

Senarai Kandungan Enakmen

Bil.	Enakmen Ibu
1.	Loans (New Township Development Project) Enactment 1982 Enakmen Pinjaman (Projek Pembangunan Bandar Baru) 1982
2.	Loans (Irrigation Projects) Enactment 1982 Enakmen Pinjaman (Projek Saliran) 1982
3.	Loan (Sewerage Project) Enactment 1982 Enakmen Pinjaman (Projek Pembentungan Najis) 1982
4.	Interpretation (States of West Malaysia) Adoption By Selangor) Enactment 1983 Enakmen Tafsiran (Negeri-Negeri Malaysia Barat) (Penerimaan Oleh Negeri Selangor) 1983
5.	Loans (Compensatory Forest Estate Project) Enactment 1983 Enakmen Pinjaman (Projek Ladang Hutan Kompensatori) 1983
6.	National Forestry Act (Adoption) Enactment 1985 Enakmen (Pemakaian) Akta Perhutanan Negara 1985
7.	Wood-Based Industries Enactment 1985 Enakmen Industri Berasas Kayu 1985

8.	<p>Collection of Tolls (Private Roads) Enactment 1986</p> <p>Enakmen Mengutip Tol (Jalan-Jalan Persendirian) 1986</p>
9.	<p>Loan (Salary Arrears On Cabinet Salary Committee Report) Enactment 1987</p> <p>Enakmen Pinjaman Tunggakan Gaji Laporan Gaji Jawatankuasa Kabinet) 1987</p>
10.	<p>Non-Islamic Religions (Control of Propagation Amongst Muslims) Enactment 1983</p> <p>Enakmen Agama Bukan Islam (Kawalan Perkembangan Di Kalangan Orang Islam) 1988</p>
11.	<p>Control of Islamic Religious Schools Enactment 1988</p> <p>Enakmen Pengawalan Sekolah-Sekolah Agama Islam 1988</p>
12.	<p>Loan (Sungai Selangor Water Scheme) Enactment 1990</p> <p>Enakmen Pinjaman (Skim Air Sungai Selangor) 1990</p>

**LOANS (NEW TOWNSHIP
DEVELOPMENT PROJECT)
ENACTMENT 1982**

**ENAKMEN PINJAMAN (PROJEK
PEMBANGUNAN BANDAR
BARU) 1982**

SELANGOR

ENAKMEN No. 11 tahun 1982

BETA PERKINANKAN.

SALAHUDDIN ABDUL AZIZ SHAH,
Sultan Selangor

(MOHOR KERAJAAN)

29hb Mac 1983

Suatu Enakmen untuk memberi kuasa meminjam sejumlah wang tidak lebih enam puluh juta ringgit dari Kerajaan Persekutuan bagi sesuatu maksud tertentu.

[1hb Januari 1978.]

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

1. Enakmen ini boleh dinamakan Enakmen Pinjaman (Projek Pembangunan Bandar Baru) 1982 dan hendaklah disifatkan sebagai telah mula berkuatkuasa pada 1hb Januari 1978. Tajuk ringkas dan mula berkuatkuasa.
2. Kerajaan Negeri dengan ini diberi kuasa tertakluk kepada peruntukan-peruntukan Enakmen ini meminjam dari Kerajaan Persekutuan sejumlah wang tidak lebih daripada enam puluh juta ringgit dengan syarat-syarat dan had-had sepertimana yang dipersetujui di antara Kerajaan Negeri dan Kerajaan Persekutuan. Kuasa meminjam wang dari Kerajaan Persekutuan.

Pinjaman
dikenakan
pada
Kumpulan-
wang
Disatukan
Negeri.

3. Wang pokok yang dipinjam di bawah peruntukan-peruntukan Enakmen ini dan semua faedah dan lain-lain tanggungan adalah dengan ini dikenakan pada Kumpulanwang Disatukan Negeri.

Kegunaan
pinjaman.

4. Semua wang yang dipinjam di bawah peruntukan-peruntukan Enakmen ini hendaklah digunakan bagi maksud projek pembangunan bandar baru di dalam Negeri dan semua perkara yang berkaitan dengannya.

Pembayaran
balik.

5. Semua wang yang dipinjam di bawah peruntukan-peruntukan Enakmen ini berserta semua faedah dan lain-lain tanggungan yang berkaitan hendaklah dibayar balik mengikut syarat-syarat dan had-had sepertimana yang telah dipersetujui di antara Kerajaan Negeri dan Kerajaan Persekutuan mengikut seksyen 2 dan hendaklah dibayar dari Kumpulanwang Disatukan Negeri kepada Kerajaan Persekutuan tiap-tiap tahun kewangan semua jumlah wang yang patut dibayar dalam tahun itu.

Diluluskan pada 2hb Disember 1982.
(DUN. Sel. 30051/28 Jld. II; PWN. Sel. 917.)

MOHAMAD HASHIM BIN MAT AZIZ,
Setiausaha,
Dewan Undangan Negeri Selangor

SELANGOR

ENACTMENT No. 11 of 1982

I ASSENT,

SALAHUDDIN ABDUL AZIZ SHAH,
Sultan of Selangor

(STATE SEAL)

29th March 1983

An Enactment to authorise the borrowing of a sum not exceeding sixty million ringgit from the Federal Government for certain purposes.

[1st January 1978.]

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

1. This Enactment may be cited as the Loans (New Township Development Project) Enactment 1982 and shall be deemed to have come into force on the 1st day of January 1978. Short title and commencement.
2. The State Government is hereby authorised, subject to the provisions of this Enactment, to borrow from the Federal Government sums of money not exceeding sixty million ringgit on such terms and conditions as may be agreed upon between the State Government and the Federal Government. Power to borrow money from the Federal Government.

Loan to be
charged
upon the
State
Consoli-
dated
Fund.

3. The principal moneys borrowed under the provisions of this Enactment together with all interest and other charges thereon are hereby charged on the Consolidated Fund of the State.

Application
of loan.

4. All moneys borrowed under the provisions of this Enactment shall be applied for the purpose of the new township development project within the State and all matters ancillary thereto.

Repayment

5. All moneys borrowed under the provisions of this Enactment, together with all interest and other charges thereon, shall be repaid in accordance with the terms and conditions agreed upon between the State Government and the Federal Government in accordance with section 2, and shall be appropriated out of the Consolidated Fund of the State and paid to the Federal Government in each financial year all sums due to be paid in that year.

Passed this 2nd day of December 1982.
[DUN. Sel. 30051/28; PWN. Sel. 917.]

MOHAMAD HASHIM BIN MAT AZIZ,
*Clerk of the Legislative Assembly,
Selangor*

**LOANS (IRRIGATION PROJECTS)
ENACTMENT 1982**

**ENAKMEN PINJAMAN
(PROJEK SALIRAN) 1982**

SELANGOR

ENAKMEN No. 12 tahun 1982

BETA PERKENANKAN,

SALAHUDDIN ABUL AZIZ SHAH,
Sultan Selangor

(MOHOR KERAJAAN)

29hb Mac 1983

Suatu Enakmen untuk memberi kuasa meminjam sejumlah wang tidak lebih sepuluh juta lima ratus ribu ringgit dari Kerajaan Persekutuan bagi sesuatu maksud tertentu.

[1hb Januari 1981.]

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

1. Enakmen ini boleh dinamakan Enakmen Pinjaman (Projek Saliran) 1982 dan hendaklah disifatkan sebagai telah mula berkuatkuasa pada 1hb Januari 1981.

Tajuk ringkas dan mula berkuatkuasa.

2. Kerajaan Negeri dengan ini diberi kuasa tertakluk kepada peruntukan-peruntukan Enakmen ini meminjam dari Kerajaan Persekutuan sejumlah wang tidak lebih sepuluh juta lima ratus ribu ringgit dengan syarat-syarat dan had-had sepertimana yang dipersetujui di antara Kerajaan Negeri dan Kerajaan Persekutuan.

Kuasa meminjam wang dari Kerajaan Persekutuan.

Pinjaman
dikenakan
pada
Kumpulan-
wang
Disatukan
Negeri.

3. Wang pokok dipinjam di bawah peruntukan-peruntukan Enakmen ini dan semua faedah dan lain-lain tanggungan adalah dengan ini dikenakan pada Kumpulanwang Disatukan Negeri.

Kegunaan
pinjaman.

4. Semua wang yang dipinjam di bawah peruntukan-peruntukan Enakmen ini hendaklah digunakan bagi maksud projek saliran di dalam Negeri dan semua perkara yang berkaitan dengannya.

Pembayaran
balik.

5. Semua wang yang dipinjam di bawah peruntukan-peruntukan Enakmen ini berserta semua faedah dan lain-lain tanggungan yang berkaitan hendaklah dibayar balik mengikut syarat-syarat dan had-had sepertimana yang telah dipersetujui di antara Kerajaan Negeri dan Kerajaan Persekutuan mengikut seksyen 2 dan hendaklah dibayar dari Kumpulanwang Disatukan Negeri kepada Kerajaan Persekutuan tiap-tiap tahun kewangan semua jumlah wang yang patut dibayar dalam tahun itu.

Diluluskan pada 2hb Disember 1982.
[DUN. Sel. 30051/28 Jld. II; PWN. Sel. 917.]

MOHAMAD HASHIM BIN MAT AZIZ,
Setiausaha,
Dewan Undangan Negeri Selangor

SELANGOR

ENACTMENT No. 12 of 1982

I ASSENT.

SALAHUDDIN ABDUL AZIZ SHAH,
Sultan of Selangor

(STATE SEAL)

29th March 1983

An Enactment to authorise the borrowing of a sum not exceeding ten million and five hundred thousand ringgit from the Federal Government for certain purposes.

[1st January 1981.]

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

1. This Enactment may be cited as the Loans (Irrigation Projects) Enactment 1982 and shall be deemed to have come into force on the 1st day of January 1981.

Short title and commencement.

2. The State is hereby authorised, subject to the provisions of this Enactment, to borrow from the Federal Government sums of money not exceeding ten million and five hundred thousand ringgit on such terms and conditions as may be agreed upon between the State Government and the Federal Government.

Power to borrow money from the Federal Government.

Loan to be
charged
upon the
State
Consolidated
Fund.

3. The principal moneys borrowed under the provisions of this Enactment together with all interest and other charges thereon are hereby charged on the Consolidated Fund of the State.

Application
of loan.

4. All moneys borrowed under the provisions of this Enactment shall be applied for the purpose of the irrigation projects within the State and all matters ancillary thereto.

Repayment.

5. All moneys borrowed under the provisions of this Enactment together with all interest and other charges thereon, shall be repaid in accordance with the terms and conditions agreed upon between the State Government and the Federal Government in accordance with section 2 and shall be appropriated out of the Consolidated fund of the State and paid to the Federal Government in each financial year all sums due to be paid in that year.

Passed this 2nd day of December 1982.
[DUN. Sel. 30051/28 Jld. II; PWN. Sel. 917.]

MOHAMAD HASHIM BIN MAT AZIZ.
Clerk of the Legislative Assembly.
Selangor

**LOAN (SEWERAGE
PROJECT) ENACTMENT 1982**

**ENAKMEN PINJAMAN
(PROJEK PEMBENTUNGAN
NAJIS) 1982**

SELANGOR

ENAKMEN No. 13 tahun 1982

BETA PERKENANKAN.

SALAHUDDIN ABDUL AZIZ SHAH,
Sultan Selangor

(MOHOR KERAJAAN)

29hb Mac 1983

dua puluh dua juta ringgit (820,000,000)

Suatu Enakmen untuk memberi kuasa meminjam sejumlah wang tidak lebih ~~dua puluh dua juta lima ratus ribu~~ *En 4/83* ringgit dari Kerajaan Persekutuan bagi sesuatu maksud tertentu.

[1hb Januari 1982.]

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

1. Enakmen ini boleh dinamakan Enakmen Pinjaman (Projek Pembetongan Najis) 1982 dan hendaklah disifatkan sebagai telah mula berkuatkuasa pada 1hb Januari 1982.

Tajuk ringkas dan mula berkuatkuasa.

2. Kerajaan Negeri dengan ini diberi kuasa tertakluk kepada peruntukan-peruntukan Enakmen ini meminjam dari Kerajaan Persekutuan sejumlah wang tidak lebih daripada ~~dua puluh dua juta lima ratus ribu~~ ringgit dengan syarat-syarat dan had-had sepertimana yang dipersetujui di antara Kerajaan Negeri dan Kerajaan Persekutuan.

Kuasa Meminjam Wang dari Kerajaan Persekutuan.

dua puluh dua juta ringgit - En 4/82

Pinjaman
dikenakan
pada
Kumpulan-
wang
Disatukan
Negeri.

3. Wang pokok yang dipinjam di bawah peruntukan Enakmen ini dan semua faedah dan lain-lain tanggungan adalah dengan ini dikenakan pada Kumpulanwang Disatukan Negeri.

Kegunaan
Pinjaman.

4. Semua wang yang dipinjam di bawah peruntukan-peruntukan Enakmen ini hendaklah digunakan bagi maksud projek pembetongan najis di dalam Negeri dan semua perkara yang berkaitan dengannya.

Pembayaran
balik.

5. Semua wang yang dipinjam di bawah peruntukan-peruntukan Enakmen ini berserta semua faedah dan lain-lain tanggungan yang berkaitan hendaklah dibayar balik mengikut syarat-syarat dan had-had sepertimana yang telah dipersetujui di antara Kerajaan Negeri dan Kerajaan Persekutuan mengikut seksyen 2 dan hendaklah dibayar dari Kumpulanwang Disatukan Negeri kepada Kerajaan Persekutuan tiap-tiap tahun kewangan semua jumlah wang yang patut dibayar dalam tahun itu.

Diluluskan pada 2hb Disember 1982.
[DUN, Sel. 30051/28 Jld. II; PWN, Sel. 917.]

MOHAMAD HASHIM BIN MAT AZIZ,
Setiausaha,
Dewan Undangan Negeri Selangor

SELANGOR

ENACTMENT No. 13 of 1982

I ASSENT.

SALAHUDDIN ABDUL AZIZ SHAH,
Sultan of Selangor

(STATE SEAL)

29th March 1983

Twenty two million five hundred thousand ringgit (RM 22,500,000)

En 4/5/83

An Enactment to authorise the borrowing of a sum not exceeding ~~twenty two million five hundred thousand ringgit~~ from the Federal Government for certain purposes.

[1st January 1982.]

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

1. This Enactment may be cited as the Loan (Sewerage Project) Enactment 1982 and shall be deemed to have come into force on the 1st day of January 1982.

Short title and commencement.

2. The State Government is hereby authorised, subject to the provisions of this Enactment, to borrow from the Federal Government sums of money not exceeding ~~twenty two million five hundred thousand ringgit~~ on such terms and conditions as may be agreed upon between the State Government and the Federal Government.

Power to borrow money from the Federal Government.

Loan to be charged upon the State Consolidated Fund.

3. The principal moneys borrowed under the provisions of this Enactment together with all interest and other charges thereon are hereby charged on the Consolidated Fund of the State.

Application of loan.

4. All moneys borrowed under the provisions of this Enactment shall be applied for the purpose of the sewerage projects within the State and all matters ancillary thereto.

Repayment.

5. All moneys borrowed under the provisions of this Enactment, together with all interest and other charges thereon, shall be repaid in accordance with the terms and conditions agreed upon between the State Government and the Federal Government in accordance with section 2 and shall be appropriated out of the Consolidated fund of the State and paid to the Federal Government in each financial year all sums due to be paid in that year.

Passed this 2nd day of December 1982.
[DUN. Sel. 30051/28 Jld. II; PWN. Sel. 917.]

MOHAMAD HASHIM BIN MAT AZIZ,
*Clerk of the Legislative Assembly,
Selangor*

**INTERPRETATION (STATES OF
WEST MALAYSIA) ADOPTION BY
SELANGOR) ENACTMENT 1983**

**ENAKMEN TAFSIRAN (NEGERI-
NEGERI MALAYSIA BARAT)
(PENERIMAAN OLEH NEGERI
SELANGOR) 1983**

SELANGOR

ENAKMEN No. 2 tahun 1983

BETA PERKENANKAN.

