

**SELANGOR STATE SCHOLARSHIP
FUND ENACTMENT 1949
(Tiada Terjemahan BM)**

- **SELANGOR STATE SCHOLARSHIP FUND
(AMENDMENT) ENACTMENT 1/1953 (BI)**
- **SELANGOR STATE SCHOLARSHIP FUND
(AMENDMENT) ENACTMENT 5/1965 (BI)**
- **SELANGOR STATE SCHOLARSHIP FUND
(AMENDMENT) ENACTMENT 7/1977 (BI & BM)**
- **SELANGOR STATE SCHOLARSHIP FUND
(AMENDMENT) ENACTMENT 3/2001 (BI & BM)**

STATE OF SELANGOR.

ENACTMENT No. 4 of 1949.

I ASSENT

I. S. 29th December, 1949.

T. ALAM SHAH, En. 3/2001
(IN MALAY)

Sultan of Selangor.

An Enactment to establish a Fund to provide State scholarships for higher education.

IT IS HEREBY ENACTED by His Highness the Sultan with the advice and consent of the Council of State as follows:

1. This Enactment may be cited as the Selangor State Scholarship Fund Enactment, 1949. Short title.

2. In this Enactment unless the context otherwise requires— Interpretation.
 "Anak Selangor" ← En. 3/2001
 "the Board" means the Board of Trustees of the Selangor State Scholarship Fund constituted under section 4 of this Enactment;

"the Fund" means the Selangor State Scholarship Fund established under section 3 of this Enactment;

"the Government" means the Federal Government or the Government of any State or Settlement. ← En. 3/2001
 "student"

3. A fund shall be established to be called the Selangor State Scholarship Fund. The capital of the Fund shall consist of— Establishment of Fund.

- (a) a sum of \$60,000, or such other sum as may be decided upon by the Council of State Lay's initiative
 each year, which shall be appropriated Presumably
 from the revenue of the State in every En. 243/50
 year, commencing on the 1st day of Subs. by
 January, 1949, and paid to the Fund; and En. 3/2001
- (b) all other monies which may be contributed, loaned or in any other way paid to the Fund.

4. (1) The control and management of the Fund shall, subject to the provisions of this Enactment, be vested in a Board which shall consist of the Menteri Besar as President, three *ex officio* Members, that is Control and management of the Fund.
three

E-1/53

d/LN-161/57
 to say, ~~the British Adviser, the State Secretary and the Senior Inspector of Schools~~ and not more than ~~three~~ other persons, of whom at least two shall be ~~Unofficial Members of the Council of State~~, appointed by His Highness in Council.

Chief Education Officer
En. 5/65
4 four
(E. 7/77)
 (2) The period of appointment of unofficial members of the Board shall be two years, but such members shall be eligible for reappointment.

(3) His Highness in Council may at any time remove from office any member of the Board and appoint another in his place.

President and Secretary of the Board.
 5. (1) The Mentri Besar shall be the President of the Board. He shall act as Chairman at all meetings of the Board which he shall attend but in his absence the members present shall elect one of their number to be Chairman.

State Secretary
En. 5/65
 (2) The officer from time to time acting as ~~Senior Inspector of Schools~~ shall be the Secretary of the Board.

Meetings and decisions of the Board.
 6. (1) The Board shall meet at such places and times as the President shall appoint and at any meeting four persons shall form a quorum.

(2) Any question or resolution requiring determination or decision by the Board shall be decided by a majority of votes of those members of the Board present and voting and, in the event of an equality of votes, the Chairman shall have a second or casting vote.

Board to be body corporate.
Subs by
En. 3/2001
 7. (1) The Board shall be a body corporate and shall have perpetual succession and a common seal and may from time to time break, change, alter and make anew such seal if the Board shall think fit, and may acquire, take, hold and enjoy, whether as owner or by way of security, and may sell, convey, transfer, assign, re-convey, re-assign, surrender or otherwise dispose of or deal with movable and immovable property of every description and may by its corporate name enter into contracts, sue and be sued.

(2) The common seal of the Board shall not be used except by the authority of the Board. Every document requiring the seal of the Board shall be sealed with its common seal in the presence of any two members

of the Board or any one member and the Secretary, each of whom shall sign such document, and such signing shall be sufficient evidence that the common seal of the Board was duly affixed by authority of the Board.

8. (1) Subject to the provisions of sub-section 2 hereof the Board shall apply the capital and income of the Fund whencesoever derived to provide scholarships of such number and amount and on such terms and conditions as the Board shall in its discretion decide or in any other way to promote educational development within the State:

Application
of the Fund.

Subs. by
En. 3/2001

Provided that seventy-five per cent. of all monies paid into the Fund shall be applied to provide scholarships for or to promote the educational development of Malay ~~subjects of His Highness~~ and twenty-five per cent. of all such monies shall be applied in a like manner in respect of Federal Citizens resident in the State other than Malays and that any income derived from the investment of the seventy-five per cent. of the Fund to be applied to provide scholarships for or to promote the educational development of Malay ~~subjects of His Highness~~ shall similarly be applied for a like purpose and any income derived from the investment of the twenty-five per cent. of the Fund to be applied in a like manner in respect of Federal Citizens resident in the State other than Malays shall similarly be applied in respect of such persons for a like purpose:

Subs
En. 5/65

Provided further that any person to whom a scholarship is awarded or who receives any other educational assistance from the Fund shall enter into an agreement with the Board that at the conclusion of the period of study provided by such scholarship or assistance he will undertake or continue, if he is already in the service of the Government, service with the Government for such period as the Board may decide.

(2) All expenses incurred by the Board in the control and management of the Fund shall be defrayed from the assets of the Fund and shall be a first charge on such assets.

Handwritten:
Chief Exec
Officer
En. 5/65
K. J. ...
(E. 7/7)

Investment
of Funds.

9. The Board shall—

- (a) invest the monies which shall become vested in it or such part thereof as it shall from time to time think fit in any securities in which trustees are for the time being authorised by law to invest trust funds;
- (b) deposit any monies which may from time to time be uninvested with any Bank either upon fixed deposit or upon current account:

Provided that the Board shall have power to vary investments from time to time and to employ the Bankers of the Fund or any other agency to invest the monies of the Fund on its behalf. Such investments shall be registered in the name of the Board.

President
and
Secretar
of the
Board.

Regulations.

10. (1) His Highness in Council may make regulations for the proper performance by the Board of its duties and for the keeping of its accounts and the preparation of its balance sheets.

(2) The Board may make regulations for the purpose of carrying into effect the provisions of this Enactment.

Handwritten:
State
Secretary
En. 5/65

Subs. by
En. 3/2001

Meeting
and
decisions
the Boa

En. 3/2001 → 11. — 22

En. 3/2

STATE OF SELANGOR

ENACTMENT No. 1 OF 1953

I ASSENT

T. A. AZIZ SHAH,
Regent of Selangor.

27th day of June, 1953.

An Enactment to amend the Selangor State Scholarship
Fund Enactment, 1949.

[7th July, 1953.]

IT IS HEREBY ENACTED by His Highness the
Sultan with the advice and consent of the Council of
State as follows:1. This Enactment may be cited as the Selangor Short title.
State Scholarship Fund (Amendment) Enactment, 1953.2. Sub-section (1) of section 4 of the Selangor Amendment
of section 4
of Selangor
Enactment
No. 4 of
1949.
State Scholarship Fund Enactment, 1949, is hereby
amended—(a) by substituting the word "four" for the
word "three" before the words "*ex officio*
Members"; and(b) by inserting, immediately after the words
"State Secretary", a comma followed by the
words "the State Financial Officer".

Passed this 26th day of February, 1953.

[Sel. Sec. C/17/50.]

AHMAD BIN HAJI HUSIN,
Clerk of Council, Selangor.

WE ASSENT,

TENGGU AZMAN SHAH,

TENGGU ZAINON RASHID SHAH,

TENGGU IBRAHIM SHAH AL-HAJ,

RAJA HAJI NONG BIN RAJA HUSSAIN,
Council of Regency, Selangor

29th day of July, 1965

An Enactment to amend the Selangor State Scholarship Fund Enactment, 1949.

IT IS HEREBY ENACTED by the Legislature of the State of Selangor as follows:

1. This Enactment may be cited as the Selangor State Scholarship Fund (Amendment) Enactment, 1965.

Short title commencement and application. Amendment of section 4.

2. Sub-section (1) of section 4 of the Selangor State Scholarship Fund Enactment, 1949 (hereinafter referred to as "the principal Enactment") is hereby amended by substituting for the words "Senior Inspector of Schools" appearing therein the words "Chief Education Officer".

