



Seventeenth session

INFORMATION FROM NON-SELF-GOVERNING TERRITORIES: SUMMARIES  
OF INFORMATION TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER  
OF THE UNITED NATIONS

REPORT OF THE SECRETARY-GENERAL

ASIAN TERRITORIES

In accordance with the statement of the Secretary of State for Foreign Affairs of the United Kingdom of Great Britain and Northern Ireland on 27 September 1961, the Government of the United Kingdom has transmitted to the Secretary-General the following political and constitutional information on the Territory of Sarawak.

This information, which was received on 20 March 1962, is herewith submitted to the General Assembly at its seventeenth session.<sup>1/</sup>

<sup>1/</sup> In accordance with General Assembly resolution 1700 (XVI) of 19 December 1961, this information is also submitted to the Committee on Information from Non-Self-Governing Territories.

SARAWAK

POPULATION

The population of Sarawak is 744,000; the division by races is approximately as follows (1960 census):

Sea Dayaks (Ibans) . . . . .	237,000	
Land Dayaks. . . . .	57,000	
Other non-Muslim indigenous races (Kayans, Kenyahs, Bisayahs, Kelabits, Muruts, and other small groups) . . . . .	<u>38,000</u>	332,000
Chinese . . . . .		229,000
Malays (Muslim) . . . . .		129,000
Melanaus (Muslim) . . . . .		46,000
Others (Europeans, Indians, etc.) . . . . .		8,000
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	TOTAL	744,000

CONSTITUTION

2. The present Constitution of Sarawak has been in effect since 1 April 1957. Under its provisions, the Territory is administered by a Governor, who is advised by a Supreme Council, and the power to make laws rests with a Council Negri. Prior to 1957, both the Supreme Council and the Council Negri had a majority of official members appointed from the Sarawak Civil Service, (i.e. an "official majority"), and the non-official members of the Council Negri were appointed by the Governor. Under the new Constitution, which came into force on 1 April 1957, elected representation was introduced into the Supreme Council and the Council Negri, and provision was made for both these bodies to have a non-official majority.

The main features of this Constitution are as follows:

Governor. The Governor (at present Sir A.N.A. Waddell) is the head of the administration of the Territory. He is required to consult the Supreme Council in the exercise of his powers, and may only disregard their advice in certain specified circumstances and in accordance with detailed procedures. He is instructed to ensure to the utmost that fullest regard is paid to the religious and other rights and customs of the inhabitants of Sarawak. He is not a member of the Council Negri, but assents in the name of the Queen to bills passed by that Council.

Supreme Council. The Supreme Council is the chief executive body of Sarawak. It comprises five members chosen from among its elected members by the Council Negri, two members nominated by the Governor, and three ex officio members. As one of the nominated members is an elected member of the Council Negri, there is thus a majority of elected members. The present membership of the Supreme Council is as follows:

Membership of Supreme Council

Abang Haji Mustapha<sup>a/</sup>  
Ong Kee Hui<sup>a/</sup>  
Chia Chin Shin<sup>a/</sup>  
Temenggong Jugah anak Barieng<sup>a/</sup>  
Pengarah Montegrai anak Tugang<sup>a/</sup>  
Ling Beng Siew<sup>a/</sup>  
F.D. Jakeway (Chief Secretary)  
P.E.H. Pike (Attorney-General)  
B.A. St. J. Hepburn (Financial Secretary)  
A.R. Snelus (Deputy Chief Secretary)

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<sup>a/</sup> Elected member of Council Negri.

Council Negri. The Council Negri (or Legislative Council) passes laws for the peace, order and good government of Sarawak. The presiding officer is Mr. F.D. Jakeway (Chief Secretary) who has a casting but not an original vote. In addition to the President, the Council has 42 members, of whom 24 are elected,

4 nominated by the Governor and 14 are civil servants. There is also one standing (or life) member. The Council elects 5 of its members to serve on the Supreme Council. All the elected members, the standing member, and 3 out of 4 nominated members are indigenous inhabitants.

#### ELECTORAL SYSTEM

There is an indirect election system in Sarawak for members of the Council Negri based on district or urban councils which are themselves directly elected. Twenty-one members of the Council Negri are elected by the five divisional councils from among their members which function as electoral colleges for this purpose. The members of the divisional councils are elected in their turn by the various district councils. The remaining three elected members of the Council Negri are chosen by the three urban councils from among their members. Members of both district and urban councils are elected by male householder suffrage. The last general election of representatives to district councils was held in November and December 1959. The remaining three elected members are chosen by the three urban councils from among their members. Of the 28 elected and nominated members of the Council Negri, 8 are associated with the (mainly Malay) Party Negara, 3 with the (mainly Chinese) Sarawak United People's Party, 2 with the Barjasa Party, one with the Sarawak Nationalist Party, while the remaining 14 are independents.

#### JUDICIARY

Sarawak has a Supreme Court of Judicature, comprising a High Court and a Court of Appeal, which also serves North Borneo and the State of Brunei. It consists of a Chief Justice, a Senior Puisne Judge and two other puisne judges. Apart from the Senior Puisne Judge, these judges reside in Sarawak. In addition, there are three classes of magistrates courts, viz., district courts, police courts or courts of small causes, and petty courts. One of the three full-time magistrates is a local inhabitant, and 23 local inhabitants are administrative officers with the powers and jurisdiction of first class magistrates.

There is also a Native court system which deals with cases in which all the parties are local inhabitants, particularly in cases relating to breach of indigenous laws and customs and land claims.

#### LOCAL GOVERNMENT

Sarawak is divided for administrative purposes into five divisions, which are further sub-divided into districts. Each district has its own fully elected local authority, except for one small area. The local authorities are responsible for most aspects of administration within their areas and have their own treasuries. They deal inter alia with health, education and municipal affairs, and derive their revenue from taxes, fines and fees supplemented where necessary by grants from the Central Government.

#### FUTURE DEVELOPMENTS

In November 1961, the Council Negri approved a further measure of constitutional advance, which will be implemented as soon as possible. The franchise will be extended to all persons over the age of 21 (and not merely heads of households as at present) and the constitution of the Council Negri will be amended to include 24 elected and up to 15 nominated members (of whom at least 4 will be non-officials) with only 3 civil servants (instead of 14 as at present).

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