SALAHUDDIN ABDUL AZIZ SHAH,
Sultan Selangor

(MOHOR KERAJAAN)

22hb Jun 1983

Suatu Enakmen untuk menerima pemakaian peruntukan-peruntukan Akta Tafsiran (Negeri-negeri Malaysia Barat) 1967.

[18hb Februari 1982.]

BAHAWASANYA Parlimen telah menurut perenggan (b) Fasal (1) Perkara 76 Perlembagaan Persekutuan membuat suatu Undang-undang mengenai tafsiran Undang-undang bertulis dalam Negeri-negeri Malaysia Barat, untuk meringkaskan bahasa yang diguna dalamnya, untuk perkara-perkara lain mengenainya dan untuk maksud-maksud lain seumpamanya:

DAN BAHAWASANYA Undang-undang itu tidak akan, menurut Fasal (3) Perkara 76 tersebut, berkuatkuasa dalam Negeri sehingga ianya diterima pemakaiannya dengan suatu Undang-undang yang diperbuat oleh Badan Perundangan Negeri.

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

Tajuk ringkas dan mula berkuatkuasa

1. Enakmen ini bolehlah dinamakan Enakmen Tafsiran (Negeri-negeri Malaysia Barat) (Penerimaan oleh Negeri Selangor) 1983 dan hendaklah disifatkan sebagai telah mula berkuatkuasa pada 18hb Februari 1982.

Pemakaian Akta Tafsiran (Negeri-negeri Malaysia Barat) 1967, 5767

2. Menurut peruntukan-peruntukan Fasal (3) Perkara 76 Perlembagaan Persekutuan, peruntukan-peruntukan Akta Tafsiran (Negeri-negeri Malaysia Barat) 1967 adalah dengan ini diterima pemakaian oleh Enakmen ini.

3. Enakmen (Penerimaan oleh Selangor) Tafsiran 1981 adalah dengan ini dimansuh.

Diluluskan pada 26hb April 1983.

[IPK. Sel. Sulit 1730 Jld. 2 (SJ); IPK. Sel. 30051/29.]

MOHAMAD HASHIM BIN MAT AZIZ,
Setiausaha,
Dewan Undangan Negeri Selangor

SELANGOR

ENACTMENT No. 2 of 1983

I ASSENT.

SALAHUDDIN ABDUL AZIZ SHAH,
Sultan of Selangor

(STATE SEAL)

22nd June 1983

An Enactment to adopt the Interpretation (States of West Malaysia) Act 1967.

[18th day of February 1982.]

WHEREAS Parliament has pursuant to paragraph (b) of Clause (1) of Article 76 of the Federal Constitution made a law with respect to the interpretation of written laws of the States of West Malaysia, for shortening the language used therein, for matters generally relating thereto and for other like purposes:

AND WHEREAS such law shall not pursuant to Clause (3) of the said Article 76, come into operation in the State until it has been adopted by a law made by the Legislature of that State:

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

1. This Enactment may be cited as the Interpretation (States of West Malaysia) (Adoption by Selangor) Enactment 1983 and shall be deemed to have come into force on the 18th day of February 1982.

Short
title and
commen-
ment.

Adoption of
Interpreta-
tion (States
of West
Malaysia)
Act 1967
S.M.A.

En 7/81

2. Pursuant to the provisions of Clause (3) of Article 76 of the Federal Constitution, the provisions of the Interpretation (States of West Malaysia) Act 1967 are hereby adopted by this Enactment.

3. The Interpretation (Adoption by Selangor) Enactment 1981 is hereby repealed.

Passed this 26th day of April 1983.

[IPK. Sel. Sulit 1730 Jld. 2 (SJ); IPK. Sel. 30051/29.]

MOHAMAD HASHIM BIN MAT AZIZ,
*Clerk of the Legislative Assembly,
Selangor*

**LOANS (COMPENSATORY
FOREST ESTATE PROJECT)
ENACTMENT 1983**

**ENAKMEN PINJAMAN (PROJEK
LADANG HUTAN
KOMPENSATORI) 1983**

- **LOANS (COMPENSATORY FOREST ESTATE
PROJECT) (AMENDMENT) ENACTMENT
2/1985 (BI & BM)**
- **LOANS (COMPENSATORY FOREST ESTATE
PROJECT) (AMENDMENT) ENACTMENT
6/1995 (BI & BM)**

SELANGOR

ENAKMEN No. 10 tahun 1983

BILA PERKENANKAN,

SALAHUDDIN ABDUL AZIZ SHAH,
Sultan Selangor

(MOHOR KERAJAAN)

25hb Januari 1984

Suatu Enakmen untuk memberi kuasa meminjam sejumlah wang tiada lebih dua juta ringgit dari Kerajaan Persekutuan bagi sesuatu maksud tertentu.

[1hb Januari 1983.]

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

1. Enakmen ini bolehlah dinamakan Enakmen Pinjaman (Projek Ladang Hutan Kompensatori) 1983 dan hendaklah disifatkan sebagai telah mula berkuatkuasa pada 1hb Januari 1983.

Tajuk ringkas dan mula berkuatkuasa.

2. Kerajaan Negeri dengan ini diberi kuasa tertakluk kepada peruntukan-peruntukan Enakmen ini meminjam dari Kerajaan Persekutuan sejumlah wang tidak lebih daripada dua juta ringgit dengan syarat dan had-had sepertimana yang dipersetujui di antara Kerajaan Negeri dan Kerajaan Persekutuan.

Kuasa meminjam wang dari Kerajaan Persekutuan.

Pinjaman
dikenakan
pada
Kumpulan
wang
Disatukan
Negeri.

3. Wang pokok yang dipinjam di bawah peruntukan-peruntukan Enakmen ini dan semua faedah dan lain-lain tanggungan adalah dengan ini dikenakan kepada Kumpulanwang Disatukan Negeri.

Kegunaan
Pinjaman.

4. Semua wang yang dipinjam di bawah peruntukan-peruntukan Enakmen ini hendaklah digunakan bagi maksud membiayai projek ladang hutan kompensatori di dalam negeri dan semua perkara yang berkaitan dengannya.

Pembayaran
balik.

5. Semua wang yang dipinjam di bawah peruntukan-peruntukan Enakmen ini berserta semua faedah dan lain-lain tanggungan yang berkaitan hendaklah dibayar balik mengikut syarat-syarat dan had-had sepertimana yang telah dipersetujui di antara Kerajaan Negeri dan Kerajaan Persekutuan mengikut seksyen 2 dan hendaklah dibayar dari Kumpulanwang Disatukan Negeri kepada Kerajaan Persekutuan tiap-tiap tahun kewangan semua jumlah wang yang patut dibayar dalam tahun itu.

Diluluskan pada 24hb November 1983.
[PWN. Sel. Sulit 308/3; IPK. Sel. 30051/32.]

MOHAMAD HASHIM BIN MAT AZIZ,
Setiausaha,
Dewan Undangan Negeri Selangor

SELANGOR

ENACTMENT No. 10 of 1983

I ASSENT,

SALAHUDDIN ABDUL AZIZ SHAH,
Sultan of Selangor

(STATE SEAL)

25th January 1984

An Enactment to authorise the borrowing of a sum not exceeding two million ringgit from the Federal Government for certain purposes.

[1st January 1983.]

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

1. This Enactment may be cited as the Loans (Compensatory Forest Estate Project) Enactment 1983 and shall be deemed to have come into force on the 1st day of January 1983.

Short title and commencement.

2. The State Government is hereby authorised, subject to the provisions of this Enactment, to borrow from the Federal Government sums of money not exceeding two million ringgit on such terms and conditions as may be agreed upon between the State Government and the Federal Government.

Power to borrow money from the Federal Government.

Loan to be
charged upon
the State
Consolidated
Fund.

3. The principal moneys borrowed under the provisions of this Enactment together with all interest and other charges thereon are hereby charged on the Consolidated Fund of the State.

Application
of loan.

4. All moneys borrowed under the provisions of this Enactment shall be applied for the purpose of financing Compensatory Forest Estate Project within the State and all matters ancillary thereto.

Repayment.

5. All moneys borrowed under the provisions of this Enactment, together with all interest and other charges thereon, shall be repaid in accordance with the terms and conditions agreed upon between the State Government and the Federal Government in accordance with section 2, and shall be appropriated out of the Consolidated Fund of the State and paid to the Federal Government in each financial year all sums due to be paid in that year.

Passed this 24th day of November 1983.
[PWN. Sel. Sulit 308/3; IPK. Sel. 30051/32.]

MOHAMAD HASHIM BIN MAT AZIZ,
*Clerk of the Legislative Assembly,
Selangor*

Selangor

ENAKMEN No. 2 tahun 1985

BETA PERKENANKAN,

FENGKU IDRIS SHAH,
Pemangku Raja Selangor

(MOHOR KERAJAAN)

18hb Mei 1985

Suatu Enakmen bagi meminda Enakmen Pinjaman
(Projek Ladang Hutan Kompensatori) 1983.

[]

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

1. Enakmen ini bolehlah dinamakan Enakmen
Pinjaman (Projek Ladang Hutan Kompensatori)
(Pindaan) 1985 dan hendaklah disifatkan sebagai telah
mula berkuatkuasa pada 1hb Januari 1985.

Lajuk ringkas
dan mula
berkuatkuasa

Pindaan
Mukaddimah
dan
seksyen 2
Or. 10/83

2. Mukaddimah dan seksyen 2 Enakmen Pinjaman (Projek Ladang Hutan Kompensatori) 1983 adalah dengan ini dipinda dengan menggantikan perkataan-perkataan "dua juta ringgit" yang terdapat di dalamnya dengan perkataan-perkataan "enam belas juta ringgit"

Diluluskan pada 8hb April 1985.
[PWN. Sel. 308/5; DUN. Sel. 30051/36.]

MOHAMAD HASHIM BIN MAT AZIZ,
*Setiausaha,
Dewan Undangan Negeri Selangor*

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SELANGOR

ENACTMENT No. 2 of 1985

I ASSENT,

TENGGU IDRIS SHAH,
Regent of Selangor

(STATE SEAL)

18th May 1985

An Enactment to amend the Loans (Compensatory
Forest Estate Project) Enactment 1983.

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

1. This Enactment may be cited as the Loans
(Compensatory Forest Estate Project) (Amendment)
1985 and shall be deemed to have come into force on
the 1st day of January 1985.

Short
Title and
Commence-
ment

Amend-
ment of
Preamble
and
section 2.
En. 10/93

2. The Preamble and section 2 of the Loans (Compensatory Forest Estate Project) Enactment 1983 are hereby amended by substituting the words "two million ringgit" appearing therein with the words "sixteen million ringgit".

Passed this 8th day of April 1985.
[PWN. Sel. 308/5; DUN. Sel. 30051/36.]

MOHAMAD HASHIM BIN MAT AZIZ,
*Clerk of the Legislative Assembly,
Selangor*

SELANGOR

ENAKMEN No. 6 tahun 1995

BETA PERKENANKAN,

i.l.

SALAHUDDIN ABDUL AZIZ SHAH AL-HAJ,
Sultan Selangor

(MOHOR KERAJAAN)

10hb Januari 1996

Suatu Enakmen untuk meminda Enakmen Pinjaman
(Projek Ladang Hutan Kompensatori) 1983.

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

1. Enakmen ini bolehlah dinamakan Enakmen Pinjaman
(Projek Ladang Hutan Kompensatori) (Pindaan) 1995 dan
hendaklah disifatkan telah mula berkuatkuasa pada
11hb Januari 1995.

Tajuk
ringkas
mula
berkuat-
kuasa.

Pindaan
tajuk
panjang dan
seksyen 2.
No. 10/1983.

2. Enakmen Pinjaman (Projek Ladang Hutan Kompensatori) 1983 adalah dipinda dalam tajuk panjang dan seksyen 2 dengan menggantikan perkataan "enam belas" dengan perkataan "tiga puluh".

Diluluskan pada 8hb Disember 1995.

[PU. SEL. (AM) 0100/2; DUN. SEL. 30287/1 Jld. I.]

ZULKEPLI BIN AHMAD,
Setiausaha,
Dewan Undangan Negeri,
Selangor

SELANGOR

ENACTMENT No. 6 of 1995

I ASSENT

Sgd.

SALAHUDDIN ABDUL AZIZ SHAH AL-HAJ,
Sultan of Selangor

(STATE SEAL)

10th January 1996

An Enactment to amend the Loans (Compensatory Forest
Estate Project) Enactment 1983.

[]

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

1. This Enactment may be cited as the Loans (Compensatory Forest Estate Project) (Amendment) Enactment 1995 and shall be deemed to have come into force on the 1st January 1995.

Short title
and
commence-
ment.

2. The Loans (Compensatory Forest Estate Project) Enactment 1983 is amended in the long title and in section 2 by substituting for the word "sixteen" the word "thirty".

Passed this 8th day of December 1995.

[PU. SEL. (AM) 0100/2; DUN. SEL. 30287/1 Jld. 1.]

ZULKEPLI BIN AHMAD,
*Clerk of the Legislative Assembly,
Selangor*

**NATIONAL FORESTY ACT
(ADOPTION) ENACTMENT 1985**

**ENAKMEN (PEMAKAIAN) AKTA
PERHUTANAN NEGARA 1985**

- **ACT 864 NATIONAL FORESTY
(AMENDMENT) ACT 1993
(Tiada Terjemahan BM)**
- **NATIONAL FORESTY ACT (ADOPTION)
ENACTMENT 2/1994 (BI & BM)**
- **NATIONAL FORESTY ACT (ADOPTION)
ENACTMENT 5/2005 (BI & BM)**

SELANGOR

ENAKMEN No. 5 tahun 1985

BITA PERKEMANSANT

(t.t.)

TENGGU IDRIS SHAH,
Pemangku Raja Negeri Selangor

(MOHOR KERAJAAN)

2hb Jun 1986

Suatu Enakmen untuk menerima pemakaian peruntukan-peruntukan Akta Perhutanan Negara 1984.

[4/6/86] 29/12

BAHAWASANYA Parlimen telah menurut perenggan (b) Fasal (1) Perkara 76 Perlembagaan Persekutuan membuat suatu undang-undang mengenai Perhutanan untuk maksud mengadakan persamaan undang-undang dua buah Negeri atau lebih:

DAN BAHAWASANYA undang-undang ini tidak akan, menurut Fasal (3) Perkara 76, berkuatkuasa dalam Negeri sehingga pemakaiannya diterima oleh suatu

undang-undang yang diperbuat oleh Badan Perundangan Negeri:

MAKA, OLEH YANG DEMIKIAN, INILAH DIPERBUAT UNDANG-UNDANG oleh Badan Perundangan Negeri Selangor seperti berikut:

Tajuk ringkas dan mula berkuatkuasa.

1. Enakmen ini bolehlah dinamakan Enakmen (Pemakaian) Akta Perhutanan Negara 1985 dan hendaklah mula berkuatkuasa pada suatu tarikh yang ditetapkan oleh Pihakberkuasa Negeri melalui pemberitahuan dalam *Warta*.

Pemakaian Akta Perhutanan Negeri 1984.

2. Menurut peruntukan-peruntukan Fasal (3) Perkara 76 Perlembagaan Persekutuan, peruntukan-peruntukan Akta Perhutanan Negara 1984, adalah dengan ini diterima pemakaiannya oleh Enakmen ini.

Diluluskan pada 22hb November 1985.

[DUN. Sel. 3005L38; PHN. Sel. (S) 158 Vol. 2 (26); PU. Sel. Sulit 51.]

MOHAMAD HASHIM BIN MAT AZIZ,
Setiausaha,
Dewan Undangan Negeri Selangor

SELANGOR

ENACTMENT No. 5 of 1985

I ASSENT,

(sgd.)