3. Sub-section (2) of section 5 of the principal Enactment is hereby amended by substituting for the words "Senior Inspector of Schools" appearing therein the words "State Secretary".

Amendment of section 5.

4. Sub-section (1) of section 8 of the principal Enactment is hereby amended by substituting for the words "Malay subjects of His Highness" appearing therein the word "Malays".

Amendment of section 8.

Passed this 7th day of July, 1965.

[IPK. Sel. Sulit 35/50.]

ABDUL RAZAK BIN GANI,
*Clerk of the Legislative Assembly,
Selangor*

SELANGOR

ENACTMENT No. 7 of 1977

I ASSENT,

(STATE SEAL)

T. ABDUL AZIZ SHAH,
Sultan of Selangor

24th day of January 1978

An Enactment to amend the Selangor State Scholarship
Fund Enactment 1949.

[24th November 1977.]

IT IS HEREBY ENACTED by the Legislature of the
State of Selangor as follows:

1. This Enactment may be cited as the Selangor State Scholarship Fund (Amendment) Enactment 1977, and shall be deemed to have come into force on the 24th day of November 1977.

Short title
and com-
mencement.

Amendment
to section
4 (1).

2. Subsection (1) of section 4 of the Selangor State Scholarship Fund Enactment 1949, is hereby amended by deleting the word "three" and substituting therefor the word "four" appearing immediately after the words "not more than" in the said subsection.

Passed this 20th day of December 1977.
[IPK. Sel. 30051/18; PU.² Sel. 1545 Vol. 2.]

JAMIAN BIN MOHAMAD,
*Clerk of the Legislative Assembly,
Selangor*

SELANGOR

ENAKMEN No. 7 tahun 1977

BETA PERKENANKAN,

(MOHOR KERAJAAN)

T. ABDUL AZIZ SHAH,
Sultan Selangor

24hb Januari 1978

Suatu Enakmen bagi meminda Enakmen Kumpulan Wang
Basiswa Negeri Selangor 1949.

[24hb November 1977.]

MAKA INILAH DIPERBUAT UNDANG-UNDANG
oleh Badan Perundangan Negeri Selangor seperti berikut :

1. Enakmen ini bolehlah dinamakan Enakmen Kumpulan Wang Biasiswa Negeri Selangor (Pindaan) 1977, dan hendaklah disifatkan telah mula berkuatkuasa pada 24 haribulan November 1977.

Tajuk
ringkas dan
berkuat-
kuasa.

Pindaan
bagi
seksyen
4 (1).

2. Seksyen-kecil (1) bagi seksyen 4 Enakmen Kumpulan Wang Biasiswa Negeri Selangor 1949, adalah dengan ini dipinda dengan memotong perkataan "three" dan digantikan dengan perkataan "four" selepas sahaja perkataan-perkataan "not more than" dalam seksyen-kecil tersebut.

Diluluskan pada 20hb Disember 1977.
[IPK. Sel. 30051/18; PU.² Sel. 1545 Vol. 2.]

JAMIAN BIN MOHAMAD,
Setiausaha,
Dewan Negeri Selangor

SELANGOR

ENAKMEN No. 3 tahun 2001

BETA PERKENANKAN,

(MOHOR
KERAJAAN)TENGGU IDRIS SHAH IBNI
SULTAN SALAHUDDIN ABDUL
AZIZ SHAH AL-HAJ,
Pemangku Raja Selangor

23 April 2001

Suatu Enakmen untuk meminda Enakmen Tabung
Kumpulan Wang Biasiswa Selangor, 1949.

[]

MAKA INILAH DIPERBUAT UNDANG-UNDANG
oleh Badan Perundangan Negeri Selangor seperti berikut:

1. Enakmen ini bolehlah dinamakan Enakmen Tabung Kumpulan Wang Biasiswa Selangor (Pindaan) 2001 dan hendaklah disifatkan telah mula berkuat kuasa pada 1 Januari 1987. Tajuk ringkas.

2. Enakmen Tabung Kumpulan Wang Biasiswa Selangor 1949, yang disebut "Enakmen Ibu" dalam Enakmen ini, adalah dipinda dalam seksyen 2— Pindaan Seksyen 2. Enakmen 4/1949.

(a) dengan memasukkan sebelum takrif "the Board" takrif yang berikut:

"Anak Selangor" means the subject of His Highness the Sultan of Selangor who fulfills the following criteria—

(i) he was born in the State of Selangor Darul Ehsan;

- (ii) his mother or father was born in the State of Selangor Darul Ehsan; or
- (iii) he was born in Kuala Lumpur before 1 February 1974.”.

(b) dengan memasukkan selepas takrif “the Government” takrif-takrif yang berikut:

“student” means a person to whom the scholarship has been given or awarded by the Board;” and

“scholarship” means award, grant, loan or aid for higher learning, as the case may be, and may include fares, passages to and from the State, cost of maintenance subsistence, clothing allowance, pocket money and tuition fees of the student as the Board may from time to time determine to be awarded to students.”.

3. Enakmen ini adalah dipinda dengan menggantikan seksyen 3 dengan seksyen yang berikut:

“Estab-
lishment
of the
Fund.

3. (1) For the purposes of enabling the Board to carry out its objects, there shall be established a Fund to be called the State of Selangor Darul Ehsan Scholarship Fund.

(2) The Fund shall consist of—

- (a) such sums as the Government may from time to time contribute to the Fund;
- (b) all other monies donated, contributed, loaned, given as annuity or by will or in any other manner paid into the Fund by any government, statutory body, authority, body or association, corporation or individual person;

- (c) all monies received by the Board by way of profit, dividend, fee, commission or by way of interest, upon such portion of the monies of the Fund as may from time to time be invested or placed on deposit;
- (d) all monies received by the Board by way of profit or otherwise accrued from any commercial or industrial enterprises carried out by the Board; and
- (e) all revenues from any property owned by the Board."

4. Seksyen 7 Enakmen ibu adalah dipinda dengan menggantikan subseksyen (f) dengan subseksyen yang berikut: Pindaan seksyen 7.

"(1) The Board shall be a body corporate with perpetual succession and a common seal which may sue and be sued in its corporate name and, subject to and for the purposes of this Enactment, may enter into contracts and may acquire, purchase, take, hold, sell and enjoy movable or immovable property of every description and may convey, assign, surrender, yield up, charge, mortgage, demise, reassign, transfer or otherwise dispose of or deal with, any movable or immovable property or any interest therein vested in the Board upon such terms as it deems fit."

5. Enakmen ibu adalah dipinda dengan menggantikan seksyen 8 dengan seksyen yang berikut: Pindaan seksyen 8.

"Cost of managing Fund and Object of the Fund.

(1) All expenses incidental to the management of the fund shall be defrayed from the monies of the Fund in priority to any other payments.

(2) The balance of the Fund after defraying the expenses referred to in subsection (1) shall, subject to the provisions of this Enactment, be

utilized for the purpose of awarding such number of scholarship or any other study awards as the Board may from time to time determine to be awarded to—

- (a) any Anak Selangor; or
- (b) any person who is a citizen of the Federation, and
 - (i) whose father was born within the State of Selangor Darul Ehsan; or
 - (ii) whose father was resident within the State of Selangor Darul Ehsan for a period of five years immediately preceding the application; or
 - (iii) who was himself continuously resident in the State of Selangor Darul Ehsan for a period of five years immediately preceding the application.

so as to enable him to pursue such course of study as the Board may think proper.”.

Pindaan
seksyen 9.

6. Enakmen ini adalah dipinda dengan menggantikan seksyen 9 dengan seksyen yang berikut:

“Conditions of study award. 9. Before making any scholarship or any other study award under this Enactment, the Board may impose such conditions as it deems necessary.”.

Pindaan
seksyen 10.

7. Enakmen ini adalah dipinda dengan menggantikan seksyen 10 dengan seksyen yang berikut:

“Terms of study award. 10. (1) Every recipient of a scholarship or any other study award awarded under this Enactment shall become, and during his tenure thereof shall remain, a student at the place of study approved by the Board and shall pursue his studies there at to the satisfaction of the Board.

(2) If any recipient of any scholarship or any other study award made under this Enactment commits a breach of any of the conditions laid down by the Board or in any way whatsoever misconducts himself, he may thereupon be deprived of such award.

(3) The student may serve, as a Government officer in the state service or in any services for a period as the Board may think appropriate upon completing his study.”.

