

D.R. 29/91

Naskhah Sahih—Bahasa Inggeris

RANG UNDANG-UNDANG

b e r n a m a

Suatu Akta untuk meminda Ordinan Kemajuan Tanah 1956 dan untuk membuat peruntukan mengenai perkara-perkara yang bersampingan atau berkaitan dengannya.

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MAKA INILAH DIPERBUAT UNDANG-UNDANG oleh Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong dengan nasihat dan persetujuan Dewan Negara dan Dewan Rakyat yang bersidang dalam Parlimen, dan dengan kuasa daripadanya, seperti berikut:

1. Akta ini bolehlah dinamakan Akta Kemajuan Tanah (Pindaan) 1991. Tajuk ringkas.
2. (1) Seksyen 3 Ordinan Kemajuan Tanah 1956, yang disebut "Ordinan" dalam Akta ini adalah dipinda— Pindaan seksyen 3. Ord. P 1/M 20/1956,
 - (a) dengan menggantikan subseksyen (2) dengan yang berikut:

"(2) The Authority shall have the following duties:

 - (a) to undertake and carry out land development projects;
 - (b) to promote and assist in the investigation, formulation and implementation of projects for development, settlement and management of land in the Federation;

- (c) to promote, stimulate, facilitate and undertake economic, social, residential, agricultural, industrial and commercial development and management and other ancillary activities and services in any area for which the Authority has been vested with the power to carry out land development projects or any other area which has been acquired, purchased, leased by or alienated to or is otherwise held or enjoyed by the Authority or its corporations or companies for the performance of its functions;
 - (d) to undertake and carry out such activities as may assist in the modernisation of the agricultural sector in the area mentioned under paragraph (c); and in particular activities relating to the production, utilisation, processing and marketing of crops, livestock and fresh water fisheries;
 - (e) to assist, guide, advise, manage, administer and co-ordinate economic, social, residential, agricultural, industrial and commercial activities whether within or outside the area mentioned under paragraph (c)"
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- (b) dengan menggantikan perkataan-perkataan "its duty" dalam subseksyen (3) dengan perkataan-perkataan "its duties";
 - (c) dengan menggantikan perkataan-perkataan "its said duty" dalam perenggan (a) subseksyen (3) dengan perkataan-perkataan "its said duties including the provision of infrastructure and social amenities and other ancillary services";

(d) dengan menggantikan perkataan-perkataan "and corporations and to give assistance to boards and corporations" dalam perenggan (b) subseksyen (3) dengan perkataan-perkataan ", corporations, companies and other bodies or persons and to give assistance to such boards, corporations, companies and other bodies or persons";

(e) dengan menggantikan perenggan (c) subseksyen (3) dengan perenggan (c) yang berikut:

"(c) with the approval of the Minister to enter into a partnership, jointventure, undertaking, co-operation in any manner, an arrangement for the sharing of profits or to carry on such activities in association or otherwise, with any person, public authority, corporation, company or other body (including the Government of the Federation or any State Government) carrying on or engaging in any such activities and to take or otherwise acquire shares and securities of any such public authority, corporation, company or other body, and to sell, ho(d on, reissue with or without guarantee, such shares and securities or otherwise dispose of or deal with them;

(f) dengan memasukkan selepas perenggan (c) subseksyen (3) perenggan baru (ca) yang berikut;

"(ca) with the approval of the Minister, to establish or promote the establishment of companies to carry on or engage in any activity which

has been planned or undertaken by the Authority (including the taking over of the function of a corporation which has been wound up and dissolved under section 43);";

- (g) dengan memasukkan selepas subseksyen (4) subseksyen baru (5) yang berikut:

"(5) The Authority may, with the approval of the Minister—

- (a) establish, maintain and administer or continue to maintain and administer and subsequently wind up, such funds into which shall be paid sums contributed by the persons participating in the land development and settlement projects carried out by the Authority, sums donated by any person or body and such other sums as may be determined by the Authority; and
- (b) utilise the funds mentioned under paragraph (a) for the purpose which the Authority may consider necessary for the welfare and benefit of the persons, and the dependants of the persons, participating in the land development and settlement projects carried out by the Authority."

(2) Setiap perbuatan atau benda yang telah dilakukan oleh Lembaga atau Menteri atau kedua-duanya sebelum mula berkuatkuasanya Akta ini yang sepatutnya sah sekiranya subseksyen (2), (3) dan (5) seksyen 3 Ordinan (sebagaimana dipinda oleh subseksyen (1) seksyen ini) telah berkuatkuasa pada masa perbuatan atau tindakan itu dilakukan adalah dengan ini disahkan dan diisytiharkan telah dilakukan dengan sah.