TENGGU IDRIS SHAH,
Regent of Selangor

(STATE SEAL)

2nd June 1986

An Enactment to adopt the National Forestry Act
1984.[*23.1.1986*]

WHEREAS Parliament has pursuant to paragraph (b) of Clause (1) of Article 76 of the Federal Constitution made a law with respect to Forestry for the purpose of promoting uniformity of the laws of two or more States:

AND WHEREAS such law shall not, pursuant to Clause (3) of the said Article 76, come into operation in the State until it has been adopted by a law made by the Legislature of the State:

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

1. This Enactment may be cited as the National Forestry Act (Adoption) Enactment 1985 and shall come into force on such date as the State Authority may, by notification in the *Gazette*, appoint.

Short title
and com-
mencement

Adoption
of the
National
Forestry
Act 1984.

2. Pursuant to the provisions of Clause (3) of Article 76 of the Federal Constitution, the provisions of the National Forestry Act 1984 are hereby adopted by this Enactment.

Passed this 22nd day of November 1985.

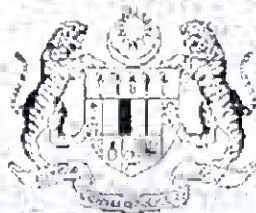
[DUN. Sel. 30051/38; PHN. Sel. (S) 158 Vol. 2 (26);
PU. Sel. Sulit 51.]

MOHAMAD HASHIM BIN MAT AZIZ,
*Clerk of the Legislative Assembly,
Selangor*

Acts Supplement (Amendment Acts)

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LAWS OF MALAYSIA

ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Date of Royal Assent :	8th September 1993
Date of publication in the Gazette :	16th September 1993
Date of coming into operation :	15th January 1994 - PU(B) 28/94

ARRANGEMENT OF SECTIONS

Long Title & Preamble

- Section 1. Short title and commencement.
- Section 2. General amendment in the national language text.
- Section 3. Change of name in the national language.
- Section 4. Amendment of section 2.
- Section 5. Amendment of section 3.
- Section 6. Substitution of section 5.
- Section 7. Amendment of section 12.
- Section 8. Amendment of section 15.
- Section 9. Amendment of section 25.
- Section 10. Amendment of section 32.
- Section 11. Amendment of section 40.
- Section 12. Amendment of section 47.
- Section 13. Amendment of section 50.
- Section 14. Amendment of sections 66 and 67.
- Section 15. Amendment of section 68.
- Section 16. Substitution of section 69.
- Section 17. Amendment of section 81.
- Section 18. General Amendment.
- Section 19. Amendment of section 83.
- Section 20. Amendment of section 85.
- Section 21. Amendment of section 86.
- Section 22. Amendment of section 92.
- Section 23. Amendment of section 93.
- Section 24. Amendment of section 94.
- Section 25. New sections 100A and 100B.
- Section 26. Substitution of section 101.
- Section 27. New section 101A.
- Section 28. Substitution of section 104.
- Section 29. Amendment of section 106.
- Section 30. Amendment of section 109.
- Section 31. Amendment of section 110.
- Section 32. New section 110A.
- Section 33. Amendment of First Schedule.
- Section 34. Amendment of Second Third Schedules.

ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 1. Short title and commencement.

(1) This Act may be cited as the **National Forestry (Amendment) Act 1993**.

(2) This Act shall not come into force in a State unless it has been adopted by a law made by the Legislature of the State pursuant to Clause (3) of Article 76 of the Federal Constitution.

(3) This Act shall come into force in the Federal Territory of Kuala Lumpur on such date as the Minister may, by notification in the Gazette, appoint.

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 2. General amendment in the national language text.

The national language text of the National Forestry Act 1984 (Act 313.), which in this Act is referred to as the 'principal Act', is amended-

- (a) by substituting for the words "lahi kelawar", "mandu lilin" and "kayu balak" in the definition of "hasil hutan" the words "guano", "madu dan lilin" and "kayu" respectively;
- (b) by deleting the word "atau" appearing in line 2 in the definition of "kayu ditukar bentuk";
- (c) by deleting the word "tidak" appearing in line 3 in the definition of "kayu jaras";
- (d) by substituting for the word "surat" in the definition of "tanda" the word "huruf";
- (e) by substituting for the word "keadah" in the definition of "tukar bentuk" the word "kaedah";
- (f) by substituting for the words "Pengarah Hutan Negeri", "Timbalan Pengarah Hutan Negeri", "Penolong Pengarah Hutan Negeri", "Ketua Pengarah Jabatan Hutan Persekutuan", "Jabatan Hutan Negeri" and "Pejabat Hutan Negeri" wherever appearing therein the words "Pengarah Perhutanan Negeri", "Timbalan Pengarah Perhutanan Negeri", "Penolong Pengarah Perhutanan Negeri", "Ketua Pengarah Jabatan Perhutanan Persekutuan", "Jabatan Perhutanan Negeri" and "Pejabat Perhutanan Negeri" respectively;
- (g) by substituting for the words "HASIL HUTAN UTAMA", "hasil hutan utama", "hutan hasil utama", "HASIL HUTAN KECIL" and "hasil hutan kecil" wherever appearing therein the words "HASIL UTAMA HUTAN", "hasil utama hutan", "hasil utama hutan", "HASIL KECIL HUTAN" and "hasil kecil hutan" respectively;
- (h) in subsection 62(2), by substituting for the words "lain-lain maksud bukan komersial" in subparagraph (i) the words "maksud-maksud bukan komersial yang lain" and the words "tiada atau" in subparagraph (ii) the words "atau tiada";
- (i) by substituting for the word "tanpa" in the marginal note of section 90 the word "dengan"; and
- (j) by substituting for the word "dengan" in the marginal note of section 91 the word "tanpa".

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 3. Change of name in the national language.

(1) All references to Pengarah Hutan Negeri, Timbalan Pengarah Hutan Negeri, Penolong Pengarah Hutan Negeri, Ketua Pengarah Jabatan Hutan Persekutuan, Jabatan Hutan Negeri and Pejabat Hutan Negeri in any written law or in any instrument, deed, title, document, bond, agreement and working arrangement subsisting immediately before the coming into force of this Act shall, upon the coming into force of this Act, be construed as if all such references were references to Pengarah Perhutanan Negeri, Timbalan Pengarah Perhutanan Negeri, Penolong Pengarah Perhutanan Negeri, Ketua Pengarah Jabatan Perhutanan Persekutuan, Jabatan Perhutanan Negeri and Pejabat Perhutanan Negeri respectively.

(2) The aforesaid change of names in the national language shall not affect any rights, privileges, liabilities, duties or obligations of the Pengarah Hutan Negeri, Timbalan Pengarah Hutan Negeri, Penolong Pengarah Hutan Negeri, Ketua Pengarah Jabatan Hutan Persekutuan, Jabatan Hutan Negeri and Pejabat Hutan Negeri, or render defective any legal proceedings by or against them; and any legal proceedings that could have been continued or commenced by or against them prior to the coming into force of this Act may be continued or commenced under their new names.

(3) All existing liabilities incurred by or on behalf of or for the purposes of the Pengarah Hutan Negeri, Timbalan Pengarah Hutan Negeri, Penolong Pengarah Hutan Negeri, Ketua Pengarah Jabatan Hutan Persekutuan, Jabatan Hutan Negeri and Pejabat Hutan Negeri, may be enforced against Pengarah Perhutanan Negeri, Timbalan Pengarah Perhutanan Negeri, Penolong Pengarah Perhutanan Negeri, Ketua Pengarah Jabatan Perhutanan Persekutuan, Jabatan Perhutanan Negeri and Pejabat Perhutanan Negeri respectively, as the case may be.

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 4. Amendment of section 2.

Section 2 of the principal Act is amended-

(a) by inserting after the definition of "forest management plan" the following new definition:

"forest offence" means an offence under this Act; ;

(b) by inserting after the definition of "mark" the following new definition:

"member of the armed forces" means any member of the armed forces not below the rank of Lance Corporal; ;

(c) by inserting after the definition of "pole" the following new definition:

"police officer" means any member of the Royal Malaysia Police; ; and

(d) by inserting after the definition of "rules" the following new definition:

"servant" means any person whether or not he is a citizen of Malaysia who is employed for wages; ;

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**ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993**

Section 5. Amendment of section 3.

Subsection 3(2) of the principal Act is amended by substituting for the word "and" a comma and inserting after the word "Officer" in line 4 the words "and other officers as may be necessary".

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 6. Substitution of section 5.

The principal Act is amended by substituting for section 5 the following new section 5:

5. Delegation of power by Director.

(1) The Director may, delegate in writing, subject to such conditions and restrictions as may be prescribed in the instrument of delegation, the exercise and performance of-

(a) any power or duty conferred or imposed on him under this Act to any forest officer not below the rank of Assistant District Forest Officer; and

(b) any power or duty conferred or imposed on him under section 88, 89, 90, 91, 92 or 93 to any member of the armed forces:

Provided that a delegation to any member of the armed forces under section 88 shall not include the power of investigation.

(2) Any delegation under this section with respect to any power or duty shall not prevent the Director from himself exercising that power or performing that duty in any case where it appears to him expedient to do so."

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 7. Amendment of section 12.

Section 12 of the principal Act is amended by inserting after the word "conservation" the words ", biodiversity".

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 8. Amendment of section 15.

Section 15 of the principal Act is amended-

- (a) by substituting for the words "ten thousand ringgit or to imprisonment for a term not exceeding three years or to both such fine and imprisonment" in subsection (2) the words "five hundred thousand ringgit and to imprisonment for a term which shall not be less than one year but shall not exceed twenty years";
- (b) by substituting for subsection (3) the following new subsection (3):

"(3) Any person convicted of an offence under this section may, in addition to any penalty imposed on the conviction, be ordered to pay, in respect of any forest produce unlawfully taken, to the State Authority-

 - (a) a sum not exceeding ten times the royalty, premium and cess;
 - (b) a sum not exceeding ten times the value of such forest produce; and
 - (c) any other charges payable,

and any sum ordered to be so paid shall be recoverable as if it were a fine so imposed."

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 9. Amendment of section 25.

Subsection 25(2) of the principal Act is amended by substituting for the words "five", "two" and "three hundred" the words "fifty", "five" and "one thousand" respectively.

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 10. Amendment of section 32.

Subsection 32(2) of the principal Act is amended by substituting for the words "five" and "two" the words "fifty" and "five" respectively.

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 11. Amendment of section 40.

Section 40 of the principal Act is amended-

- (a) by substituting for the words "one thousand ringgit or to imprisonment for a term not exceeding six months or to both such fine and imprisonment" in subsection (2) the words "five hundred thousand ringgit and to imprisonment for a term which shall not be less than one year but shall not exceed twenty years"; and
- (b) by inserting after subsection (2) the following new subsection (2A):
 - "(2A) Any person convicted of an offence under this section may, in addition to any penalty imposed on the conviction, be ordered to pay, in respect of any forest produce unlawfully taken, to the State Authority—
 - (a) a sum not exceeding ten times the royalty, premium and cess;
 - (b) a sum not exceeding ten times the value of such forest produce, and
 - (c) any other charges payable,and any sum ordered to be so paid shall be recoverable as if it were a fine so imposed."

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 12. Amendment of section 47.

Subsection 47(4) of the principal Act is amended by substituting for the words "five hundred" and "months" the words "ten thousand" and "years" respectively.

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 13. Amendment of section 50.

Subsection 50(4) of the principal Act is amended by substituting for the words "two hundred and fifty" the words "ten thousand".

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 14. Amendment of sections 66 and 67.

The principal Act is amended by substituting for the words "five" and "two" appearing in subsections 66(4) and 67(2) the words "fifty" and "five" respectively.

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 15. Amendment of section 68.

Section 68 of the principal Act is amended-

(a) by substituting for subsection (1) the following new subsections (1) and (2):

"(1) No person shall have in his possession, custody or control any forest produce unless he is in possession of a removal pass for the removal of such forest produce.

(2) Such removal pass shall be made available for inspection by any forest officer.";

(b) by renumbering the existing subsection (2) as subsection (3); and

(c) by substituting for the existing subsection (3) the following new subsection (4):

"(4) Any person who contravenes subsection (1) or (2) shall be guilty of an offence and shall on conviction be liable-

(a) if the offence is under subsection (1), to a fine not exceeding fifty thousand ringgit or to imprisonment for a term not exceeding five years or to both such fine and imprisonment;

(b) if the offence is under subsection (2), to a fine not exceeding ten thousand ringgit or to imprisonment for a term not exceeding three years or to both such fine and imprisonment."

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 16. Substitution of section 69.

The principal Act is amended by substituting for section 69 the following new section 69:

" 69. Conversion plant operator required to have removal pass and record of measurement.

(1) No person shall engage in converting any forest produce or have in his control or charge a conversion plant unless he is in possession of a removal pass and a record of measurement in respect of all forest produce converted or being or about to be converted or being in or about the conversion plant or other premises under his charge or control.

(2) Such removal pass and record of measurement shall be made available for inspection by any forest officer.

(3) Any person who contravenes subsection (1) or (2) shall be guilty of an offence and shall on conviction be liable-

(a) if the offence is under subsection (1), to a fine not exceeding fifty thousand ringgit or to imprisonment for a term not exceeding five years or to both such fine and imprisonment;

(b) if the offence is under subsection (2), to a fine not exceeding ten thousand ringgit or to imprisonment for a term not exceeding three years or to both such fine and imprisonment."

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 17. Amendment of section 81:

Section 81 of the principal Act is amended-

- (a) by deleting the words "or (c)" and substituting for the words "two hundred" the words "ten thousand" in paragraph (2)(a);
- (b) by inserting after the words "paragraph (b)" the words "or (c)", substituting for the words "two" and "one" the words "fifty" and "five" respectively and inserting after the semicolon the word "and" in paragraph (2)(b);
- (c) by substituting for paragraph (2)(c) the following new paragraph (2)(c):
"(c) if the offence is under paragraph (d), (e), (f) or (g); to a fine not exceeding ten thousand ringgit or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.";
- (d) by deleting paragraph (2)(d); and

(e) by inserting before the word "the" in paragraph (3)(a) the words "ten times".

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 18. General Amendment.

The principal Act is amended by substituting for the words "two" and "one" appearing in subsections 82(2), 84(1), 96(2), 97(2) and 98(2), sections 87, 100 and 107 the words "fifty" and "five" respectively.

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**ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993**

Section 19. Amendment of section 83.

Subsection 83(2) of the principal Act is amended by substituting for the words "one" and "six months" the words "ten" and "three years" respectively.

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 20. Amendment of section 85.

Subsection 85(2) of the principal Act is amended by substituting for the words "five hundred" and "three months" the words "fifty thousand" and "five years" respectively.

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT, 1993

Section 21. Amendment of section 86.

Section 86 of the principal Act is amended by substituting for the words "thousand ringgit or to imprisonment for a term not exceeding two years or to both such fine and imprisonment" the words "hundred thousand ringgit and to imprisonment for a term which shall not be less than one year but shall not exceed twenty years".

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**ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993**

Section 22. Amendment of section 92.

Subsection 92(3) of the principal Act is amended by substituting for the words "five" and "six months" the words "fifty" and "five years" respectively.

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**ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993**

Section 23. Amendment of section 93.

Section 93 of the principal Act is amended by substituting for subsection (2) the following new subsection (2):

"(2) Any person (other than a forest officer, police officer or member of the armed forces authorized under this Act) who tampers with, removes, damages or destroys any thing marked under subsection (1) shall be guilty of an offence and shall on conviction be liable to a fine not exceeding fifty thousand ringgit or to imprisonment for a term not exceeding five years or to both such fine and imprisonment."

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 24. Amendment of section 94.

Section 94 of the principal Act is amended-

- (a) by substituting for the word "President" wherever appearing therein the word "Magistrate or Judge"; and
- (b) by inserting after subsection (6) the following new subsection (7):

"(7) The State Authority shall not be liable to any person for any deterioration, howsoever caused, in the quality of any thing seized under this Act."

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 25. New sections 100A and 100B.