8. Enakmen ibu adalah dipinda dengan memotong seksyen 10.

9. Enakmen ibu adalah dipinda dengan memasukkan selepas seksyen 10 seksyen-seksyen 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 dan 22 baru yang berikut:

Seksyen-seksyen
11, 12, 13,
14, 15, 16,
17, 18, 19,
20, 21 dan
22 baru.

“Operation
of the
Enactment.

11. (1) The provisions of this Enactment shall be supplementary to and not in derogation of any other written law relating to the provisions of scholarship or any other study award in force in any part of the Federation.

(2) If in the opinion of the Board at any time that circumstances render any scholarship or any other study award under this Enactment inadvisable or if there is in any year no candidate entitled in the opinion of the Board to any scholarship or any other study award under this Enactment, then no such scholarship or any other study award shall be made for that year and the money which otherwise would have been appropriated to such scholarship or any other study award may be dealt with as the Board may think appropriate.

Cessation
of scholar-
ship or
any other
study
award in
certain
cases.

12. (1) The Board may cease to provide, maintain or assist any recipient of a scholarship or any other study award under this Enactment who contravenes or fails to comply with the terms or conditions imposed by the Board in accordance with this Enactment or if it appears to the Board that any further pursuance of his

studies is not advantageous or reasonable by reason of his unsatisfactory scholastic progress, misconduct or ill-health:

Provided that in any such case of cessation of any scholarship or any other study award the Board shall defray all expenses necessary to return such recipient and his dependants, if any, to the Federation if they had left Malaysia on the instructions or with the approval of the Board.

(2) Any offer for the scholarship or any other study award may be terminated at any time upon breach of contract, on the occurrence of the following:

- (a) if the student dies;
- (b) if it is certified that the student is insane;
- (c) if the student be imprisoned or be convicted of any criminal offence; or
- (d) if the student change courses or field of studies and change the university.

Loan
repayment
terms.

13. (1) The repayment of the loan shall be made within six months upon completing of the study at the rate as specified by the Board.

(2) All expenses incurred by the Board in the control and management of the Fund shall be defrayed from the assets of the Fund and shall be a first charge on such assets.

Investment
of Fund.

14. (1) The Board may invest and deal with the Fund not immediately required in such manner as may from time to time be determined by the Board.

(2) All investments made under this section shall be registered in the name of the Board.

(3) Deposit any monies, which may from time to time be uninvested, with any bank either upon fixed deposit or upon current account or 'unit trust'.

Liability of members

15. No members of the Board shall be liable for any loss arising from or contingent upon any investment made unless such loss has been occasioned by his negligence, fraud or dishonesty, and no member of the Board and no agent or person acting under authority of the Board shall be personally liable to any action or proceedings for or in respect of any action made or thing done or omitted to be done in good faith and in the proper exercise of any of the powers of the Board or of the members thereof.

Liquidation.

16. (1) If at any time, the monies or other assets of the Board are in the opinion of the Board insufficient to meet the expenses of the Board and other payments, the Chairman of the Board shall forthwith make a report of that fact to the Ruler in Council.

(2) If on receipt of such report the Ruler in Council considers that an appeal for grants, donations, endowments or gifts should be made, the Ruler in Council shall forthwith direct the Board to make such appeals and the Board shall forthwith comply with such direction.

(3) If after the expiration of one year from the date any appeal is made under the subsection (2), no adequate grants, donations, endowments or gifts are received by the Board, the Ruler in Council shall direct that the Board be liquidated; and proceedings for liquidation shall commence according to the regulations made under this Enactment.

Audit and
Accounts.

17. (1) The Accounts and Balance Sheet shall be audited by an Auditor to be appointed by the Ruler in Council.

(2) The Auditor shall have a right of access at all times to the Books, Accounts and Vouchers of the Board, and shall be entitled to require from the members of the Board such information and explanations that may be required for the performance of his duties.

(3) The Auditor shall sign a certificate at the foot of the Balance Sheet stating whether or not all his requirements as Auditor have been complied with and shall make a report on the Balance Sheet, stating whether in his opinion it is properly drawn up so as to exhibit a true and correct view of the state of the Board's affairs as shown by the Books of Accounts maintained by the Board.

(4) At the end of each financial year as soon as the accounts of the Board have been audited, the Board shall cause a copy of the statement of account together with a copy of any report of the auditor to be transmitted to the Ruler-in-Council who shall cause the same to be laid before the Legislative Assembly.

Appointment
of Officer
and Staff.

18. (1) The Board may from time to time appoint suitable person or persons to be officers, clerks and servants as may be necessary for conducting the business of the Board.

(2) Any appointment made under the provisions of subsection (1) of this section shall be on such terms and conditions as the Board may deem fit.

- Right to
appoint
panel of
Solicitors. 19. The Board shall appoint its panel of solicitors to render advise on any legal matters relating to its objects and functions and to commence legal action against the students who fails to make any repayment of the loan.
- Penal Code,
F.M.S. Cap.
45. 20. All members, officers and servants of the Board shall be deemed to be public servants within the meaning of the Penal Code.
- Public
Authorities
Protection
Act, 1948.
Act 198. 21. The Public Authorities Protection Act, 1948 shall apply to any action, suit, prosecution or proceedings against the Board or against any member, officer, servant or agent of the Board in respect of any act, neglect or default done or committed by him in such capacity.
- Regulations. 22. The Ruler in Council may make regulations for the proper performance by the Board of its duties, or necessary for giving full effect to the provisions of this Enactment and for their due administration."

Diluluskan pada 30 Mac 2001.

[P.U. Sel. Am/0125; DUN. Sel. 30287/1 Jld. 3.]

BAKHTIAR BIN HUSSIN,
Setiausaha,
Dewan Undangan Negeri,
Selangor

SELANGOR

ENACTMENT No. 3 of 2001

I ASSENT,

(STATE
SEAL)

TENGGU IDRIS SHAH IBNI
SULTAN SALAHUDDIN ABDUL
AZIZ SHAH AL-HAJ,
Regent of Selangor

23 April 2001

An Enactment to amend the Selangor State Scholarship
Fund Enactment, 1949.

[. . .]

IT IS HEREBY ENACTED by the Legislature of the
State of Selangor as follows:

1. This Enactment may be cited as the Selangor State Short title.
Scholarship Fund (Amendment) Enactment 2001 and
shall be deemed to have come into operation on 1 January
1987.

2. Section 2 of the Selangor State Scholarship Fund Amendment
of
Section 2,
Enactment
4/1949.
Enactment 1949, which in this Enactment is referred to
as "the principal Enactment" is amended—

(a) by inserting before the definition of "the Board"
the following definition:

"Anak Selangor" means the subject of
His Highness the Sultan of Selangor who
fulfills the following criteria—

(i) he was born in the State of Selangor
Darul Ehsan;

- (ii) his mother or father was born in the State of Selangor Darul Ehsan; or
- (iii) he was born in Kuala Lumpur before 1 February 1974.”.

(b) by inserting after the definition of “the Government” the following definition:

“student” means a person to whom the scholarship has been given or awarded by the Board;” and

“scholarship” means award, grant, loan or aid for higher learning, as the case may be, and may include fares, passages to and from the State, cost of maintenance subsistence, clothing allowance, pocket money and tuition fees of the student as the Board may from time to time determine to be awarded to students.”.

Substitution
of section 3.

3. The principal Enactment is amended by substituting for section 3 the following section:

“Estab-
lishment
of the
Fund.

3. (1) For the purposes of enabling the Board to carry out its objects, there shall be established a Fund to be called the State of Selangor Darul Ehsan Scholarship Fund.

(2) The Fund shall consist of—

- (a) such sums as the Government may from time to time contribute to the Fund;
- (b) all other monies donated, contributed, loaned, given as annuity or by will or in any other manner paid into the Fund by any government, statutory body, authority, body or association, corporation or individual person;

- (c) all monies received by the Board by way of profit, dividend, fee, commission or by way of interest, upon such portion of the monies of the Fund as may from time to time be invested or placed on deposit;
- (d) all monies received by the Board by way of profit or otherwise accrued from any commercial or industrial enterprises carried out by the Board; and
- (e) all revenues from any property owned by the Board.”.

4. Section 7 of the principal Enactment is amended by substituting for subsection (1) the following subsection: Amendment of section 7.

“(1) The Board shall be a body corporate with perpetual succession and a common seal which may sue and be sued in its corporate name and, subject to and for the purposes of this Enactment, may enter into contracts and may acquire, purchase, take, hold, sell and enjoy movable or immovable property of every description and may convey, assign, surrender, yield up, charge, mortgage, demise reassign, transfer or otherwise dispose of or deal with, any movable or immovable property or any interest therein vested in the Board upon such terms as it deems fit.”.