- (d) by substituting for the words "and corporations and to give assistance to boards and corporations" in paragraph (b) of subsection (3) the words ", corporations, companies and other bodies or persons and to give assistance to such boards, corporations, companies and other bodies or persons";
- (e) by substituting for paragraph (c) of subsection (3) the following paragraph (c):
- "(c) with the approval of the Minister to enter into a partnership, jointventure, undertaking, co-operation in any manner, an arrangement for the sharing of profits or to carry on such activities in association or otherwise, with any person, public authority, corporation, company or other body (including the Government of the Federation or any State Government) carrying on or engaging in any such activities and to take or otherwise acquire shares and securities of any such public authority, corporation, company or other body, and to sell, hold on, reissue with or without guarantee, such shares and securities or otherwise dispose of or deal with them;
- (f) by inserting after paragraph (c) of subsection (3) the following new paragraph (ca):
- "(ca) with the approval of the Minister, to establish or promote the establishment of companies to carry on or engage in any activity which has been planned or undertaken by the Authority (including the taking over of the function of a corporation which has been wound up and dissolved under section 43);";

- (g) by inserting after subsection (4) the following new subsection (5):

"(5) The Authority may, with the approval of the Minister—

- (a) establish, maintain and administer or continue to maintain and administer and subsequently wind up, such funds into which shall be paid sums contributed by the persons participating in the land development and settlement projects carried out by the Authority, sums donated by any person or body and such other sums as may be determined by the Authority; and
- (b) utilise the funds mentioned under paragraph (a) for the purpose which the Authority may consider necessary for the welfare and benefit of the persons, and the dependants of the persons, participating in the land development and settlement projects carried out by the Authority."

(2) Every act or thing done by the Authority or the Minister or by both before the commencement of this Act that would have been lawful if subsections (2), (3) and (5) of section 3 of the Ordinance (as amended by subsection (1) of this section) had been in force at the time when it was done is hereby validated and declared to have been lawfully done.

New section
12B.

3. (1) The Ordinance is amended by inserting after section 12A the following new section 12B:

"Bank
guarantee. 12B. The Authority or its corporation established under section 42 may, in the normal course of performing its duties, issue one or more bank guarantees to any person for such purpose and to such extent as the Authority may, with the approval of the Minister, determine."

(2) Every act or thing done by the Authority or its corporation or by both before the commencement of this Act that would have been lawful if section 12B of the Ordinance (as amended by subsection (1) of this section) had been in force at the time when it was done is hereby validated and declared to have been lawfully done.

4. Notwithstanding anything contained in the order made by the Authority under section 42 of the Ordinance, the borrowing of money by the corporation established under the said section before the commencement of this Act shall not be invalid by reason only that no bonds, debentures or debenture stock was issued by that corporation in respect of such borrowing as required under such order.

Validation
of borrowing
by the
corporation.

EXPLANATORY STATEMENT

This Bill seeks to amend the Land Development Ordinance 1956.

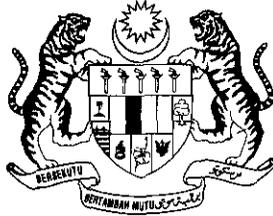
2. *Clause 2 (1)* seeks to amend subsections (2) and (3) of section 3 of the Ordinance relating to the duties and powers of the Federal Land Development Authority as the existing provisions are too brief and unclear and it is necessary to widen the scope of duties and powers of the Authority in order to ensure that every act and thing done by the Authority or Minister or by both pursuant to those provisions are in line with the duties and powers as set out under the Ordinance. The proposed new subsection (5) of section 3 of the Ordinance seeks to provide power for the establishment of funds for the welfare and benefit of the persons and the dependants of the persons, participating in land development and settlement projects carried out by the Authority. *Clause 2 (2)* seeks to validate and legalise every act or thing done by the Authority or the Minister or by both, before the commencement of this proposed Act, that would have been lawful if the provisions of subsections (2), (3) and (5) of section 3 of the Ordinance, as amended by *clause 2 (1)*, had been in force at the time when it was done.

3. *Clause 3 (7)* seeks to insert the new section 12s for the purpose of empowering the Authority or its corporation to issue one or more bank guarantees to any person for such purpose and to such extent as determined by the Authority, with the approval of the Minister, while *clause 3 (2)* seeks to validate and legalise any bank guarantee issued by the Authority or its corporation before the coming into force of this proposed Act.

4. *Clause 4* seeks to validate and legalise the borrowing of money by the corporations established by the Authority where such borrowing was made without the issuance of bonds, debentures or debenture stock by the corporations as is required under the orders establishing those corporations.

FINANCIAL IMPLICATIONS

This Bill will not involve the government in any extra financial expenditure. - [PN. (U²) 1650.]



MALAYSIA

Warta Kerajaan

SERI PADUKA BAGINDA

DITERBITKAN DENGAN KUASA

HIS MAJESTY'S GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

Bil. 35
No23_

7hb November 1991

TAMBAHAN
No10

RANG UNDANG-UNDANG

Rang Undang-undang yang berikut telah dibentangkan dalam Parlimen adalah diterbitkan untuk makluman umum:

The following Bills introduced into Parliament are published for general information:

Akta Undang-Undang Keluarga Islam (Wilayah Persekutuan) (Pindaan) 1991—(*Dibentangkan dan dibaca bagi kali pertama dalam De-wan Rakyat pada 31hb Oktober 1991*).

The Islamic Family Law (Federal Territory) (Amendment) Act 1991—(*Presented and read a first time in the Dewan Rakyat on 31st October 1991*).

Akta Perbekalan 1992—(*Dibentangkan dan dibaca bagi kali pertama dalam Dewan Rakyat pada 31hb Oktober 1991*).

The Supply Act 1992—(*Presented and read a first time in the Dewan Rakyat on 31st October 1991*).