The principal Act is amended by inserting after section 100 the following new sections 100A and 100B:

100A. Rewards.

The Director may order such rewards as he may deem fit to be paid to any forest officer or other person for services rendered in connection with any offence or seizure made under this Act.

100B. Protection of informers

(1) Except as hereinafter provided, no witness in any civil or criminal proceedings shall be obliged or permitted to disclose the name or address of an informer or the substance and nature of the information received from him or to state any matter which might lead to his discovery.

(2) If any books, documents or papers which are in evidence or are liable to inspection in any civil or criminal proceedings contain any entry in which any informer is named or described or which might lead to his discovery, the court shall cause all such passages to be concealed from view or to be obliterated so far only as may be necessary to protect the informer from discovery.

(3) If on trial for any offence against this Act the court after full inquiry into the case believes that the informer wilfully made in his complaint a material statement which he knew or believed to be false or did not believe to be true, or if in any other proceedings the court is of opinion that justice cannot be fully done between the parties thereto without the discovery of the informer, it shall be lawful for the court to require the production of the original complaint, if in writing, and permit inquiry, and require full disclosure concerning the informer."

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 26. Substitution of section 101.

The principal Act is amended by substituting for section 101 the following new section 101:

101. Compounding of offences.

(1) Subject to subsection (2), the Director may compound any offence under this Act except any offence under section 86 or 107 by making a written offer to such person to compound the offence upon payment to the Director of such amount not exceeding the maximum fine for that offence within such time as may be specified in the offer.

(2) The offence which may be compounded under subsection (1) shall only be in respect of an offence committed for the first time.

(3) Where the offence committed involves the taking of forest produce under section 15 or 40, the Director may, if he thinks fit, in addition to the amount payable under subsection (1), require such person to pay to the State Authority-

(a) a sum not exceeding ten times the royalty, premium and cess of such forest produce;

(b) a sum not exceeding ten times the value of such forest produce;

(c) the costs of repairing any damage in respect of the offence committed; and

(d) any other charges payable to the State Authority.

(4) In compounding any offence under subsection (1), any thing seized under this Act shall be forfeited and disposed of in accordance with the direction of the Director.

(5) An offer under subsection (1) may be made at any time after the offence has been committed, but before any prosecution for it has been instituted, and where the amount specified in the offer is not paid within the time specified in the offer or within such extended period as the Director may grant, prosecution for the offence may be instituted at any time thereafter against the person to whom the offer was made.

(6) Where an offence has been compounded under subsection (1), no prosecution shall thereafter be instituted in respect of such offence against the person to whom the offer to compound was made."

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 27. New section 101A.

The principal Act is amended by inserting after section 101 the following new section 101A:

101A. Power of court to order revocation and disqualification.

(1) Subject to subsection (2), where any person is convicted of an offence under this Act, the court may, in addition to any other penalty that may be imposed, order that any licence or permit issued under this Act in relation to which the offence has been committed be revoked.

(2) Where any person is convicted of an offence under section 15, 40 or 86, the court shall, in addition to any other penalty that may be imposed, order that any licence or permit issued under this Act in relation to which the offence has been committed be revoked.

(3) Where any person to whom a licence or permit has been issued under this Act is convicted of a second or subsequent offence under this Act, the court shall, in addition to any other penalty that may be imposed, order that any licence or permit issued under this Act in relation to which the offence has been committed be revoked.

(4) Where any licence or permit has been revoked under this section, the court shall order that such person to whom a licence or permit has been issued be disqualified from holding any licence or permit for a period not exceeding five years.

(5) Any person who obtains or attempts to obtain any licence or permit under this Act while he is so disqualified shall be guilty of an offence."

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**ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993**

Section 28. Substitution of section 104.

The principal Act is amended by substituting for section 104 the following new section 104:

104. Presumptions.

In any proceedings for an offence under this Act, in so far as it may be necessary to establish the offence charged, it shall be presumed until the contrary is proven-

(a) that any forest produce is the property of the State Authority;

(b) that any map, plan or chart purporting to be made by the authority of the Director is so made and accurate;

(c) that any mark placed on any tree, timber or any boundary mark of an area under a licence or permit within a permanent reserved forest or State land placed by or under the authority of a forest officer has been so placed and is accurate;

(d) that any person found within a permanent reserved forest or State land in possession of any forest produce have taken or removed such forest produce without a licence or permit issued under this Act; and

(e) that any person found within a permanent reserved forest or State land in possession of any machine, equipment or conveyance as specified in the Sixth Schedule intends to take or remove any forest produce."

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**ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993**

Section 29. Amendment of section 106.

Section 106 of the principal Act is amended-

- (a) by inserting after the words "police officers" in the marginal note the words ", members of the armed forces";
- (b) in line 3, by substituting for the word "or" first appearing therein a comma and inserting after the words "police officer" the words "or member of the armed forces"; and
- (c) in line 11, by substituting for the word "or" a comma and inserting after the words "police officer" the words "or member of the armed forces".

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**ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993**

Section 30. Amendment of section 109 .

Section 109 of the principal Act is amended by deleting the words "unless he proves that the offence was committed without his knowledge or that he took reasonable precautions to prevent its commission".

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 31. Amendment of section 110

Section 110 of the principal Act is amended by deleting the words " , unless he proves that he took reasonable precautions to prevent the doing or commission of such thing ".

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**ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993**

Section 32. New section 110A

The principal Act is amended by inserting after section 110 the following new section 110A:

110A "Offences committed by licensee or holder of permit.

Where any forest offence is committed by any person in relation to any licence or permit issued under this Act, such licensee or holder of permit shall be deemed to have committed that offence."

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 33. Amendment of First Schedule.

The First Schedule to the principal Act is amended:

- (a) by substituting for the words "five", "two" and "three hundred" in Form 2 the words "fifty", "five" and "one thousand" respectively; and
- (b) by inserting below the word "Date....." in Form 8 the word "Time"

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 34. Amendment of Second Third Schedules.

The principal Act is amended by substituting for the words "Rattan of the manau and sega species" in paragraph (e) of the Second Schedule and the words "Rattan of manau and sega species" in paragraph (f) of the Third Schedule the words "All types of rattan".

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ACT 864
NATIONAL FORESTRY (AMENDMENT) ACT 1993

Section 35. New Sixth Schedule.

The principal Act is amended by inserting after the Fifth Schedule the following new Sixth Schedule:

SIXTH SCHEDULE
(Section 104(e))

PART A - MACHINE

- (a) Grader
- (b) Log loader
- (c) Bulldozer
- (d) Crawler tractor
- (e) Winched skidder

PART B - EQUIPMENT

- (a) Wire ropes
- (b) Machet
- (c) Axe
- (d) Fuel or oil tank
- (e) Oil drum
- (f) Measuring tapes
- (g) Chainsaw
- (h) Power saw
- (i) Mobile saw
- (j) Hand saw
- (k) Log tongs
- (l) Log hooks
- (m) Wedges

PART C - CONVEYANCE

1. LAND

- (a) Timber lorry
- (b) Winch lorry
- (c) Locomotive

2. AIR

- (a) Aircraft
- (b) Balloon

3. WATER

- (a) Boat
- (b) Barge
- (c) Tongkang
- (d) Sampan
- (e) Pontoon

SELANGOR

ENAKMEN No. 2 tahun 1994

BETA PERKENANKAN,

*l.t.*SALAHUDDIN ABDUL AZIZ SHAH AL-HAJ,
Sultan Selangor

(MOHOR KERAJAAN)

30hb April 1994.

Suatu Enakmen untuk menerima-pakai peruntukan-peruntukan Akta Perhutanan Negara (Pindaan) 1993.

[]

BAHAWASANYA Parlimen telah, menurut Fasal (1)(b) Perkara 76 Perlembagaan Persekutuan membuat undang-undang mengenai perhutanan untuk maksud mengadakan persamaan undang-undang di antara dua buah Negeri atau lebih:

DAN BAHAWASANYA undang-undang itu tidak akan, menurut Fasal (3) Perkara 76 tersebut, berkuatkuasa dalam Negeri melainkan jika ia telah diterima-pakai oleh suatu undang-undang yang dibuat oleh Badan Perundangan Negeri itu:

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

1. Enakmen ini bolehlah dinamakan Enakmen Tajuk ringkas.
(Penerimapakaian) Akta Perhutanan Negara (Pindaan) 1994.

Penerima-
paksaan
Akta
Perhutanan
Negara
(Pindaan)
1993.
Akta A86d.

2. Menurut peruntukan-peruntukan Fasal (3) Perkara 76 Perlembagaan Persekutuan, peruntukan-peruntukan Akta Perhutanan Negara (Pindaan) 1993 adalah dengan ini diterima-pakai oleh Enakmen ini.

Diluluskan pada 4hb April 1994.
[DUN. Sel. 30287/5.]

i.t.

ZULKEPLI BIN AHMAD,
Setiausaha,
Dewan Undangan Negeri Selangor

SELANGOR

ENACTMENT No. 2 of 1994

I ASSENT,

*Sgd.*SALAHUDDIN ABDUL AZIZ SHAH AL-HAJ,
Sultan of Selangor

(STATE SEAL)

30th April 1994.

An Enactment to adopt the provisions of the National
Forestry (Amendment) Act 1993.

[]

WHEREAS Parliament has, pursuant to Clause (1)(b) of Article 76 of the Federal Constitution made a law with respect to forestry for the purpose of promoting uniformity of laws of two or more States:

AND WHEREAS such law shall not, pursuant to Clause (3) of the said Article 76, come into force in the State until it has been adopted by a law made by the Legislature of that State:

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

1. This Enactment may be cited as the National Forestry ^{Short title.}
(Amendment) Act (Adoption) Enactment 1994.

2. Pursuant to the provisions of Clause (3) of Article 76 of the Federal Constitution, the provisions of the National Forestry (Amendment) Act 1993 are hereby adopted by this Enactment.

Adoption of
National
Forestry
(Amendment)
Act 1993.
Act A864.

Passed this 4th day of April 1994.
[DUN. Sel. 30287/5.]

Sgd.

ZULKEPLI BIN AHMAD,
*Clerk of the Legislative Assembly,
Selangor*

SELANGOR

ENAKMEN No. 5 tahun 2005

BETA PERKENANKAN,

(MOHOR
KERAJAAN)SHARAFUDDIN IDRIS SHAH,
Sultan Selangor

24 Ogos 2005

Suatu Enakmen bagi meminda Enakmen (Pemakaian) Akta Perhutanan Negara 1985.

[]

DIPERBUAT oleh Badan Perundangan Negeri Selangor seperti yang berikut:

Tajuk ringkas dan permulaan kuat kuasa

1. (1) Enakmen ini bolehlah dinamakan Enakmen (Pemakaian) Akta Perhutanan Negara (Pindaan) 2005.

(2) Enakmen ini mula berkuat kuasa pada tarikh yang ditetapkan oleh Duli Yang Maha Mulia Sultan melalui pemberitahuan dalam *Warta*.

Pindaan seksyen 2

2. Enakmen (Pemakaian) Akta Perhutanan Negara 1985 [*Enakmen No. 5/1985*], yang disebut "Enakmen ibu" dalam Enakmen ini, dipinda dalam seksyen 2 dengan memasukkan selepas tafsiran "taksiran" tafsiran yang berikut:

"Taman Negeri" mempunyai erti yang diberikan kepadanya di dalam Enakmen Perbadanan Taman Negeri Selangor 2005 [*Enakmen No. 3/2005*];"

Pindaan seksyen 4

3. Perenggan 4(e) Enakmen ibu dipinda dengan memasukkan selepas perkataan “hutan lipur” perkataan “dan Taman Negeri”.

Pindaan seksyen 10

4. Subseksyen 10(1) Enakmen ibu dipinda—

(a) dalam perenggan (k), dengan menggantikan noktah dengan perkataan “; dan”; dan

(b) dengan memasukkan selepas perenggan (k) perenggan yang berikut:

“(l) Taman Negeri.”

Pindaan seksyen 11

5. Seksyen 11 Enakmen ibu dipinda—

(a) dengan menggantikan noktah di hujung seksyen dengan koma bernoktah; dan

(b) dengan memasukkan proviso yang berikut:

“Dengan syarat bahawa tanah yang terletak di dalam Taman Negeri hanya boleh dikeluarkan daripada hutan simpanan kekal setelah diadakan suatu penyiasatan awam untuk beberapa kali sebagaimana difikirkan sesuai oleh Pihak Berkuasa Negeri.”

Pindaan Jadual Ketiga

6. Jadual Ketiga Enakmen ibu dipinda—

(a) dengan menggantikan angka “\$2.80” dengan angka “RM10.00”; dan

(b) dengan menggantikan angka “\$5.60” dengan angka “RM20.00”.

Diluluskan pada 1 Ogos 2005

[PHN. Sel. (S) 01/16 Klt. 4; PU. Sel. Am 0162/1 Jld. 3]

BAKHTIAR BIN HUSSIN
*Setiausaha,
Dewan Undangan Negeri,
Selangor*

SELANGOR

ENACTMENT No. 5 of 2005

I ASSENT,

(STATE
SEAL)SHARAFUDDIN IDRIS SHAH,
Sultan of Selangor

24 August 2005

An Enactment to amend the National Forestry Act (Adoption) Enactment 1985.

[]

ENACTED by the Legislature of the State of Selangor as follows:

Short title and commencement

1. (1) This Enactment may be cited as the National Forestry Act (Adoption) (Amendment) Enactment 2005.

(2) This Enactment comes into operation on the date to be appointed by His Royal Highness the Sultan by notification in the *Gazette*.

Amendment of section 2

2. The National Forestry Act (Adoption) Enactment 1985 [*Enactment No. 5/1985*], which is referred to as the "principal Enactment" in this Enactment, is amended in section 2 by inserting

after the definition of "State Financial Authority" the following definition:

"State Parks" have the meaning that conferred upon in the Selangor State Parks Corporation Enactment 2005 [*Enactment No. 3/2005*];"

Amendment of section 4

3. Paragraph 4(e) of the principal Enactment is amended by inserting after the words "amenity forests" the words "and State Parks".

Amendment of section 10

4. Subsection 10(1) of the principal Enactment is amended—

(a) in paragraph (k), by substituting for the full stop with the words "; and"; and

(b) by inserting after paragraph (k) the following paragraph:

"(l) State Parks."

Amendment of section 11

5. Section 11 of the principal Enactment is amended—

(a) by substituting for the full stop at the end of the section with a semicolon; and

(b) by inserting the following proviso:

"Provided that where such land is situated in a State Parks it may only be so excised after the holding of a public inquiry for such number of times and in such manner as the State Authority deems fit."

Amendment of the Third Schedule

6. Third Schedule of the principal Enactment is amended—
- (a) by substituting for the figures “\$2.80” the figures “RM10.00”; and
 - (b) by substituting for the figures “\$5.60” the figures “RM20.00”.

Passed this 1 August 2005

[PHN. Sel. (S) 01/16 Klt. 4; PU. Sel. Am 0162/1 Jld. 3]

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

Hakcipta Pencetak (H)

PERCETAKAN NASIONAL MALAYSIA BERHAD

Semua Hak Terpelihara. Tiada mana-mana bahagian jati daripada penerbitan ini boleh diterbitkan semula atau disimpan di dalam bentuk yang boleh digandakan semula atau diwarikan dalam sebarang bentuk dengan apa jua cara elektronik, mekanikal, fotokopi, rakaman atau atau sebalikanya tanpa mendapat iktibar daripada Percetakan Nasional Malaysia Berhad (Pencetak kepada Kerajaan Malaysia yang dilantik).



DICETAK OLEH
PERCETAKAN NASIONAL MALAYSIA BERHAD,
CAWANGAN KUALA LUMPUR
HATUPEJAK DAN DENGAN PERINTAH KERAJAAN MALAYSIA

**WOOD-BASED INDUSTRIES
ENACTMENT 1985**

**ENAKMEN INDUSTRI
BERASAS KAYU 1985**

SELANGOR

ENAKMEN No. 6 tahun 1985

BETA PERKENANKAN,

(t.t.)