5. The principal Enactment is amended by substituting for section 8 the following section: Amendment to section 8.

“(1) All expenses incidental to the management of the fund shall be defrayed from the monies of the Fund in priority to any other payments.”

“Cost of managing Fund and Object of the Fund.

(2) The balance of the Fund after defraying the expenses referred to in subsection (1) shall, subject to the provisions of this Enactment, be utilized for the purpose of awarding such number of scholarship or any other study awards as the

Board may from time to time determine to be awarded to—

- (a) any Anak Selangor; or
- (b) any person who is a citizen of the Federation, and
 - (i) whose father was born within the State of Selangor Darul Ehsan; or
 - (ii) whose father was resident within the State of Selangor Darul Ehsan for a period of five years immediately preceding the application; or
 - (iii) who was himself continuously resident in the State of Selangor Darul Ehsan for a period of five years immediately preceding the application,

so as to enable him to pursue such course of study as the Board may think proper.”

Amendment
of section 9.

6. The principal Enactment is amended by substituting for section 9 the following section:

“Conditions
of study
award

9. Before making any scholarship or any other study award under this Enactment, the Board may impose such conditions as it deems necessary.”

Amendment
of section
10.

7. The principal Enactment is amended by substituting for section 10 the following section:

“Terms of
study
award.

10. (1) Every recipient of a scholarship or any other study award awarded under this Enactment shall become, and during his tenure thereof shall remain, a student at the place of study approved by the Board and shall pursue his studies there at to the satisfaction of the Board.

(2) If any recipient of any scholarship or any other study award made under this Enactment commits a breach of any of the conditions laid down by the Board or in any way misconducts himself, he may thereupon be deprived of such award.

(3) The student may serve, as a Government officer in the state service or in any services for a period as the Board may think appropriate upon completing of his study."

8. The principal Enactment is amended by deleting section 10.

9. The principal Enactment is amended by inserting after section 10 the following new sections 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22:

The new sections
11, 12, 13,
14, 15, 16,
17, 18, 19,
20, 21 and
22.

^{"Operation of the Enactment,} 11. (1) The provisions of this Enactment shall be supplementary to and not in derogation of any other written law relating to the provisions of scholarship or any other study award in force in any part of the Federation.

(2) If in the opinion of the Board at any time that circumstances render any scholarship or any other study award under this Enactment inadvisable or if there is in any year no candidate entitled in the opinion of the Board to any scholarship or any other study award under this Enactment, then no such scholarship or any other study award shall be made for that year and the money which otherwise would have been appropriated to such scholarship or any other study award may be dealt with as the Board may think appropriate.

Cessation
of scholar-
ship or
any other
study
award in
certain
cases.

12. (1) The Board may cease to provide, maintain or assist any recipient of a scholarship or any other study award under this Enactment who contravenes or fails to comply with the terms or conditions imposed by the Board in accordance with this Enactment or if it appears to the Board that any further pursuance of his studies is not advantageous or reasonable by reason of his unsatisfactory scholastic progress, misconduct or ill-health:

Provided that in any such case of cessation of any scholarship or any other study award the Board shall defray all expenses necessary to return such recipient and his dependants, if any, to the Federation if they had left Malaysia on the instructions or with the approval of the Board.

(2) Any offer for the scholarship or study award may be terminated at any time upon breach of contract, on the occurrence of the following:

- (a) if the student dies;
- (b) if it is certified that the student is insane;
- (c) if the student be imprisoned or be convicted of any criminal offence; or
- (d) if the student change courses or field of studies and change the university.

Loan
repayment
terms.

13. (1) The repayment of the loan shall be made within six months upon completing of the study at the rate as specified by the Board.

(2) All expenses incurred by the Board in the control and management of the Fund shall be defrayed from the assets of the Fund and shall be a first charge on such assets.

Investment
of Fund.

14. (1) The Board may invest and deal with the Fund not immediately required in such manner as may from time to time be determined by the Board.

(2) All investments made under this section shall be registered in the name of the Board.

(3) Deposit any monies, which may from time to time be uninvested, with any bank either upon fixed deposit or upon current account or 'unit trust'.

Liability of members.

15. No members of the Board shall be liable for any loss arising from or contingent upon any investment made unless such loss has been occasioned by his negligence, fraud or dishonesty, and no member of the Board and no agent or person acting under authority of the Board shall be personally liable to any action or proceedings for or in respect of any action made or thing done or omitted to be done in good faith and in the proper exercise of any of the powers of the Board or of the members thereof.

Liquidation.

16. (1) If at any time, the monies or other assets of the Board are in the opinion of the Board insufficient to meet the expenses of the Board and other payments, the Chairman of the Board shall forthwith make a report of that fact to the Ruler in Council.

(2) If on receipt of such report the Ruler in Council considers that an appeal for grants, donations, endowments or gifts should be made, the Ruler in Council shall forthwith direct the Board to make such appeals and the Board shall forthwith comply with such direction.

(3) If after the expiration of one year from the date any appeal is made under the subsection (2), no adequate grants, donations, endowments or gifts are received by the Board, the Ruler in Council shall direct that the Board be liquidated; and proceedings for liquidation shall commence according to the regulations made under this Enactment.

Audit and
Accounts.

17. (1) The Accounts and Balance Sheet shall be audited by an Auditor to be appointed by the Ruler in Council.

(2) The Auditor shall have a right of access at all times to the Books, Accounts and Vouchers of the Board, and shall be entitled to require from the members of the Board such information and explanations that may be required for the performance of his duties.

(3) The Auditor shall sign a certificate at the foot of the Balance Sheet stating whether or not all his requirements as Auditor have been complied with and shall make a report on the Balance Sheet, stating whether in his opinion it is properly drawn up so as to exhibit a true and correct view of the state of the Board's affairs as shown by the Books of Accounts maintained by the Board.

(4) At the end of each financial year as soon as the accounts of the Board have been audited, the Board shall cause a copy of the statement of account together with a copy of any report of the auditor to be transmitted to the Ruler-in-Council who shall cause the same to be laid before the Legislative Assembly.

Appointment
of Officer
and Staff.

18: (1) The Board may from time to time appoint suitable person or persons to be officers, clerks and servants as may be necessary for conducting the business of the Board.

(2) Any appointment made under the provisions of subsection (1) of this section shall be on such terms and conditions as the Board may deem fit.

- Right to
appoint
panel of
Solicitors. 19. The Board shall appoint its panel of solicitors to render advise on any legal matters relating to its objects and functions and to commence legal action against the students who fails to make any repayment of the loan.
- Penal Code.
*F.M.S. Cap.
45.* 20. All members, officers and servants of the Board shall be deemed to be public servants within the meaning of the Penal Code.
- Public
Authorities
Protection
Act, 1948.
Act 198. 21. The Public Authorities Protection Act, 1948 shall apply to any action, suit, prosecution or proceedings against the Board or against any member, officer, servant or agent of the Board in respect of any act, neglect or default done or committed by him in such capacity.
- Regulations. 22. The Ruler in Council may make regulations for the proper performance by the Board of its duties, or necessary for giving full effect to the provisions of this Enactment and for their due administration.”.

Passed this 30 March 2001.
[PU. Sel. Am/0125; DUN. Sel. 30287/1 Jid. 3.]

BAKHTIAR BIN HUSSIN,
*Clerk of the Legislative Assembly,
Selangor*

**KATHI COURT FEES
ENACTMENT 1949
(Tiada Terjemahan BM)**

STATE OF SELANGOR.

ENACTMENT No. 3 of 1949.

L. S.

29th December, 1949.

I ASSENT

T. ALAM SHAH,
(IN MALAY)*Sultan of Selangor.*

An Enactment to provide for the payment of fees in the Courts of Kathi.

IT IS HEREBY ENACTED by His Highness the Sultan with the advice and consent of the Council of State:

1. This Enactment may be cited as the Kathi Court Fees Enactment, 1949. Short title.

2. The fees in respect of any document received or furnished by or filed, exhibited, recorded, used or transacted in any court of a Kathi shall be as set out in the Schedule to this Enactment and the Ruler in Council may from time to time by order published in the *Gazette* amend or add to such Schedule. Prescribing of fees.

3. The Court Fees Enactment of the Federated Malay States is hereby repealed in so far as it relates to fees in the Courts of Kathi and Assistant Kathi in the State of Selangor. Repeal. F.M.S. Cap. 12.

