth
Duncan Sandy
Laandon.*

For the Federation of Malaya:
Bagi pehak Persekutuan Tanah Melayu:

Yusoff bin Ismail *S. S. Lanathan*
Abdullah *(Augustin)*
Tan *Silmi*

For North Borneo:
Bagi pehak Borneo Utara:

D. Bentley *R.* *J. S. Holley*
St. John *W. J. G. Smith*
Khoi Lick *W. H. Jones*
G. S. Landau

/For Sarawak:

For Sarawak:
Bagi pehak Sarawak:

S. M. Lee
T. J. Goh
M. M. Sulaiman
Ring Beng Guan
W. S. M. Lee

For Singapore:
Bagi pehak Singapura:

Lee Kuan Yew
Goh Chok Tong