TENGGU IDRIS SHAH,
Pemangku Raja Negeri Selangor

(MOTOR KERAJAAN)

2hb Jun 1986

Suatu Enakmen untuk membuat peruntukan berkenaan dengan penubuhan dan pengendalian industri-industri berasas kayu dan bagi apa-apa perkara yang bersampingan dan berbangkit berhubung dengannya.

BALAWASANYA Akta Industri Berasas Kayu (Kekuasaan Badan Perundangan Negeri) 1984, memberi kuasa kepada Badan Perundangan sesebuah Negeri meluluskan undang-undang berkenaan dengan penubuhan dan pengendalian industri-industri berasas

kayu yang dinyatakan dalam Jadual kepada Akta itu, dan bagi perkara-perkara yang bersampingan dan berbangkit berhubung dengannya sebagaimana yang difikirkan perlu oleh Badan Perundangan itu:

MAKA INILAH DIPERBUAT UNDANG-UNDANG oleh Dewan Undangan Negeri Selangor seperti berikut:

BAHAGIAN I
PERMULAAN

Tajuk ringkas dan mula berkuat-kuasa.

1. Enakmen ini bolehlah dinamakan Enakmen Industri Berasas Kayu 1985, dan hendaklah mula berkuatkuasa pada tarikh yang ditetapkan oleh Badan Perundangan Negeri melalui pemberitahuan dalam *Warta*.

Tafsiran.

2. (1) Dalam Enakmen ini, melainkan jika konteksnya menghendaki makna yang lain—

“ditetapkan” ertinya ditetapkan oleh kaedah-kaedah;

“Industri berasas kayu” ertinya sebarang industri yang menjalankan usaha memproses, mengawet atau mengering kayu atau menukar kayu kepada berbagai keluaran;

“kaedah-kaedah” ertinya kaedah-kaedah yang dibuat di bawah Enakmen ini;

“kesalahan di bawah Enakmen ini” termasuk, sebagai tambahan kepada kesalahan yang telah dijelaskan di bawah Enakmen ini atau mana-mana kaedah yang dibuat di bawahnya—

(a) apa-apa pelanggaran, atau kegagalan mematuhi mana-mana peruntukan Enakmen ini atau kaedah yang dibuat di bawahnya;

(b) apa-apa pelanggaran, atau kegagalan mematuhi terma-terma, syarat-syarat atau peruntukan-peruntukan mana-mana lesen, kebenaran, atau kuasa yang diberikan di bawah Enakmen ini atau di bawah mana-mana kaedah yang dibuat di bawahnya; dan

(c) apa-apa pelanggaran, atau kegagalan mematuhi apa-apa perintah, arahan, atau kehendak yang diberikan secara sah atau yang dibuat di bawah Enakmen ini atau di bawah mana-mana kaedah yang dibuat di bawahnya;

"kayu" termasuklah pokok-pokok apabila ditebang atau telah ditebang dan semua kayu sama ada dipotong, dibentuk atau dirongga ataupun tidak bagi apa-apa maksud;

"kayu bulat" ertinya mana-mana bahagian yang dipotong daripada pokok, dan yang mempunyai garis pusat tidak kurang daripada tiga puluh sentimeter pada sebelah hujungnya yang besar, yang tidak disediakan untuk digunakan selain dari membuang kulit dan dahan-dahan dan sama ada bersegi kasar atau dibahagi secara membujur yang tidak lebih dari empat keping supaya mudah diangkut atau ditukar;

"kilang buluh" ertinya suatu jentera atau sekumpulan jentera yang berupaya mengawet, memproses dan menukar buluh, mengikut mana yang berkenaan, kepada keluaran dari berbagai bentuk dan rekabentuk;

"kilang kerja kayu" ertinya suatu jentera atau sekumpulan jentera yang boleh digunakan bagi memproses selanjutnya kayu, rotan dan buluh telah ditukar kepada keluaran-keluaran siap atau separuh siap selain dari kayu gergaji kasar;

"kilang kotak kayu, pak dan pallet" ertinya suatu jentera atau sekumpulan jentera yang berupaya membuat kotak, pak, pallet atau peti-peti besar untuk membawa barang-barang;

"kilang lantai parket" ertinya suatu jentera atau sekumpulan jentera yang berupaya mengeluarkan kepingan-kepingan kayu dari berbagai bentuk dan saiz yang biasanya disusun dengan bercorak untuk digunakan sebagai bahan lantai;

"kilang mancis" ertinya suatu jentera atau sekumpulan jentera yang berupaya menukar kayu kepada bilah-bilah, yang hujungnya dibubuh campuran bahan kimia supaya mudah dinyalakan dengan haba

“kilang papan” ertinya suatu jentera atau sekumpulan jentera yang boleh untuk menukar kayu bulat tetapi tidak termasuk gergaji menggunakan tenaga mudalih yang boleh dikendalikan dengan memegang dengan tangan;

“kilang papan bergerak” ertinya suatu kilang papan yang tidak terletak atau terikat secara kekal pada tanah dan yang boleh dibawa dengan mudah dari suatu tempat ke suatu tempat lain;

“kilang papan blok”, “kilang papan bilah” atau “kilang papan berlapis” ertinya suatu jentera atau sekumpulan jentera yang berupaya mengeluarkan papan gubah yang mengandungi teras daripada jalur-jalur kayu dari berbagai ukuran yang dicantumkan bersama dengan glu di antara venir-venir;

“kilang papan gentian” ertinya suatu jentera atau sekumpulan jentera yang berupaya mengeluarkan papan yang terdiri dari kayu yang telah dikeluarkan gentian atau pulpanya dan kemudiannya dikonsolidasi dengan tekanan, haba atau selainnya, dengan atau tanpa bahan pengikat dan bahan-bahan tambahan;

“kilang papan lapis” ertinya suatu jentera atau sekumpulan jentera yang berupaya mengopek kayu balak menjadi venir bagi membuat sesuatu keluaran terpasang yang terdiri dari lapisan-lapisan kayu yang diglu atau disimenkan sekali dengan tekanan mengikut arah ira lapisan-lapisan yang bersempadan berada pada sudut tegak antara satu dengan lain;

“kilang kayu kumai” ertinya suatu jentera atau sekumpulan jentera yang berupaya mengilang kumai;

“kilang papan serpih” atau “kilang papan serpai” ertinya suatu jentera atau sekumpulan jentera yang berupaya mengeluarkan papan yang dibuat daripada serpihan-serpihan kayu, termasuk serpaian, tatal dan abu kayu yang telah dihancurkan sebahagiannya atau keseluruhannya dan kemudiannya dikonsolidasi dengan tekanan, haba atau selainnya, dengan atau tanpa bahan pengikat dan bahan-bahan tambahan;

“kilang papan tatal kayu” atau “kilang papan simen kayu” ertinya suatu jentera atau sekumpulan jentera yang berupaya mengeluarkan suatu papan yang terdiri dari serpihan-serpihan kayu termasuk serpai, tatal dan abuk kayu yang dimampat dengan pengikat simen dan bahan-bahan tambahan;

“kilang papan wafer” atau “kilang papan flake” ertinya suatu jentera atau sekumpulan jentera yang berupaya, menukar kayu kepada wafer atau flake dan kemudiannya mengkonsolidasi wafer atau flake itu menjadi bahan keping dengan menggunakan resin sentetik atau lain-lain pengikat organik berserta dengan penggunaan haba dan tekanan;

“kilang perabot” ertinya suatu jentera atau sekumpulan jentera yang boleh digunakan untuk memproses selanjutnya kayu, rotan dan buluh menjadi perabot atau bahagian-bahagian perabot;

“kilang pulpa dan kertas” ertinya suatu jentera atau sekumpulan jentera yang boleh digunakan bagi mengeluarkan gentian-gentian kayu melalui proses mekanik atau kimia dan menukar sebahagian atau kesemua gentian-gentian yang dipisahkan itu menjadi kertas, papan kertas atau keluaran-keluaran lain yang seumpamanya;

“kilang pulpa rayon” ertinya suatu jentera atau sekumpulan jentera yang boleh digunakan bagi mengeluarkan gentian-gentian kayu melalui proses mekanik atau kimia menjadi selulosa yang amat bersih dan sesuai bagi pengilangan rayon atau lain-lain keluaran daripada selulosa;

“kilang rotan” ertinya suatu jentera atau sekumpulan jentera yang berupaya mengawet, memproses dan menukar rotan, mengikut mana yang berkenaan, kepada keluaran-keluaran dari berbagai bentuk dan rekabentuk;

“kilang venir” ertinya suatu jentera atau sekumpulan jentera yang berupaya mengopek atau melayang kayu

“loji cebis kayu” ertinya suatu jentera atau sekumpulan jentera yang berupaya menukar apa jua bentuk kayu kepada cebis-cebis yang hampir-hampir sama ukurannya;

“loji hidrolisis kayu” ertinya suatu jentera atau sekumpulan jentera yang boleh digunakan bagi menukar karbohidrat yang ada pada kayu atau bahan-bahan selulosa lain kepada gula yang kemudiannya akan ditapai untuk menghasilkan alkohol perindustrian;

“loji kayu briket” ertinya suatu jentera atau sekumpulan jentera yang berupaya memampatkan abuk kayu, tatal, lebihan kayu dan arang, dengan atau tanpa bahan pengikat, untuk digunakan sebagai bahan api;

“loji komponen-komponen bangunan kayu siap dulu” ertinya suatu jentera atau sekumpulan jentera yang berupaya mengilang komponen-komponen, bahagian-bahagian sesuatu bangunan yang dipasang lengkap atau struktur-struktur lain sebagai persediaan bagi pemasangannya di sesuatu tempat;

“loji pengawetan” ertinya suatu jentera atau sekumpulan jentera yang boleh digunakan bagi mengawet kayu dengan bahan pengawet yang boleh mengurangkan rentanan kemerosotan kayu disebabkan oleh kulat, serangga, serangga pasak laut atau api;

“loji penyulingan kayu” ertinya suatu jentera atau sekumpulan jentera yang boleh digunakan bagi penguraian kayu dengan memanaskan tanpa hubungan udara, dan mengeluarkan terutamanya arang, sulingan tar asid piroligenous dan gas mudah terbakar;

“loji tanur pengering” ertinya suatu kebuk yang boleh menyesuaikan kayu kepada aras kandungan air yang dikehendaki melalui penggunaan proses terma, elektrik, suria dan kimia;

“loji tepung kayu” ertinya suatu jentera atau sekumpulan jentera yang berupaya menukarkan apa jua bentuk kayu melalui proses mekanik kepada zarah-zarah halus;

"pegawai hutan" ertinya pegawai yang dilantik di bawah subseksyen (1) seksyen 3 Akta Perhutanan Negara 1984; Akt 372

"Pengarah" ertinya Pengarah Hutan Negeri yang dilantik di bawah subseksyen (1) seksyen 3 Akta Perhutanan Negara 1984 dan termasuk seseorang Timbalan Pengarah Hutan Negeri yang dilantik di bawah seksyen itu; Akt 373

"pokok" termasuklah akar, tunggul, batang, dahan, daun, belukar, palma, buluh, rotan dan tumbuhan jalar;

"tanur arang" ertinya suatu kebuk atau retort yang dibina daripada bata atau logam bagi pengkarbonan kayu untuk menghasilkan arang dan termasuklah suatu tanur tanah atau tanur lubang.

(2) Tertakluk kepada subseksyen (1) dan melainkan jika konteksnya menghendaki makna yang lain, semua perkataan dan ungkapan yang digunakan di dalam Enakmen ini yang telah ditakrifkan di dalam Akta Perhutanan Negara 1984 hendaklah mempunyai makna yang diberikan kepadanya di bawah Akta ini. Akt 374

(3) Di dalam Enakmen ini, apa-apa sebutan mengenai Enakmen ini atau sesuatu undang-undang bertulis yang tertentu termasuklah sebutan terhadap mana-mana perundangan subsidiari yang dibuat di bawahnya.

BAHAGIAN II

PERLESENAN INDUSTRI-INDUSTRI BERASAS KAYU

3. (1) Tiada seseorang pun boleh menempatkan, membina, mendirikan, menubuhkan, mengendalikan atau menyenggarakan suatu industri berasas kayu, kecuali dengan lesen yang dikeluarkan kepadanya oleh Pihak Berkuasa Negeri dan ditandatangani oleh Pengarah. Larangan terhadap industri berasas kayu kecil dengan lesen.

(2) Seseorang yang menapak, membina, mendirikan, menubuhkan, mengendalikan atau

melakukan sesuatu perbuatan bagi menempatkan, membina, mendirikan, menubuhkan, mengendalikan atau menyenggarakan suatu industri berasas kayu tanpa terlebih dahulu mengambil lesen di bawah subseksyen (1) (kemudian daripada ini disebut "lesen" di dalam Enakmen ini) adalah melakukan suatu kesalahan di bawah Enakmen ini.

(3) Seseorang yang membantu, atau terlibat dengan apa-apa cara, di dalam menempatkan, membina, mendirikan, menubuhkan, mengendalikan, menyenggarakan atau mengurus sesuatu industri berasas kayu yang mengenainya tidak ada suatu lesen yang sah berkuatkuasa adalah melakukan suatu kesalahan di bawah Enakmen ini.

Permohonan
bagi
mendapatkan
lesen.

4. (1) Permohonan bagi sesuatu lesen hendaklah di dalam borang yang ditetapkan, dan hendaklah mengandungi butir-butir dan keterangan yang ditetapkan.

(2) Pihak Berkuasa Negeri atau Pengarah boleh menghendaki pemohon memberikan butir-butir atau keterangan lanjut berkaitan dengan sesuatu permohonan bagi mendapatkan lesen itu sebagaimana yang disifatkan perlu oleh Pihak Berkuasa Negeri atau Pengarah.

Terma-terma
dan syarat-
syarat
sesuatu
lesen.

5. (1) Sesuatu lesen hendaklah di dalam bentuk yang ditetapkan dan, tertakluk kepada Enakmen ini, hendaklah tertakluk kepada terma-terma, syarat-syarat dan peruntukan-peruntukan yang terkandung di dalam lesen itu dan, setakat yang tidak berlawanan dengannya, kepada mana-mana terma, syarat atau peruntukan lain yang ditetapkan.

(2) Sesuatu lesen hendaklah tertakluk kepada pembayaran fee-fee, caj-caj atau jumlah yang berkala sebagaimana yang ditentukan di dalam lesen dan, jika tidak ditentukan, sebagaimana yang ditetapkan.

Jaminan
lesen.

6. (1) Pihak Berkuasa Negeri boleh menghendaki, sebelum sesuatu lesen dikeluarkan, supaya suatu jaminan sebagaimana yang ditetapkan olehnya, diberikan atau sejumlah wang sebagaimana yang akan

ditetapkan olehnya didepositkan dengan Kerajaan Negeri, bagi pematuhan wajar terma-terma, syarat-syarat dan peruntukan-peruntukan yang terkandung di dalam lesen dan peruntukan-peruntukan Enakmen ini.

(2) Tanpa menjejaskan peruntukan-peruntukan lain Enakmen ini, di mana terdapat pelanggaran mana-mana terma, syarat atau peruntukan yang terkandung dalam sesuatu lesen atau pelanggaran mana-mana peruntukan Enakmen ini, keseluruhan jaminan atau deposit itu, atau sebahagian daripadanya sebagaimana yang ditentukan oleh Pihak Berkuasa Negeri, akan terlucuthak kepada Kerajaan Negeri jika selepas seseorang pemegang lesen diberi peluang untuk didengar ia tidak dapat memuaskan hati Pihak Berkuasa Negeri bahawa jaminan atau deposit atau sebahagian daripada jaminan atau deposit itu tidak boleh dilucuthakkan.