SCHEDULE.

	c.
1. Summons to defendants (for each defendant named)	50
2. Summons to witness (for each witness named) ...	25
3. Copy of decrees	50
4. Certified copy of notes of proceedings per folio of 100 words or any part of such folio	50

**CONSTITUTION OF THE MUNICIPALITY
OF KUALA LUMPUR (G.N. 351/51)
(Tiada Terjemahan BM)**

- **CONSTITUTION OF THE MUNICIPALITY OF KUALA LUMPUR (AMENDMENT) ENACTMENT 1/1955 (BI)**
- **CONSTITUTION OF THE MUNICIPALITY OF KUALA LUMPUR (AMENDMENT) ENACTMENT 2/1958 (BI)**
- **CONSTITUTION OF THE MUNICIPALITY OF KUALA LUMPUR (AMENDMENT) ENACTMENT 19/1959 (BI)**

14. The Board shall have the powers to order any occupant to demolish any structures not erected in accordance with approved plans, or any structures erected without the previous approval of the Board. In the event of non-compliance with such order, the Board may proceed to act under Rule 13.

15. Any offence against, or any contraventions, of these Rules or by-laws made thereunder, shall render the occupant liable to expulsion by the Board under Rule 13.

Notification Nos. 480 and 950 published in the Federated Malay States Government *Gazettes* of 18th March, 1910, and 22nd February, 1935, respectively, are hereby cancelled.

Made this 23rd day of December, 1950.

[Sel. Sec. 2047/49.]

ABDUL AZIZ BIN HAJI MAT JABAR,
Clerk of Councils, Selangor.

[*Gazette (Selangor Section) Notification No. 351, 10th May, 1951.*]

THE LOCAL AUTHORITIES ELECTIONS
ORDINANCE, 1950.

(F. of M. No. 52 of 1950.)

PURSUANT to section 4 (4) of the Local Authorities Elections Ordinance, 1950, the following Constitution of the Municipality of Kuala Lumpur granted by the Ruler in Council to the Municipality of Kuala Lumpur on the 27th day of March, 1951, having been laid on the table of the Council of State of Selangor and approved with amendment by a resolution of the Council of State of Selangor on the 1st day of May, 1951, is published together with the amendment so approved:

CONSTITUTION OF THE MUNICIPALITY OF KUALA LUMPUR.
ORDER OF HIS HIGHNESS THE RULER IN COUNCIL.

Made the 27th day of March, 1951, laid before the Council of State and approved the 1st day of May, 1951.

WHEREAS it is provided by section 6 of the Municipal Ordinance that the municipal affairs of every Municipality shall be administered by a Council consisting of a President and such numbers of elected or of elected and of appointed Councillors as may be prescribed by the Constitution granted to the Municipality under the Local Authorities Elections Ordinance, 1950 (hereinafter referred to as "the Ordinance"):

AND WHEREAS it is provided by section 3 of the Ordinance that such Constitution shall in all cases provide that—

- (a) the total number of Councillors, exclusive of the President, shall be not less than six and not more than twenty-four; and
- (b) the number of elected Councillors shall be a majority of the total number of Councillors, exclusive of the President.

AND WHEREAS it is provided by section 4 of the Ordinance that the Ruler in Council shall by order grant to each Municipality existing within the State at the date of the commencement

of the Ordinance a Constitution thereunder within three months of such date:

AND WHEREAS the Ordinance came into force on the first day of January, 1951:

AND WHEREAS the Municipality of Kuala Lumpur existed at the date of the commencement of the Ordinance:

Now, THEREFORE, His Highness the Ruler in Council is pleased to order, AND IT IS HEREBY ORDERED, as follows—

PART I.
PRELIMINARY.

1. This Order may be cited as the Constitution of the Municipality of Kuala Lumpur. Short title.
2. In this Order, unless the context otherwise requires— Interpretation.
- “appointed Councillor” means a Councillor appointed in accordance with the provisions of this Order;
- “Council” means the Council established under the Municipal Ordinance and this Order to administer the municipal affairs of the Municipality; S.S. Cap. 138.
- “Councillors” means elected and appointed Councillors but does not include the President;
- “Elected Councillor” means a Councillor elected in accordance with the provisions of the Ordinance; F. of M. No. 62 of 1950.
- “Election” means an election for the purpose of electing a Councillor held under the provisions of the Ordinance; F. of M. No. 62 of 1950.
- “Elector” means a person entitled to be registered as an elector to vote at an election;
- “Municipal Councillors” means the Municipal Councillors of Kuala Lumpur;
- “Municipality” means the Municipality of Kuala Lumpur;
- “Municipal Ordinance” means the Municipal Ordinance of the Straits Settlements in force in the Settlements as applicable to the Municipality by virtue of the Municipal Ordinance (Extended Application) Ordinance, 1949; S.S. Cap. 133.
- “the Ordinance” means the Local Authorities Elections Ordinance, 1950; F. of M. No. 3 of 1949.
- “President” means the President of the Council appointed in accordance with the provisions of Part IV of this Order. F. of M. No. 62 of 1950.

PART II.

THE COUNCIL.

3. The Council established under section 6 of the Municipal Ordinance to administer the Municipal affairs of the Municipality shall consist of the President and eighteen Councillors exclusive of the President and the Deputy President (if any) of whom— Membership.
- (a) twelve shall be elected Councillors; and
- (b) six shall be appointed Councillors.
4. (1) At the first election twelve Councillors shall be elected. First election and retirement of elected Councillors.
- (2) Three of such Councillors shall represent each of the wards specified in the Schedule hereto.
- (3) The Councillors elected at the first election shall retire—
- (a) in the case of the Councillor elected by the smallest number of votes to represent each of the wards specified in the Schedule hereto, on the date of the holding of the first annual election;

- (b) in the case of the Councillor elected by the next smallest number of votes to represent each of the wards specified in the Schedule hereto, on the date of the holding of the second annual election;
- (c) in the case of the Councillor elected by the largest number of votes to represent each of the wards specified in the Schedule hereto, on the date of the holding of the third annual election:

Provided that in the case of an equality of votes between Councillors, or where an election has not been contested, or if any doubt arises, the order of retirement shall be determined by lot at the first meeting of the Council and the drawing shall be conducted under the direction of the President.

First appointment and retirement of appointed Councillors.

5. (1) On the date of the holding of the first election six Councillors shall be appointed by the Ruler in Council in accordance with the provisions of this Order.

(2) Such Councillors shall retire as to one-third thereof on the date of the holding of the first annual election, as to a further one-third thereof on the date of the holding of the second such election and as to the remaining one-third thereof on the date of the holding of the third such election.

(3) The instrument of appointment of each such Councillor shall specify the term of office of such Councillor.

Term of office of Councillors.

6. Subject to the provisions of this Part, a Councillor shall hold office for a period of three years and one-third of the whole number of the Councillors, being those who have been Councillors for the longest period without re-election or re-appointment, shall retire in every year on the date of the annual election.

Annual election of Councillors.

7. At each annual election, a Councillor shall be elected to fill the seat of each elected Councillor which is rendered vacant by reason of the retirement of such Councillor under the provisions of this Part.

Annual appointment of Councillors.

8. On the date of the holding of each annual election a Councillor shall be appointed by the Ruler in Council in accordance with the provisions of this Order to fill the seat of each appointed Councillor which is rendered vacant by reason of the retirement of such Councillor under the provisions of this Part.

Casual vacancies.

9. (1) The seat of a Councillor shall become vacant—

- (a) on his death; or
- (b) if he shall be found or declared insane under any written law, or
- (c) if he shall, by writing under his hand addressed to the Ruler, resign his office; or
- (d) if he shall fail to make and deliver a declaration of acceptance of office in the manner prescribed by section 7 of the Municipal Ordinance; or
- (e) if he shall be appointed to be the President; or
- (f) if he shall become the holder of an office of emoluments under the Crown or any Government in the Federation or under the Municipal Councillors:

Provided that for the purpose of this paragraph a person shall not be deemed to hold such

office by reason only that he is in receipt of a pension or other like allowance in respect of service under the Crown or any Government in the Federation or under the Municipal Councillors; or

- (g) if, being an elected Councillor, his election shall be declared void on an election petition; or
- (h) if by ordinary resolution of the Council his seat is declared vacant on the grounds that he, without some sufficient cause to be allowed by the Council and entered in the record of its proceedings—
 - (i) fails to attend three consecutive ordinary meetings of the Council; or
 - (ii) fails during a period of three consecutive months to attend at least one meeting of any Standing Committee to which he may be appointed; or
- (i) if he shall be declared a bankrupt; or
- (j) if in the Federation, or in any part of His Majesty's dominions or in any territory under His Majesty's protection or in which His Majesty has for the time being jurisdiction, he shall be sentenced to death, or imprisonment (by whatever name called) for a term exceeding six months; or
- (k) if he shall become disqualified for the office of Councillor or election thereto by reason of his conviction under the provisions of the Ordinance or the report of an Election Judge thereunder; or
- (l) if, being an elected Councillor, he shall at any time be declared by the Ruler or any person appointed by him in that behalf, not to have the qualifications necessary for election as a Councillor or to be subject to any of the disqualifications specified in Part III of this Order.