7. Seseorang pemegang lesen hendaklah menyenggarakan rekod-rekod dan memberikan penyata-penyata dan maklumat berkenaan dengan aktiviti-aktiviti yang mengenainya lesen itu diberikan sebagaimana dinyatakan dalam lesen itu, atau sebagaimana yang ditetapkan dari semasa ke semasa, atau sebagaimana yang dikehendaki secara bertulis oleh Pihak Berkuasa Negeri atau Pengarah supaya disenggarakan atau diberikan.

Penyata
dan rekod.

8. (1) Sesuatu lesen hendaklah dikeluarkan bagi sesuatu tempoh yang dinyatakan di dalam lesen itu, dan hendaklah, jika telah dinyatakan di dalam lesen itu, boleh diperbaharui bagi suatu tempoh atau tempoh-tempoh selanjutnya yang sebagaimana yang dinyatakan di dalam lesen itu.

Tempoh
sesuatu
lesen.

(2) Kecuali sebagaimana yang ditetapkan selainnya, sesuatu lesen akan luput apabila pemegang lesen itu mati (jika ia seorang orang sebenar) atau apabila pemegang lesen dibubarkan (jika ia bukan orang

Larangan terhadap penyerah-hakkan pemindahan milik, surat kuasa wakil, dll.

9. (1) Sesuatu lesen tidak boleh diserahkan atau dipindahmilikkan dengan apa-apa cara atau dalam apa-apa bentuk, dan apa-apa hak di bawah atau mengenai lesen itu tidak boleh diberikan, atau dilupuskan, atau diserahkan kepada mana-mana orang pemegang lesen, kecuali sebagaimana yang dibenarkan secara bertulis oleh Pihak Berkuasa Negeri, dan tertakluk kepada terma-terma dan syarat-syarat sebagaimana yang ditetapkan oleh Pihak Berkuasa Negeri semasa memberikan kebenaran itu.

(2) Seseorang pemegang lesen tidak boleh memberi apa-apa surat kuasa wakil atau melantik wakil mengenai lesen itu, atau mengenai apa-apa hak di bawah lesen itu, kecuali sebagaimana yang dibenarkan oleh Pihak Berkuasa Negeri dan tertakluk kepada terma-terma dan syarat-syarat sebagaimana yang ditetapkan oleh Pihak Berkuasa Negeri semasa memberikan kebenaran itu.

Pemegang lesen hendaklah mematuhi undang-undang Persekutuan: syarat-syarat atau sekatan-sekatan di bawah undang-undang Persekutuan/mengatasi.

10. (1) Pengeluaran sesuatu lesen tidak melepaskan pemegang lesen daripada mematuhi mana-mana undang-undang Persekutuan yang berhubungan dengan aktiviti-aktiviti yang baginya lesen itu dikeluarkan.

(2) Sesuatu lesen tidak boleh mengandungi apa-apa syarat atau sekatan yang bertentangan atau yang tak selaras dengan apa-apa syarat atau sekatan yang dikenakan ke atas mana-mana lesen lain yang telah dikeluarkan kepada pemegang lesen di bawah mana-mana undang-undang Persekutuan yang berkaitan dengan aktiviti itu dan apa-apa syarat atau sekatan yang bertentangan atau yang tak selaras dengan syarat-syarat atau sekatan-sekatan berkenaan adalah tidak sah setakat mana syarat atau sekatan itu bertentangan atau tak selaras sedemikian.

Kuasa menggantung atau membatalkan lesen.

11. (1) Jika Pengarah mempunyai sebab untuk mempercayai bahawa pemegang lesen itu telah melanggar mana-mana terma, syarat atau peruntukan lesen, atau mana-mana peruntukan Enakmen ini, dia boleh menghendaki pemegang lesen hadir di hadapannya dan memberikan sebab mengapa lesennya tidak patut digantung atau dibatalkan.

(2) Seseorang yang dikehendaki menunjukkan sebab di bawah subseksyen (1)—

- (a) hendaklah diberi oleh Pengarah secara bertulis butir-butir alasan-alasan yang berasaskannya lesen itu dicadangkan akan digantung atau dibatalkan;
- (b) hendaklah diberi notis tidak kurang daripada empat belas hari sebelum perbicaraan di hadapan Pengarah mengenai cadangan untuk menggantung atau membatalkan lesen; dan
- (c) boleh hadir sendiri di perbicaraan itu oleh orang yang diberi kuasa olehnya secara bertulis.

(3) Jika selepas perbicaraan itu Pengarah berpuas hati bahawa seseorang yang dikehendaki untuk memberi sebab telah melanggar mana-mana terma, syarat, atau peruntukan lesen, atau mana-mana peruntukan Enakmen ini, dia boleh—

- (a) menggantung lesen itu bagi sesuatu tempoh sebagaimana yang ditentukan olehnya; atau
- (b) membatalkan lesen itu mulai dari sesuatu tarikh sebagaimana yang dinyatakan olehnya.

(4) Jika seseorang itu terkilan dengan sesuatu keputusan di bawah subseksyen (3), dia boleh dalam tempoh tiga puluh hari dari tarikh dia diberitahu tentang keputusan itu merayu kepada Pihak Berkuasa Negeri dan keputusan Pihak Berkuasa Negeri adalah muktamad.

BAHAGIAN III

PENGUATKUASAAN

12. (1) Seseorang pegawai hutan yang berpangkat tidak rendah daripada Penolong Pegawai Hutan Daerah atau seseorang pegawai polis boleh menangkap tanpa waran mana-mana orang yang dia mempunyai sebab untuk mempercayai telah melakukan kesalahan di bawah Enakmen ini jika orang itu enggan

Kanua
menangkap
tanpa waran

yang munasabah bagi mempercayai bahawa dia telah menyatakan nama palsu atau alamat palsu atau bahawa dia mungkin melarikan diri.

(2) Apabila seseorang telah ditangkap di bawah subseksyen (1) dia hendaklah diperlakukan sebagaimana yang diperuntukkan oleh Kanun Prosedur Jenayah.

*N.M.B.
Bab 6.*

*Kuasa
menyiasat.*

13. Seseorang pegawai hutan yang berpangkat tidak rendah daripada Penolong Pegawai Hutan Daerah, atau seseorang pegawai polis yang berpangkat tidak rendah daripada Inspektor, boleh, berhubung dengan apa-apa penyiasatan mengenai apa-apa kesalahan di bawah Enakmen ini, menjalankan, tanpa perintah Pendakwa Raya, kuasa-kuasa khas berhubung dengan penyiasatan polis yang diperuntukkan oleh Kanun Prosedur Jenayah dalam kes boleh tangkap.

*N.M.B.
Bab 6.*

*Kuasa
menyita.*

14. Seseorang pegawai hutan atau pegawai polis boleh menyita—

- (a) apa-apa jua artikel atau benda yang dianggapnya perlu disita berkaitan dengan keterangan yang perlu untuk membuktikan suatu kesalahan yang dilakukan di bawah Enakmen ini;
- (b) apa-apa kayu atau kayu ditukar bentuk yang mengenainya telah ada atau ada sebab munasabah bagi mengesyaki bahawa telah berlaku suatu kesalahan di bawah Enakmen ini;
- (c) apa-apa jentera atau kumpulan jentera, atau bekas, pekej atau alat pengangkutan yang telah digunakan berkaitan dengan apa-apa kesalahan di bawah Enakmen ini atau yang di dalamnya apa-apa yang digunakan berkaitan dengan sesuatu kesalahan di bawah Enakmen ini telah dijumpai;
- (d) apa-apa alat, buku, dokumen atau benda lain yang dengan munasabahnya dipercayai ada kaitan dengan apa-apa kesalahan di bawah Enakmen ini.

15. Jika pada hemat mana-mana pegawai hutan yang berpangkat tidak rendah daripada Penolong Pegawai Hutan Daerah, atau mana-mana pegawai polis yang berpangkat tidak rendah daripada Inspektor terdapat sebab yang munasabah bagi mempercayai bahawa mana-mana benda yang boleh disita di bawah perenggan (a), (b), (c) dan (d), seksyen 14 boleh ditemui di mana-mana kilang, bangunan, binaan, premis, tanah, alat pengangkutan, atau tempat lain, dia boleh di waktu siang atau malam dan dengan atau tanpa bantuan memasuki tempat itu dan menyiasat, menyita dan memindahkan benda itu, dan untuk berbuat demikian, dia boleh—

Kuasa
mengeledah.

- (a) memecah buka mana-mana pintu luar atau dalam, atau mana-mana pagar, kepungan, pintu pagar atau galangan-galangan lain yang menghalang kemasukan ke tempat-tempat itu;
- (b) memindahkan secara paksa mana-mana galangan terhadap kemasukan, pengeledahan, penyitaan dan pemindahan itu; dan
- (c) menahan mana-mana orang yang dijumpai di dalamnya atau di situ sehingga kemasukan, pengeledahan, penyitaan dan pemindahan telah selesai dijalankan.

16. Apabila apa-apa benda disita di bawah Enakmen ini pegawai yang menyita hendaklah dengan sertamerta—

Kewajipan
pegawai yang
menyita.

- (a) meletakkan pada benda itu atau pada bekas atau pekej yang mengandungi benda itu suatu tanda yang menunjukkan bahawa benda itu telah disita; dan
- (b) memberi notis secara bertulis mengenai penyitaan itu dan alasan-alasannya kepada pemunya benda tersebut, jika diketahui, sama ada dengan menghantar apa-apa notis kepadanya sendiri atau melalui pos, atau meninggalkannya di tempat kediamannya jika diketahui.

Merobah dll.
barang-barang
yang disita
di bawah
Enakmen
ini.

17. Mana-mana orang yang, kecuali semasa menjalankan tugas rasminya di bawah Enakmen ini, merobah, memindahkan, merosakkan atau memusnahkan apa-apa benda yang disita di bawah Enakmen ini adalah melakukan suatu kesalahan dan apabila disabitkan boleh dikenakan denda tidak melebihi lima ribu ringgit atau penjara selama tempoh yang tidak melebihi dua tahun atau kedua-duanya denda dan penjara itu.

Pelucuthak-
kan barang-
barang yang
disita.

18. (1) Apa-apa benda yang disita di bawah Enakmen ini boleh dikenakan lucuthak.

(2) Jika apa-apa benda telah disita di bawah Enakmen ini, seseorang pegawai hutan yang berpangkat tidak rendah daripada Penolong Pegawai Hutan Daerah boleh, mengikut budi bicaranya, melepaskan untuk sementara benda itu kepada pemunya benda tersebut apabila diberi jaminan yang memuaskan hatinya bahawa benda itu akan diserahkan kepadanya apabila diminta atau dibawa ke hadapan mahkamah di mana beliau atau mahkamah boleh menghendakinya dibawa.

(3) Suatu perintah bagi melucuthakkan atau bagi melepaskan apa-apa benda yang boleh dikenakan lucuthak di bawah Enakmen ini hendaklah dibuat oleh mahkamah yang di hadapannya pendakwaan mengenai benda itu telah diadakan dan suatu perintah bagi melucuthakkan benda itu hendaklah dibuat jika dibuktikan dengan memuaskan hati mahkamah bahawa suatu kesalahan di bawah Enakmen ini telah dilakukan dan bahawa benda itu adalah hal perkara, atau telah digunakan dalam melakukan, kesalahan itu walaupun tiada seorang pun telah disabitkan atas kesalahan itu.

(4) Jika tiada apa-apa pendakwaan mengenai benda yang disita di bawah Enakmen ini, benda itu hendaklah diambil dan disifatkan terlucuthak apabila tamat tempoh satu bulan kalendar dari tarikh penyitaan itu melainkan jika sebelum tarikh itu mana-mana orang yang mendakwa bahawa dia adalah pemunya benda itu dan bahawa benda itu tidak boleh dikenakan lucuthak telah dengan sendiri atau melalui ejennya yang diberi

kuasa secara bertulis memberi notis bertulis kepada pegawai hutan atau pegawai polis yang dalam miliknya benda itu berada menyatakan bahawa dia menuntut benda itu.

(5) Apabila notis di bawah subseksyen (4) diterima, pegawai hutan atau pegawai polis, mengikut mana yang berkenaan, hendaklah merujukkan tuntutan itu kepada Pengarah yang boleh mengarahkan supaya benda itu dilepaskan atau boleh mengarahkan pegawai itu merujukkan perkara itu kepada Mahkamah Sesyen untuk diputuskan.

(6) Yang Dipertua Mahkamah Sesyen yang kepadanya perkara itu dirujukkan hendaklah mengeluarkan suatu saman menghendaki orang yang mendakwa bahawa dia adalah pemunya benda itu serta orang yang daripadanya benda itu disita supaya hadir di hadapannya dan apabila orang itu hadir atau ingkar hadir Yang Dipertua itu hendaklah meneruskan pemeriksaan ke atas perkara itu, dan apabila terbukti bahawa suatu kesalahan telah dilakukan di bawah Enakmen ini dan bahawa benda itu adalah hal perkara atau telah digunakan dalam melakukan kesalahan itu, hendaklah memerintahkan supaya benda itu dilucuthakkan atau jika tidak ada bukti boleh memerintahkan supaya benda itu dilepaskan.

(7) Semua benda yang dilucuthakkan di bawah Enakmen ini hendaklah diserahkan kepada Pegawai Hutan Daerah dan hendaklah dilupuskan mengikut arahan Pengarah.

(8) Jika apa-apa benda yang disita di bawah Enakmen ini adalah daripada jenis mudah rosak atau adalah tertakluk kepada reput yang cepat dan semulajadi atau jika penjagaan benda itu melibatkan perbelanjaan dan kesulitan yang tidak munasabah, atau dipercayai menyebabkan galangan atau bencana kepada orang awam, Pengarah boleh mengarahkan supaya benda itu dijual pada bila-bila masa dan hasil jualan dipegang bagi mematuhi keputusan apa-apa pendakwaan atau tuntutan di bawah seksyen ini.

Tiada kos,
ganti rugi
dsb., kerana
penyitaan.

19. Tiada seorang pun boleh dalam mana-mana prosiding di hadapan mana-mana Mahkamah mengenai penyitaan apa-apa benda yang disita dalam menjalankan kuasa-kuasa yang diberi di bawah Enakmen ini berhak mendapat kos prosiding itu atau apa-apa ganti rugi atau relif lain selain daripada perintah bagi memulangkan benda itu atau membayar nilainya jika penyitaan itu dibuat tanpa sebab yang munasabah atau yang mungkin.

Kuasa-kuasa
lain
seseorang
pegawai
hutan.

20. (1) Bagi maksud melaksanakan peruntukan-peruntukan Enakmen ini, seseorang pegawai hutan yang berpangkat tidak rendah daripada Pengawas Hutan mempunyai kuasa—

- (a) memasuki, memeriksa dan menyelidiki pada bila-bila yang munasabah, mana-mana loji, kilang, bangunan, binaan, establismen, tempat atau premis yang dikehendaki dilesen di bawah Enakmen ini;
- (b) menghendaki seseorang yang menjadi pemunya, atau yang mengendalikan, atau yang bertanggungjawab atas mana-mana industri berasas kayu memberinya maklumat yang dianggapnya perlu atau mengemukakan apa-apa rekod atau dokumen yang disimpan menurut Enakmen ini atau mengenai industri berasas kayu itu, dan memeriksa, meneliti dan membuat salinan mana-mana rekod atau dokumen itu;
- (c) menghendaki sesiapa yang ditemuinya dalam sesuatu loji, kilang, bangunan, binaan, establismen, tempat atau premis di mana suatu industri berasas kayu dijalankan memberinya maklumat yang difikirkannya perlu bagi menentukan identiti pemunya, pengendali atau orang yang bertanggungjawab atas industri tersebut;
- (d) menjadikan apa-apa jentera yang digunakan dalam mana-mana industri berasas kayu yang tidak mematuhi peruntukan-peruntukan Enakmen ini tidak dapat dikendalikan dengan mengelaknya atau dengan apa-apa cara lain; dan

(e) menghendaki mana-mana pemegang lesen atau pemunya mana-mana industri berasas kayu merobohkan apa-apa bangunan, binaan atau mana-mana bahagian daripadanya, atau memindahkan apa-apa jentera yang disimpan atau digunakan di dalamnya, yang tidak mematuhi peruntukan-peruntukan Enakmen ini.

(2) Pemunya, pemegang lesen, atau mana-mana orang yang mengendalikan atau yang bertanggungjawab atas mana-mana industri berasas kayu hendaklah memberikan bantuan sebagaimana yang dikehendaki oleh seseorang pegawai hutan dalam menjalankan kuasa-kuasanya di bawah seksyen ini.

(3) Mana-mana orang yang—

- (a) dengan sengaja melengahkan, menggendalakan atau menghalang seseorang pegawai hutan dalam menjalankan mana-mana kuasa di bawah seksyen ini;
- (b) enggan memberikan bantuan sebagaimana yang dikehendaki oleh pegawai itu dalam menjalankan mana-mana kuasa di bawah seksyen ini; atau
- (c) tanpa alasan yang munasabah, tidak atau enggan mengemukakan apa-apa rekod atau dokumen yang dikehendaki oleh pegawai itu dalam menjalankan mana-mana kuasa di bawah seksyen ini atau yang, semasa mengemukakan apa-apa maklumat, rekod atau dokumen yang dikehendaki, dengan disedarinya atau dengan melulu membuat apa-apa pernyataan yang palsu dalam sesuatu butir material atau yang dengan disedarinya mengemukakan apa-apa rekod atau dokumen yang palsu dalam sesuatu butir material,

adalah melakukan suatu kesalahan dan apabila disabitkan boleh dikenakan hukuman denda yang tidak melebihi dua ribu ringgit atau penjara bagi suatu tempoh yang tidak melebihi satu tahun atau kedua-

Kuasa
menahan dan
mengeledah
alat-alat
pengangkutan.

21. (1) Jika mana-mana pegawai hutan yang berpangkat tidak rendah daripada Pengawas Hutan atau mana-mana pegawai polis mengesyaki dengan munasabah bahawa mana-mana alat pengangkutan sedang membawa apa-apa benda melanggar Enakmen ini sedang atau telah dilakukan, dia boleh menahan dan memeriksa alat pengangkutan itu

(2) Orang yang mengawal atau bertanggungjawab atas alat pengangkutan itu hendaklah, jika dikehendaki berbuat begitu oleh pegawai hutan atau pegawai polis itu—

- (a) memberhentikan alat pengangkutan tersebut dan membenarkan pegawai hutan atau pegawai polis itu memeriksanya; dan
- (b) membuka semua bahagian alat pengangkutan untuk diperiksa dan mengambil langkah yang perlu bagi membolehkan atau memudahkan pemeriksaan yang difikirkan perlu dibuat oleh pegawai hutan atau pegawai polis itu dijalankan.

(3) Mana-mana orang yang, tanpa sebab yang munasabah, tidak atau enggan mematuhi apa-apa kehendak pegawai hutan atau pegawai polis di bawah subseksyen (2) adalah melakukan suatu kesalahan dan apabila disabitkan boleh dikenakan hukuman denda yang tidak melebihi satu ribu ringgit atau penjara bagi suatu tempoh yang tidak melebihi enam bulan atau kedua-dua denda dan penjara itu.

BAHAGIAN IV

PELBAGAI

Kuasa
Pengarah
untuk
mendakwa,
atau
membawa
atau
membela
tindakan-
tindakan
ini.

22. (1) Pengarah boleh mendakwa sesuatu kesalahan, atau membawa atau membela sesuatu tindakan, guaman atau prosiding lain berhubung dengan apa-apa perkara, di bawah Enakmen ini.

(2) Dalam sesuatu pendakwaan, tindakan, guaman atau prosiding lain yang seksyen ini terpakai baginya, Pengarah boleh hadir sendiri, atau boleh diwakili oleh

seseorang Peguam Persekutuan, Penasihat Undang-undang Negeri, peguambela dan peguamcara atau pegawai hutan.

23. Jika orang yang dipertuduh melakukan suatu kesalahan di bawah Enakmen ini adalah suatu perbadanan, tiap-tiap orang yang, pada masa berlakunya kesalahan sedemikian, adalah seorang pengarah atau pegawai perbadanan itu boleh dipertuduh bersesama dalam prosiding yang sama dengan perbadanan itu dan jika perbadanan itu disabitkan dengan kesalahan yang dipertuduhkan, tiap-tiap pengarah atau pegawai sedemikian hendaklah disifatkan melakukan kesalahan itu melainkan jika dia membuktikan bahawa kesalahan itu telah dilakukan tanpa pengetahuannya atau bahawa dia mengambil pengawasan yang munasabah untuk mencegah berlakunya kesalahan sedemikian.

Kesalahan-kesalahan yang dilakukan oleh perbadanan

24. Seseorang yang boleh dikenakan penalti kerana sesuatu yang dilakukan, atau ditinggalkan daripada dilakukan, atau apa-apa kesalahan yang dilakukan, olehnya sendiri, boleh dikenakan penalti yang sama jika perkara itu telah dilakukan atau ditinggalkan daripada dilakukan, atau jika kesalahan itu telah dilakukan, oleh pekongsinya, ejennya atau pengkhidmatnya melainkan jika dia membuktikan yang dia telah mengambil pengawasan yang munasabah untuk mencegah perkara itu daripada dilakukan atau mencegah terjadinya peninggalan itu, atau berlakunya kesalahan itu.

Kesalahan-kesalahan yang dilakukan oleh Pekongsi, pengkhidmat-pengkhidmat atau ejen.

25. (1) Tiap-tiap pegawai hutan apabila bertindak di bawah Enakmen ini hendaklah, apabila diminta, menyatakan jawatannya dan mengemukakan kepada orang yang terhadapnya dia bertindak atau yang daripadanya dia mencari apa-apa maklumat kad kuasa yang diarahkan oleh Pengarah supaya dibawa oleh pegawai itu.

Kad kuasa

(2) Tidaklah menjadi kesalahan bagi seseorang enggan mematuhi sesuatu permintaan, tuntutan atau perintah yang dibuat oleh seseorang pegawai hutan yang bertindak atau berupa sebagai bertindak di bawah

Enakmen ini jika pegawai itu enggan menyatakan jawatannya dan mengeluarkan kad kuasanya apabila dituntut oleh orang yang sedemikian.

Perlindungan
kepada
pegawai-
pegawai
hutan,
pegawai-
pegawai
polis dan
orang-orang
lain.

26. Tiada apa-apa tindakan atau pendakwaan boleh dibuat, dibawa atau disenggarakan di mana-mana mahkamah terhadap seseorang pegawai hutan atau pegawai polis sama ada secara sendiri atau atas sifat rasminya kerana atau oleh sebab atau berkenaan dengan sesuatu tindakan yang diperintahkan atau dilakukan olehnya atau yang berupaya sebagai telah diperintahkan atau dilakukan olehnya bagi maksud menguatkuasakan Enakmen ini, dan tiada apa-apa guaman atau pendakwaan boleh dibuat di mana-mana mahkamah terhadap seseorang lain kerana atau oleh sebab atau berkenaan dengan sesuatu tindakan yang dilakukan atau yang berupa sebagai telah dilakukan olehnya di bawah perintah, arahan atau suruhan seseorang pegawai hutan atau pegawai polis yang diberikan bagi apa-apa maksud seperti yang disebut terdahulu.

Dengan syarat bahawa tindakan pegawai atau orang itu dilakukan dengan suci hati dan dengan kepercayaan yang munasabah bahawa tindakan itu perlu bagi maksud yang dicadangkan akan dihasilkan olehnya.

Penalti.

27. Jika seseorang melakukan kesalahan di bawah Enakmen ini yang tiada apa-apa penalti dinyatakan baginya, dia boleh, apabila disabitkan, dikenakan hukuman penjara selama tempoh yang tidak melebihi satu tahun, atau denda yang tidak melebihi dua ribu ringgit, atau kedua-duanya penjara dan denda itu.

Kuasa
membuat
Kaedah-
kaedah.

28. Pihak Berkuasa Negeri boleh membuat kaedah-kaedah yang didapatinya perlu atau bermanfaat bagi menjalankan peruntukan-peruntukan Enakmen ini, dan khususnya, tetapi tanpa menyentuh keluasan seksyen ini, kaedah-kaedah sedemikian boleh—

- (a) menetapkan cara memohon sesuatu lesen di bawah Enakmen ini, borang atau borang-borang yang hendak digunakan, butir-butir yang perlu diberikan oleh seseorang pemohon, fee-fee, caj-caj, atau bayaran-bayaran berkala

yang kena dibayar dan syarat-syarat atau sekatan-sekatan yang akan dikenakan atau lesen itu;

- (b) menetapkan standard-standard dan cara-cara mengering, mengawet, menyimpan, memberkas dan membungkus kayu;
- (c) menetapkan standard-standard minimum bagi penyenggaraan dan pengendalian apa-apa jentera yang digunakan oleh mana-mana industri berasas kayu;
- (d) menetapkan kaedah-kaedah pembuangan sisa-sisa, cecair keluar dan benda atau bahan industri lain yang terbit daripada atau berhubungan dengan industri berasas kayu;
- (e) menetapkan standard-standard dan spesifikasi-spesifikasi minimum bagi bangunan-bangunan, alat jentera dan susunatur kilang bagi industri berasas kayu;
- (f) menetapkan standard-standard minimum bagi kebersihan dan keselamatan yang perlu dipelihara oleh industri berasas kayu;
- (g) menetapkan prosedur bagi menghentikan perjalanan dan bagi mengelak, mana-mana tempat, premis, bangunan, atau binaan di mana industri berasas kayu sedang dijalankan, atau apa-apa jentera yang digunakan di dalam menjalankan industri tersebut dan bentuk notis yang dikehendaki baginya;
- (h) membuat peruntukan bagi memberhentikan, memeriksa, menanda, menahan dan melaporkan apa-apa kayu ditukar bentuk yang dalam perjalanan;
- (i) membuat peruntukan bagi kesalahan-kesalahan di bawah kaedah-kaedah yang dibuat di bawah seksyen ini dan supaya orang-orang yang didapati bersalah di atas kesalahan-kesalahan itu, apabila disabitkan boleh dikenakan penjara selama tempoh yang tidak melebihi satu tahun atau denda yang tidak melebihi dua ribu ringgit, atau kedua-duanya penjara dan denda itu;

- (j) menetapkan apa jua yang boleh atau yang dikehendaki ditetapkan di bawah Enakmen ini.

Kecualian bagi lesen-lesen yang sedia ada. Akta 3/3.

29. (1) Walaupun Enakmen Hutan Negeri Selangor Tahun 1934 telah dimansuhkan oleh Akta Perhutanan Negara 1984, setiap lesen berkenaan dengan suatu industri berasas kayu yang dikeluarkan di bawah Enakmen tersebut, yang sah sebelum sahaja Akta itu berkuatkuasa, hendaklah terus berkuatkuasa dan hendaklah disifatkan telah dikeluarkan di bawah Enakmen ini dan hendaklah tertakluk kepada peruntukan-peruntukan Enakmen ini.

(2) Peruntukan-peruntukan di bawah seksyen 11 berkaitan dengan penggantungan dan pembatalan lesen hendaklah digunakan bagi semua lesen yang disifatkan di bawah subseksyen (1) telah dikeluarkan di bawah Enakmen ini.

Terhentinya perundangan subsidiari berhubung dengan industri berasas kayu yang dibawah Enakmen Hutan.

30. Apabila Enakmen ini mula berkuatkuasa, semua kaedah dan perundangan subsidiari lain yang dibuat di bawah Enakmen Hutan Negeri Selangor 1934 berhubung dengan apa-apa aktiviti yang berada di bawah skop industri berasas kayu hendaklah terhenti daripada berkuatkuasa.

Kuasa Pihak Berkuasa Negeri membentuk peruntukan-peruntukan peralihan tambahan

31. Pihak Berkuasa Negeri boleh melalui perintah yang disiarkan di dalam *Warta* membuat apa-apa peruntukan sebagaimana yang difikirkannya perlu atau bermanfaat bagi maksud menghapuskan apa-apa kesulitan yang disebabkan oleh berkuatkuasanya Enakmen ini, sesuatu perintah sedemikian boleh dibuat supaya berkuatkuasa mulai dari mula berkuatkuasanya Enakmen ini.

JADUAL
(Seksyen 2)

INDUSTRI BERASAS KAYU

1. (i) Kilang papan
(ii) Kilang papan bergerak
2. (i) Kilang venir
(ii) Kilang papan lapis

3. (i) Loji tanur pengering
(ii) Loji pengawetan
4. (i) Kilang perabot
(ii) Kilang kayu kumai
(iii) Kilang kerja kayu
(iv) Kilang lantai parket
(v) Kilang kotak kayu, pak dan pallet
(vi) Loji komponen-komponen bangunan kayu siap dulu
5. (i) Kilang papan blok/kilang bilah/kilang papan berlapis
(ii) Kilang papan serpih/kilang papan serpai
(iii) Kilang papan gentian
(iv) Kilang papan tatal kayu/kilang papan simen kayu
(v) Kilang papan wafer/kilang papan ilake
6. Kilang pulpa dan kertas
7. (i) Loji cebis kayu
(ii) Loji tepung kayu
8. (i) Tanur arang
(ii) Loji kayu briket
9. Kilang mancis
10. (i) Loji penyulingan kayu
(ii) Loji hidrolisis kayu
(iii) Kilang pulpa rayon
11. Kilang buluh
12. Kilang rotan

Diluluskan pada 22hb November 1985.

[DUN. Sel. 30051/38; PHN. Sel. (S) 158 Vol. 2 (26);
P.U. Sel. Sulit 51.]

MOHAMAD HASHIM BIN MAT AZIZ,
Setiausaha,
Dewan Undangan Negeri Selangor

SELANGOR

ENACTMENT No. 6 of 1985

I ASSENT,

(sgd.)
TENGKU IDRIS SHAH,
Regent of Selangor

(STATE SEAL)

2nd June 1986

An Enactment to provide for the establishment and operation of wood-based industries, and for incidental and consequential matters in relation thereto.

[*SB Pambay 5/86*]

WHEREAS the Wood-based Industries (State Act 314 Legislatures Competency) Act 1984 confers competency on the Legislature of a State to pass laws with respect to the establishment and operation of

wood-based industries set out in the Schedule to that Act, and for such incidental and consequential matters in relation thereto as the Legislature may deem necessary:

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

PART I

PRELIMINARY

Short title
and com-
mencement

1. This Enactment may be cited as the Wood-Based Industries Enactment 1985, and shall come into force on such date as the State Authority may, by notification in the *Gazette*, appoint.