(2) For the purpose of filling a casual vacancy in the office of Councillor the date on which the vacancy shall be deemed to have occurred shall be:

- (a) in the case of resignation, on the date of the acceptance thereof by the Ruler;
- (b) in the case of failure to make and deliver a declaration of acceptance of office in accordance with the provisions of section 7 of the Municipal Ordinance, upon the expiration of the period therein specified for the delivery of the declaration;
- (c) in the case of an election being declared void on an election petition, upon the date of the report or certificate of the Election Judge;
- (d) in the case of disqualification by conviction, upon the expiration of the ordinary period allowed for making an appeal with respect to the conviction or, if an appeal is made, upon the date upon which the appeal is finally disposed of or abandoned or fails by reason of non-prosecution thereof; and

(e) in the case of a person becoming disqualified for any reason other than those mentioned in the foregoing paragraphs of this sub-section, upon the happening of the event or on the date of the resolution or declaration as the case may be.

(8) If at any election there are elected less Councillors for any ward than there are vacancies to be filled at such election a casual vacancy shall be deemed to have occurred in respect of each of the seats which remain vacant and such vacancy shall be deemed to have occurred upon the date upon which another casual vacancy occurs in the seat of a Councillor elected for the same ward or upon the date of the holding of the next annual election which ever shall first happen.

Filling of
casual
vacancies in
the seats of
elected
Councillors.

10. (1) (a) Where a casual vacancy occurs in the seat of an elected Councillor more than six months before the date of the next annual election, a Councillor shall be elected in accordance with the provisions of the Ordinance to fill the vacancy.

Secs. 10 & 11 (b) Where a casual vacancy occurs in the seat of an elected Councillor within six months before the date of the next annual election, an election shall not be held to fill the vacancy but the vacancy shall be filled at the next annual election:

Provided that if upon a vacancy or a number of simultaneous vacancies so occurring more than three months before the date of the next annual election the total number of unfilled vacancies in the seats of elected Councillors exceeds one-third of the whole number of elected Councillors this sub-section shall not apply and a Councillor shall be elected in accordance with the provisions of the Ordinance to fill each of such vacancies.

(2) A person elected to fill a casual vacancy in the seat of an elected Councillor shall hold office until the date upon which the Councillor in whose place he is elected would regularly have retired and he shall then retire.

(3) Where more than one casual vacancy is filled at the same election, the person elected by the smallest number of votes shall be deemed to be elected in the place of the Councillor who would regularly have first retired, the person elected by the next smallest number of votes shall be deemed to be elected in the place of the Council who would regularly have next retired, and the person elected by the largest number of votes shall be deemed to be elected in the place of the Councillor who would regularly have retired last; and if there has not been a contested election, or if any doubt arises, the order of retirement shall be determined by lot.

(4) Where an election to fill one or more casual vacancies is combined with an annual election, the person elected by the largest number of votes shall be deemed to be elected in the place of the Councillor regularly retiring on the date of such annual election; and if there has not been a contested election, or if any doubt arises, the person who shall be deemed to be elected in the place of the Councillor regularly retiring on the date of such annual election shall be determined by lot.

(5) Where under this section any question is required to be determined by lot, the lots shall be drawn at the next practicable meeting of the Council after the question has arisen, and the drawing shall be conducted under the direction of the President.

11. (1) Notwithstanding the provisions of this Part, if at any time within three months before the date of the next annual election the total number of seats of elected Councillors which are vacant from any cause whatever exceeds one-half the Ruler in Council may appoint persons to fill such number of such vacant seats as he shall consider necessary for the due discharge of the functions of the Council.

Appointment of Councillors to fill vacancies in the seats of elected Councillors occurring within three months before annual election.

(2) Such appointments shall continue in force until the next annual election when Councillors shall be elected to fill such vacant seats.

12. (1) On a casual vacancy occurring in the seat of an appointed Councillor the President shall immediately notify the Ruler in Council who may appoint a person to fill the vacancy.

Filling of casual vacancies in the seats of appointed Councillors.

(2) A person appointed to fill a casual vacancy in the seat of an appointed Councillor shall hold office until the date upon which the Councillor in whose place he is appointed would regularly have retired and he shall then retire.

(3) The instrument of appointment of such person shall specify the Councillor in whose place he is appointed.

13. Any Councillor who retires or resigns his office in accordance with the provisions of this Part shall, subject to the provisions of this Order, be eligible for re-election or re-appointment.

Re-election or re-appointment.

14. Notwithstanding any provision of the Municipal Ordinance or any by-law made thereunder to the contrary, the quorum necessary for the transaction of business shall be—

Quorum.

(a) at a special meeting of the Council one-half of the full number of Councillors and in case the number of Councillors shall not be divisible by two then one-half of the next lower number; or

(b) at an ordinary meeting of the Council not less than eight Councillors.

PART III.

QUALIFICATION OF COUNCILLORS.

15. Subject to the provisions of this Part, a person shall be qualified to be elected as a Councillor if he is—

Qualification for elected Councillors.

(a) qualified as an elector in accordance with the provisions of this Order and registered in any register of electors kept under the Ordinance in respect of the Municipality; and

(b) able to speak, and, unless incapacitated by blindness or other physical cause, to read and write the Malay or English language with a degree of proficiency sufficient, in the opinion of the Ruler in Council or any person appointed by the Ruler in Council in that behalf, to enable him to take an active part in any proceedings as a Councillor.

16. No person shall be capable of being elected or appointed as a Councillor who at the time of such election or appointment, as the case may be—

Disqualification for Councillors.

(a) is disqualified for election by reason of his conviction under the provisions of the Ordinance or the report of an Election Judge thereunder; or

- (b) has, in the Federation, or in any part of His Majesty's dominions or in any territory under His Majesty's protection or in which His Majesty has for the time being jurisdiction, been sentenced to death or imprisonment (by whatever name called) for a period exceeding six months and has not either suffered the punishment to which he was sentenced or such other punishment as may by competent authority have been substituted therefor or received a free pardon; or
- (c) is an undischarged bankrupt consequent upon having been declared bankrupt under any written law or any law in force in the Federation or in any part of His Majesty's dominions or in any territory under His Majesty's protection or in which His Majesty has for the time being jurisdiction; or
- (d) without the written permission of the Ruler is concerned or interested in any contract or work made with or done for the Municipal Councillors:

Provided that—

- (i) a person shall not be deemed to be concerned or interested in any contract or work made with or done for the Municipal Councillors merely by reason of his being a shareholder in or a director (other than the chairman or managing director) of a duly incorporated company which has a contract with or executes work for the Municipal Councillors; and
- (ii) the provisions of this paragraph shall not apply to contracts made with the Municipal Councillors for the supply to any Councillor of water, gas, electricity or other municipal services or to contracts the consideration for which does not exceed one hundred and fifty dollars; or
- (e) is a person holding any office of emolument under the Crown or any Government in the Federation or under the Municipal Councillors:

which. See Sec. 2/3

Provided that for the purpose of this paragraph a person shall not be deemed to hold such office by reason only that he is in receipt of a pension or other like allowance in respect of service under the Crown or any Government in the Federation or under the Municipal Councillors; or

- (f) is in receipt of full pay as a member of His Majesty's Naval, Military or Air Forces or of any Local Forces established under any written law; or
- (g) is a regular minister of a religious body.

PART IV.

THE PRESIDENT.

17. (1) The Ruler in Council shall after consultation with the Councillors, appoint a fit and proper person to be the President and may at any time remove such person from office and, after consultation as aforesaid, appoint another in his stead.

Appointment
of President
and Deputy
President.

(2) Subject to the provisions of sub-section (1) of this section, in the event of the person appointed to be the President being an elected Councillor, he shall cease to hold the office of President upon the date upon which his term of office as a Councillor would have expired had he not been appointed President, but may be re-appointed to be the President.

(3) Whenever the President is unable to discharge his duties by reason of absence on leave or on account of illness or from any other cause, the Ruler in Council may, after consultation with the Councillors, from time to time appoint a fit and proper person to be the Deputy President to act for the President during his absence or incapacity and may at any time remove such person from office and appoint another in his stead.

(4) The Deputy President shall during his appointment have all the powers of the President.

18. The person for the time being performing the duties of President shall have all the rights, powers, duties and privileges of a Councillor under the Municipal Ordinance and any by-laws made thereunder. President to have powers of Councillor

19. The person for the time being performing the duties of President shall receive such salary or allowance out of the Municipal Fund as may from time to time be fixed by the Ruler in Council after consultation with the Councillors. Remuneration of President.

PART V.

QUALIFICATION OF ELECTORS AND ELECTORAL WARDS.

20. (1) A person shall be entitled to have his name placed or retained in any register of electors prepared for the Municipality in any year under the provisions of the Ordinance or any regulations made thereunder if such person— Qualification of electors.

(a) is either—

- (i) a subject of the Ruler of any Malay State, or
- (ii) a Federal citizen, or
- (iii) a Citizen of the United Kingdom and Colonies born in the Federation or in the Colony of Singapore; and

(b) is not less than twenty-one years of age on the 15th day of April in that year; and

(c) is not, under any written law, found or declared to be of unsound mind; and

(d) is not disqualified for registration as an elector or from voting at any election by reason of his conviction under the provisions of the Ordinance or the report of an Election Judge thereunder; and

(e) has not taken any oath or made any declaration or acknowledgment of allegiance, obedience or adherence to any foreign power or State or done, concurred in or adopted any act done with the intention that he shall become a subject or citizen of any foreign power or State nor within the three years preceding that year held office under the Government of any foreign power or State; and

(f) has been ordinarily resident in the Federation for a

(g) either—

- (i) is the owner immovable property within the Municipality having an assessed annual value of at least \$60, and in respect of which he has paid such rates as have been assessed and are payable thereon in accordance with the provisions of the Municipal Ordinance and any by-laws made thereunder for the half year ending on the 31st day of December of the preceding year; or
- (ii) is and has for a period of at least one year within the two years immediately prior to the 15th day of April in that year been the occupier of premises within the Municipality having an assessed annual value of not less than \$120 or which (if not assessable under the Municipal Ordinance) are certified by the Municipal Assessor or by a valuer approved by the Supervisor of Elections appointed in respect of the Municipality under the provisions of the Ordinance to be of an annual value of not less than \$120; or
- (iii) is and has for a period of at least one year within the two years immediately prior to the 15th day of April in that year been the occupier of part of premises within the Municipality for which he pays a monthly rent of not less than \$10; or
- (iv) is and has for a period of at least one year within the two years immediately prior to the 15th day of April in that year been ordinarily resident within the Municipality.

(2) A person entitled to have his name entered or retained in a register of electors shall be entitled to have his name entered or retained in that register which includes the names of electors for the electoral ward specified in the Schedule hereto in which such person is ordinarily resident: Provided that, if such person is not ordinarily resident within the Municipality, then such person shall be entitled to have his name entered or retained in the register of electors which includes the names of electors for the electoral ward specified in the Schedule hereto in which is situated the property or premises or part of premises in respect of which such person is entitled to have his name entered or retained in a register of electors, and, if such person is so entitled in respect of property and/or premises or part thereof situated in more than one of such electoral wards, then in such one of the registers of electors which include the names of electors for the electoral wards in which such property and/or premises or part thereof is situated, as such person shall elect.

(3) No person shall be entitled to have his name entered or retained at the same time in more than one register of electors prepared for the Municipality in any year under the provisions of the Ordinance or any Regulations made thereunder.

21. (1) For the purpose of the election of Councillors the Municipality shall be divided into four electoral wards which shall bear the numbers and names set out in the first column of the Schedule hereto and shall comprise the areas within the boundaries specified in the second column of the said Schedule.

Electoral
Wards.

(2) Three elected Councillors shall represent each such ward.

(3) For the purposes of this Order there shall be deemed to be a separate election for each such ward.

SCHEDULE.

Sections 4 and 22.

ELECTORAL WARDS.

Number.	Name.	Boundaries.
1	Bungsar	Starting from the point of intersection of the Municipal boundary and the centre line of the Klang Road near the 4th milestone on the latter road and proceeding thence in a Westerly and Northerly direction along the said Municipal boundary to its junction with the centre line of Ipoh Road near the 4th milestone on the latter road, thence proceeding in a Southerly direction successively along the centre lines of Ipoh Road, Batu Road, Jalan Raja, Victory Avenue, High Street Railway Bridge, Lornie Road and Klang Road to the point of commencement.
2	Sentul	Starting from the point of intersection of the Municipal boundary and the centre line of Ipoh Road near the 4th milestone on the latter road and proceeding thence in an Easterly and Southerly direction along the said Municipal boundary to its junction with the centre line of Ampang Road, thence proceeding in a Westerly direction successively along the centre lines of Ampang Road, Malacca Street, part of Mountbatten Road, and in a Northerly direction along the centre lines of Batu Road and Ipoh Road to the point of commencement.
3	Imbi	Starting from the point of intersection of the Municipal boundary and the centre line of Ampang Road and proceeding thence in a Southerly direction along the said Municipal boundary to its junction with the centre line of Cheras Road, thence proceeding in a general North-westerly direction successively along the centre lines of Cheras Road, Fudu Road, and part of Mountbatten Road and thence in a North-easterly direction successively along the centre lines of Malacca Street and Ampang Road to the point of commencement.
4	Petaling	Starting from the point of intersection of the Municipal boundary and the

Number.	Name.	Boundaries.
		centre line of Cheras Road and proceeding thence in a Westerly direction along the said Municipal boundary to its junction with the centre line of Klang Road, thence proceeding in a Northerly direction successively along the centre lines of Klang Road and Lornie Road, Westery along the centre line of High Street, Railway Bridge and thence in a Northerly direction successively along the centre lines of Victory Avenue, Jalan Raja and part of Batu Road, thence South-easterly along the centre lines successively of Mounbatten Road, Pudu Road and Cheras Road to the point of commencement.

Made this 27th day of March, 1951.

By His Highness' Command,

RAJA UDA,
Mentri Besar.

[Gazette (Selangor Section) Notification No. 353, 17th May, 1951.]

THE LOCAL AUTHORITIES ELECTIONS ORDINANCE,
1950.

(F. of M. Ordinance No. 52 of 1950.)

MUNICIPALITY OF KUALA LUMPUR.

APPOINTMENT OF SUPERVISOR OF ELECTIONS.

In exercise of the powers conferred by section 5 of the Local Authorities Elections Ordinance, 1950, the Ruler in Council hereby appoints Mr. G. Hawkins to be Supervisor of Elections for the Municipality of Kuala Lumpur, with effect from 1st January, 1951. [Sel. Sec. C/12/50 Pt. 1; S.E.K.L. 3/1/50.]

[Gazette (Selangor Section) Notification No. 357, 17th May, 1951.]

POLLING DISTRICTS.

In exercise of the powers vested in him by section 7 of the Local Authorities Elections Ordinance, 1950, the Supervisor of Elections hereby:

- (a) divides the electoral wards of the Municipality of Kuala Lumpur set out in the first column of the Schedule hereto into the polling districts set out in the second column of such Schedule opposite to such electoral wards;
- (b) assigns to each such polling district the distinguishing letters set out alongside such polling district in the said second column, and
- (c) defines the boundaries of such polling districts as set out in the third column of such Schedule opposite to such polling districts.

STATE OF SELANGOR

ENACTMENT No. 1 OF 1955

I ASSENT

T. ALAM SHAH,

(STATE SEAL)

Sultan of Selangor

31st day of May, 1955

An Enactment to amend the Constitution of the Municipality of Kuala Lumpur.

IT IS HEREBY ENACTED by His Highness the Sultan with the advice and consent of the Council of State as follows:

1. This Enactment may be cited as the Constitution of the Municipality of Kuala Lumpur (Amendment) Enactment, 1955, and shall be read as one with the Constitution of the Municipality of Kuala Lumpur (hereinafter referred to as the Constitution) and shall come into force upon such date as His Highness the Ruler may by notification in the *Gazette* appoint,

1-8-56 - G.N. 401/56

2. Section 10 of the Constitution is hereby amended by deleting sub-section (1) and substituting therefor the following sub-section—

“(1) When the seat of an Elected Councillor becomes vacant in accordance with the provisions of section 9 the vacancy shall be filled at the next annual election:

Provided that in the event of such vacancy occurring not less than six months before the ordinary date of the next annual election the Ruler in Council by order may direct that a Councillor shall be elected in accordance with the provisions of the Ordinance to fill such vacancy and fix a date upon which the poll, if any, shall be taken.”

Passed this 19th day of April, 1955.

[Sel. Sec. 784.]

ABU BAKAR SAMAD BIN MOHAMED NOOR,

Clerk of Council, Selangor

*Sel 61
357/51*

I ASSENT,

(STATE SEAL)

T. ALAM SHAH,
Sultan of Selangor

21st day of March, 1958.

An Enactment to amend the Constitution of the Municipality of Kuala Lumpur.

[17th April, 1958.]

IT IS HEREBY ENACTED by His Highness the Sultan with the advice and consent of the Council of State as follows:

1. This Enactment may be cited as the Constitution of the Municipality of Kuala Lumpur (Amendment) Enactment, 1958, and shall be read as one with the Constitution of the Municipality of Kuala Lumpur (hereinafter referred to as the Constitution).

Short
title.Sel. G.N.
351/51.

2. Section 16 of the Constitution is hereby amended by substituting the following new paragraph for paragraph (e) thereof:

Amend-
ment of
section
16 of
the Con-
stitution.

“(e) is a person other than an *ex-officio* Councillor holding any office of profit or emolument under the Yang di-Pertuan Agong, any Ruler, any Government or the Municipal Councillors.

Provided that a person shall not be disqualified from being elected or appointed as a Councillor by reason only that he is in receipt of a pension or other like allowance in respect of service under the Yang di-Pertuan Agong, any Ruler, any Government or the Municipal Councillors:

Provided further that if it shall be declared by the Ruler by notification published in the *Gazette* that an office other than an office under the Municipal Councillors shall or shall not be deemed to be an office of profit or emolument for all or any of the purposes of this Constitution, this Constitution shall have effect accordingly;”.

Passed this 18th day of March, 1958.

[Sel. Sec. 2001/49.]

RAJA MOKHTAR,
Clerk of Council, Selangor

I ASSENT,

ABDUL AZIZ SHAH,

(STATE SEAL)

Regent of Selangor

31st day of December, 1959

An Enactment to amend the Constitution of the Municipality of Kuala Lumpur.

[]

IT IS HEREBY ENACTED by the Legislature of the State of Selangor as follows:

1. This Enactment may be cited as the Constitution of the Municipality of Kuala Lumpur (Amendment) Enactment, 1959, and shall be read as one with the Constitution of the Municipality of Kuala Lumpur (hereinafter referred to as the Constitution). Short title.
Sel. G.N.
351/51.

2. Section 16 of the Constitution is hereby amended by adding the following new section: Amendment
of section
16 of the
Constitution.

**Payment of allowance to Councillors.* 16A. The person for the time being performing the duties of a Councillor may be paid such allowance out of the Municipal fund as may from time to time be determined by a resolution of the Council and approved by the Ruler in Council."

3. Section 19 of the Constitution is hereby amended by inserting the words "and Deputy President" between the words "President" and "shall" in line 2 thereof. Amendment
of section
19 of the
Constitution.

Passed this 10th day of December, 1959.

[Sel. Sec. 2156/52.]

MOHD. NOOR BIN ABU OSMAN,
Clerk of the Legislative Assembly, Selangor

**SELANGOR NATIONALITY
ENACTMENT 1952
(Tiada Terjemahan BM)**

STATE OF SELANGOR.

ENACTMENT No. 2 of 1952.

I ASSENT

T. ALAM SHAH,

(IN MALAY)

Sultan of Selangor.

10th day of July, 1952.

An Enactment to make provision for the status of a subject of His Highness the Ruler of the State of Selangor for the acquisition and loss of such status and for purposes connected therewith.

of
by

IT IS HEREBY ENACTED by His Highness the Sultan with the advice and consent of the Council of State as follows:

1. This Enactment may be cited as the Selangor Nationality Enactment, 1952, and shall come into force on such date as His Highness the Ruler may, by notification in the *Gazette*, prescribe. *2. from 15.7.52*
3. Sel. 24 762/52

Short title
and com-
mencement.

2. (1) In this Enactment, unless the context otherwise requires—

Interpreta-
tion.

"child" includes any child whose adoption has been registered in accordance with any written law in force in the Federation of Malaya;

"citizen of the Federation of Malaya" means a citizen of the Federation of Malaya by virtue of the provisions of Part XII of the Federation of Malaya Agreement, 1948;

"citizen of the United Kingdom and Colonies" means a person who is a citizen of the United Kingdom and Colonies under the British Nationality Act, 1948;

11 & 12
Geo. VI c.
56.

"Federation of Malaya", in respect of any period prior to the first day of February, 1948, means any of the territories now comprised in the Federation of Malaya;

"Malay" means a person who--

- (a) habitually speaks the Malay language; and
- (b) professes the Muslim religion; and
- (c) conforms to Malay custom;

"minor" means a person who has not attained the age of eighteen years reckoned according to the Gregorian calendar;

"the prescribed date" means the date prescribed by His Highness the Ruler under section 1 of this Enactment for the coming into force of this Enactment;

"the State" means the State of Selangor.

(2) A person shall for the purposes of this Enactment be of full capacity if he has attained the age of eighteen years reckoned according to the Gregorian calendar and is of sound mind.

(3) For the purposes of this Enactment, any reference therein to a woman who is, or has been, married shall be deemed to refer only to a woman whose marriage has been registered in accordance with any written law in force in the Federation of Malaya.

(4) There shall be one or more Language Boards each of which shall consist of three members, one of whom shall be Chairman, appointed by the Ruler in Council; one member shall be a Malay, one member shall, where possible, be of the same community as the applicant and the Chairman shall be of a community different from the other two members. Any such Board may act by a majority of the members thereof.

(5) For the purposes of this Enactment, a person shall be deemed to be able to speak the Malay or English language with reasonable proficiency if in the opinion of a Language Board he is able to say and understand what a person of his standing is likely to wish to say or understand in Malay or English in normal intercourse with a person of a different community.

(6) Any reference in this Enactment to the status or description of the father of a person at the time of that person's birth shall, in relation to a person born after the death of his father, be construed as a reference to the status or description of the father at the time of the father's death; and where that death occurred before, and the birth occurs after the prescribed date, the status or description which would have been applicable to the father had he died after the prescribed date shall be deemed to be the status or description applicable to him at the time of his death.

3. A subject of the Ruler of the State of Selangor shall have the status of a national of the State of Selangor.

National status.

4. On and after the prescribed date the following persons, and no others, shall be subjects of the Ruler of the State by operation of law:

15 9.52

Subjects of the Ruler by operation of law.

- (a) any person who belongs to any of the aboriginal tribes of Malaya and who is in the State;
- (b) any Malay born before, on or after the prescribed date in the State;
- (c) any person born before, on or after the prescribed date in the State, one of whose parents was born in the Federation of Malaya;
- (d) any person not being a citizen of the United Kingdom and Colonies, who was born in the State and under the provisions of the Federation of Malaya Agreement, 1948, at any time in force, was immediately before the prescribed date a Federal Citizen;
- (e) any person, not being a citizen of the United Kingdom and Colonies, who under the provisions of the Federation of Malaya Agreement, 1948, at any time in force, having become a Federal Citizen by application in the State, was immediately before the prescribed date a Federal Citizen:

Provided that this paragraph shall not apply to any person who on or before the coming into force of this Enactment

acquires or has acquired under provisions corresponding to those contained in the preceding paragraph the nationality of another State in the Federation of Malaya;

(f) any person, wherever born, whose father either—

(i) was born in the State and, at the time of the birth of such person, was, under the provisions of this Enactment, or would have been, had the provisions of this Enactment been then in force, a subject of the Ruler; or

(ii) was, at the time of the birth of such person, a subject of the Ruler by registration under section 5 or 6 or under sub-section (4) of section 9 of this Enactment or by naturalisation under section 8 of this Enactment, or by virtue of paragraph (g) of this section;

(g) any person who, immediately before the prescribed date, was a naturalised subject of the Ruler under the Naturalisation Enactment of the Federated Malay States.

F.M.S.
Cap. 117.

Subjects of
the Ruler by
registration.

5. (1) Subject as hereinafter provided a person, not being a minor, born in the State before, on or after the prescribed date, who is not a subject of the Ruler, shall be entitled, on making application in the prescribed manner, to be registered as a subject of the Ruler:

Provided that a person who has absented himself from the Federation of Malaya for a continuous period of five years within the ten years immediately preceding his application shall not be entitled to be registered under this sub-section unless he is certified by the Ruler to have maintained substantial connection with the Federation of Malaya during that period.

(2) No person shall be entitled to be registered under the preceding sub-section unless he—

(a) satisfies the Ruler that he is able to speak the Malay or English language with reasonable proficiency or if he is unable to do so that such inability is due to the physical impediment of deafness or dumbness; and