Interpre-
tion

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

“bamboo factory” means a machine or group of machines capable of curing, processing and converting bamboo, as the case may be, into products of various shapes and designs;

“blockboard mill”, “battenboard mill” or “laminated board mill” means a machine or group of machines capable of producing composite boards built up of a core composed of strips of wood of various dimensions glued together between veneers;

“charcoal kiln” means a chamber or retort of metal or brick construction, for carbonizing wood to produce charcoal and includes an earth kiln or pit kiln;

“Director” means the State Director of Forestry appointed under subsection (1) of section 3 of the National Forestry Act 1984 and includes a Deputy State Director of Forestry appointed thereunder;

“fibreboard mill” means a machine or group of machines capable of producing a board constituted from wood that has been defibrated or pulped and then consolidated by pressure, heat or otherwise, with or without binders and supplementary materials;

"forest officer" means an officer appointed under subsection (1) of section 3 of the National Forestry Act, 1984;

"furniture mill" means a machine or group of machines capable of being used for further processing of timber, rattan or bamboo into furniture or furniture parts;

"kiln-drying plant" means a chamber capable of conditioning timber into the desired level of moisture content through the application of thermal, electrical, solar and chemical processes;

"match factory" means a machine or group of machines capable of converting wood into splints, tipped with a mixture of chemicals that may be easily ignited by heat or friction;

"mobile sawmill" means a sawmill which is not permanently affixed or fastened on to the ground and which can readily be transported from one place to another;

"offence under this Enactment" includes, in addition to any offence expressly provided for under this Enactment or any rules made thereunder—

- (a) any contravention of, or any failure to comply with, any provisions of this Enactment or any rules made thereunder;
- (b) any contravention of, or any failure to comply with, the terms, conditions or provisions of any licence, permission or authority granted under this Enactment or under any rules made thereunder; and
- (c) any contravention of, or any failure to comply with, any direction, instruction, or requirement lawfully given or made under this Enactment or under any rules made thereunder;

"parquet flooring mill" means a machine or group of machines capable of producing pieces of wood of various shapes and sizes generally arranged in pattern for use as flooring material;

“particleboard mill” or “chipboard mill” means a machine or group of machines capable of producing a board constituted from fragments of wood including chips, shavings and sawdust that have been partly or wholly comminuted and then consolidated by pressure, heat or otherwise with or without binders and supplementary materials;

“plywood mill” means a machine or group of machines capable of peeling logs into veneer to make an assembled product made up of layers of wood glued or cemented together under pressure with the direction of the grain of adjacent layers at right angles to one another;

“pre-fabricated timber building components plants” means a machine or group of machines capable of manufacturing components, fully-assembled parts of a building or other structures in preparation for their assembly on a site;

“prescribed” means prescribed by rules;

“preservation plant” means a machine or group of machines capable of being used for the treatment of wood with preservatives which reduce susceptibility of wood to deterioration by fungi, insects, marine borers of fire;

“pulp and paper mill” means a machine or group of machines capable of being used for defibration of wood fibres by mechanical or chemical processes and converting part or all of the fibres so separated into paper, paperboard or other allied products;

“rattan factory” means a machine or group of machines capable of curing, processing and converting rattan, as the case may be, into products of various shapes and designs;

“rayon pulp mill” means a machine or group of machines capable of being used for the defibration of wood fibres by mechanical or chemical processes into highly purified cellulose suitable for the manufacture of rayon or other cellulose-derived products;

“round timber” means any section cut from a tree, and having a diameter of not less than thirty centimetres at its larger end, which has not been prepared for use otherwise than by removal of bark and branches and either rough squaring or longitudinal division into not more than four pieces in order to facilitate transport or conversion;

“rules” means rules made under this Act;

“sawmill” means a machine or group of machines capable of being used for the conversion of round timber but does not include portable power-driven saws capable of being operated while held in the hand;

“timber” includes trees when they have fallen or been felled, and all wood whether or not cut up, fashioned or hollowed out for any purpose;

“tree” includes root, stump, stem, branch, leaf, brushwood, palm, bamboo, cane, rattan, and creeper;

“veneer mill” means a machine or group of machines capable of peeling or slicing timber into veneer;

“waterboard mill” or “flakeboard mill” means a machine or group of machines capable of converting wood into wafer or flake and then consolidating the wafer or flake into sheet material by use of synthetic resin or other organic binders together with the application of heat and pressure;

“wood based industry” means any industry involved in the processing, treatment or the drying of timber, or the conversion of timber into other products;

“wood-boxes, crates and pallets factory” means a machine or group of machines capable of making boxes, crates, pallets or large cases for carrying goods;

“wood briquettes plant” means a machine or group of machines capable of compressing together sawdust, shavings, hogged wood and charcoal, with or without binders, for use as fuel;

“wood chip plant” means a machine or group of machines capable of converting timber of any form into chips of more or less uniform dimension;

"wood distillation plant" means a machine or group of machines capable of being used for the decomposition of wood by heating out of contact with air, producing primarily charcoal, tarry distillates, pyroligneous acid and inflammable gases;

"wood flour plant" means a machine or group of machines capable of converting timber of any form by mechanical means into fine particles;

"wood hydrolysis plant" means a machine or group of machines capable of being used for the conversion of carbohydrates in wood or other cellulosic material into sugars which may then be fermented to give industrial alcohol;

"woodwool board mill" or "wood cement board mill" means a machine or group of machines capable of producing a board constituted from fragments of wood including chips, shavings, and sawdust consolidated with cement binders and supplementary additives;

"wood moulding mill" means a machine or group of machines capable of manufacturing mouldings;

"woodworking mill" means a machine or group of machines capable of being used for further processing of converted timber, rattan and bamboo into finished or semi-finished products other than rough sawn timber.

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(2) Subject to subsection (1) and unless the context otherwise requires, all words and expressions used in this Enactment which are defined in the National Forestry Act 1984 shall have the meaning assigned to them under that Act.

(3) In this Enactment, any reference to this Enactment or any particular written law includes a reference to any subsidiary legislation made thereunder.

PART II

LICENSING OF WOOD-BASED INDUSTRIES

Prohibition
of a wood
based
industry
except under
a licence.

3. (1) No person shall site, construct, erect, establish, operate or maintain a wood-based industry, except under and in accordance with a licence issued to him by the State Authority and signed by a Director.

(2) Any person who sites, constructs, erects, establishes, operates or maintains a wood-based industry, or who does any act towards such siting, construction, erection, establishment, operation or maintenance, without having first obtained a licence under subsection (1) (hereinafter in this Enactment referred to as a "licence") shall be guilty of an offence under this Enactment.

(3) Any person who assists, or in any manner concerned, in the siting, construction, erection, establishment, operation, maintenance or management of a wood-based industry in respect of which a valid licence is not in force shall be guilty of an offence under this Enactment.

4. (1) An application for a licence shall be in such form, and shall contain such particulars and information, as may be prescribed.

Application
for a
licence.

(2) The State Authority or a Director may require the applicant to furnish such further particulars or information in relation to an application for a licence as the State Authority or a Director may deem necessary.

5. (1) A licence shall be in such form as may be prescribed and, subject to this Enactment, shall be subject to such terms, conditions and provisions as may be contained in the licence and, so far as not inconsistent therewith, to any other terms, conditions or provisions which may be prescribed.

Terms and
conditions
of a
licence.

(2) A licence shall be subject to the payment of such fees, charges or periodical sums as may be specified in the licence and, if not specified, as may be prescribed.

6. (1) The State Authority may require that before any licence is issued, such security as it may specify shall be furnished, or such sum of money as it may specify shall be deposited with the State Government, for the due observance of the terms, conditions and provisions contained in the licence and of the provisions of this Enactment.

Security
for licence.

(2) Without prejudice to the other provisions of this Enactment, where there is a breach of any of the terms, conditions or provisions contained in a licence or of any provision of this Enactment, the whole of such security or deposit, or such part thereof as the State Authority may determine, shall be forfeited to the State Government if after a licensee has been given an opportunity of being heard he has failed to satisfy the State Authority as to why the same should not be forfeited.

Returns
and
records.

7. A licensee shall maintain such records and furnish such returns and information with regard to the activity in respect of which the licence is issued as may be specified in the licence, or as may be prescribed, or as may from time to time be required in writing by the State Authority or a Director to be maintained or furnished.

Duration
of licence.

8. (1) A licence shall be issued for such term as may be specified in the licence, and shall, if so specified in the licence, be capable of renewal for such further term or terms as may be specified in the licence.

(2) Except as may be otherwise prescribed, a licence shall terminate on the death of the licensee (if he is a natural person) or upon the dissolution of the licensee (if it is not a natural person).

Prohibition
of
assignment,
transfer,
power of
attorney,
etc.

9. (1) A licence shall not be capable of assignment or transfer in any manner or in any form, and nor shall any right under or in respect of the licence be capable of being conferred upon, or disposed or granted to, any person by the licensee, except as may be permitted in writing by the State Authority, and subject to such terms and conditions as the State Authority may specify in granting the permission.

(2) A licensee shall not be capable of granting any power of attorney or creating any agency in respect of the licence, or in respect of any right under the licence, except as may be permitted by the State Authority, and subject to such terms and conditions as the State Authority may specify in granting the permission.

10. (1) The issue of a licence shall not relieve the licensee from compliance with any Federal law relating to the activity for which the licence is issued.

to
with Federal
law;
conditions
or
restriction
under
Federal
law to
prevail.

(2) A licence shall not contain any condition or restriction which is in conflict or inconsistent with any condition or restriction imposed on any other licence issued to the licensee under any Federal law which relates to the activity and any condition or restriction which is in conflict or inconsistent with such condition or restriction shall, to the extent of the conflict or inconsistency, be void.

11. (1) The Director may if he has reason to believe that the licensee has contravened any term, condition or provision of the licence, or any provision of this Enactment, require the licensee to appear before him and show cause why his licence should not be suspended or revoked.

Power to
suspend or
revoke
licence.

(2) A person required to show cause under subsection (1)—

- (a) shall be supplied by the Director with the particulars in writing of the grounds on which it is proposed to suspend or revoke the licence;
- (b) shall be given not less than fourteen days notice of the hearing before the Director of the proposal to suspend or revoke the licence; and
- (c) may attend at such hearing personally or be represented there at by a person authorised by him in writing.

(3) If after the hearing the Director is satisfied that the person required to show cause has contravened any term, condition, or provision of the licence, or any provisions of this Enactment, he may—

- (a) suspend the licence for such period as he may determine, or
- (b) revoke the licence with effect from such date as he may specify.

(4) If any person is aggrieved by any decision under subsection (3), he may within thirty days of being notified of the decision, appeal to the State Authority whose decision shall be final.

PART III

ENFORCEMENT

Power of
arrest
without
warrant.

12. (1) A forest officer not below the rank of Assistant District Forest Officer, or a police officer, may arrest without warrant any person whom he has reason to believe to have committed an offence under this Enactment if the person refuses to furnish his name and address or there are reasonable grounds for believing that he has furnished a false name or address or that he is likely to abscond.

F.M.S.
Cap. 6.

(2) When any person has been arrested under subsection (1) he shall be dealt with as provided by the Criminal Procedure Code.

Power of
investiga-
tion

13. Any forest officer not below the rank of Assistant District Forest Officer, or any police officer not below the rank of Inspector, may, in relation to any investigation in respect of any offence under this Enactment, exercise, without the order of the Public Prosecutor, the special powers in relation to police investigations exercisable under the Criminal Procedure Code in seizable case.

F.M.S.
Cap. 6.

Power of
seizure

14. Any forest officer or any police officer may seize—

- (a) any article or thing whatsoever which he considers it necessary to seize in relation to the evidence necessary to establish the commission of any offence under this Enactment;
- (b) any timber or converted timber in respect of which there has been or there is reasonable cause to suspect that there has been committed any offence under this Enactment;

- (c) any machine or group of machines, or receptacle, package or conveyance which may have been used in connection with any offence under this Enactment, or in which anything used in connection with such an offence under this Enactment may have been found; or
- (d) any tool, book, document or other thing whatsoever which may reasonably be believed to have a bearing on any offence under this Enactment.

15. If it appears to any forest officer not below the rank of Assistant District Forest Officer, or to any police officer not below the rank of Inspector, that there is reasonable cause to believe that any thing liable to seizure under paragraph (a), (b), (c) or (d) of section 14 is to be found in any factory, mill, building, structure, premises, land, conveyance, or other place whatsoever he may by day or night and with or without assistance enter the same and search for, seize and remove therefrom any such thing, and in order to do so, he may—

Power of search.

- (a) break open any outer or inner door, or any fence, enclosure, gate, or other obstruction to entry thereto;
- (b) remove by force any obstruction to such entry, search, seizure and removal; and
- (c) detain any person found therein or thereon until such entry, search, seizure and removal has been completed.

16. Whenever any thing is seized under this Enactment, the seizing officer shall forthwith—

Duty of seizing officer.

- (a) place on such thing or on the receptacle or package in which it is contained a mark indicating that such thing has been seized; and
- (b) give notice in writing of such seizure and the grounds thereof to the owner of such thing, if known, either by delivering such notice to him personally, or by sending it by post, or by leaving it at his place of abode if known.

Tempering,
etc. with
any thing
seized
under this
Enactment

17. Any person who, except in the course of the performance of his official duty under this Enactment, tampers, removes, damages or destroys any thing seized under this Enactment shall be guilty of an offence and shall on conviction be liable to a fine not exceeding five thousand ringgit or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

Forfeiture
of things
seized

18. (1) Any thing liable to seizure under this Enactment shall be liable to forfeiture.

(2) Where any thing has been seized under this Enactment, a forest officer not below the rank of Assistant District Forest Officer may, at his discretion, temporarily release such thing to the owner of the same on security being furnished to his satisfaction that such thing shall be surrendered to him on demand or produced before any court in which he or a court may require it to be produced.

(3) An order for the forfeiture or the release of any thing liable to forfeiture under this Enactment shall be made by the court before which the prosecution with regard thereto has been had and an order for the forfeiture of the thing shall be made if it is proved to the satisfaction of the court that an offence under this Enactment has been committed and that the thing was the subject matter of, or was used in the commission of, the offence notwithstanding that no person may have been convicted of such offence.

(4) If there be no prosecution with regard to any thing seized under this Enactment, such thing shall be taken and deemed to be forfeited at the expiry of one calendar month from the date of seizure unless before that date any person asserting that he is the owner of such thing and that it is not liable to forfeiture has personally or by his agent authorized in writing given written notice to the forest officer or police officer in whose possession such thing is held that he claims the same.

(5) On receipt of a notice under subsection (4) the forest officer or police officer, as the case may be, shall refer the claim to the Director who may order that such goods be released or may direct such officer to refer the matter to a Sessions Court for decision.

(6) The President of the Sessions Court to which the matter is referred shall issue a summons requiring the person asserting that he is the owner of the thing and the person from whom it was seized to appear before him and upon their appearance or default to appear, the President shall proceed to the examination of the matter and, on proof that an offence under this Enactment has been committed and that such thing was the subject matter of or was used in the commission of such offence, shall order the same to be forfeited or may in the absence of such proof order its release.

(7) All things forfeited under this Enactment shall be delivered to the District Forest Officer and shall be disposed of in accordance with the direction of the Director.

(8) Where any thing seized under this Enactment is of a perishable nature or is subject to speedy and natural decay or where the custody of such thing involves unreasonable expense and inconvenience, or is believed to cause obstruction or hazard to the public, the Director may direct that such thing be sold at any time and the proceeds of the sale be held to abide the result of any prosecution or claim under this section.

19. No person shall in any proceedings before any Court in respect of the seizure of any thing seized in exercise of the powers conferred under this Enactment be entitled to the costs of such proceedings or to any damages or other relief other than an order for the return of such thing or the payment of its value unless such seizure was made without reasonable or probable cause.

No costs
or any
damages
etc., in
respect of
any seizure.

Other
powers of
a forest
officer.

20. (1) For the purpose of giving effect to the provisions of this Enactment, any forest officer not below the rank of Forester shall have power to—

- (a) enter, inspect and examine, at all reasonable times any plant, factory, mill, building, structure, establishment, place or premises required to be licensed under this Enactment;
- (b) require any person who is the owner of, or who is operating, or is in charge of any wood-based industry to furnish him such information as he may consider necessary or to produce any records or documents kept in pursuance of this Enactment or in relation to the wood-based industry, and to inspect, examine and make copies of any of them;
- (c) require any person whom he finds in any plant, factory, mill, building, structure, establishment, place or premises where a wood-based industry is being carried on to give such information as he may require in order to ascertain the identity of the owner, operator or person in charge of the said industry;
- (d) render inoperative by sealing or in any other manner any machinery used in any wood-based industry which does not comply with the provisions of this Enactment; or
- (e) require any licensee or owner of any wood-based industry to demolish any building or structure or part thereof, or to remove any machinery kept or used therein, which does not comply with the provisions of this Enactment.

(2) The owner, licensee, or any person operating or in charge of any wood-based industry shall render such assistance as may be required by a forest officer in exercise his powers under this section.

(3) Any person who—

- (a) wilfully delays, impedes or obstructs a forest officer in the exercise of any power under this section;

- (b) refuses to render such assistance as is required by the officer in the exercise of any power under this section; or
- (c) without reasonable excuse fails or refuses to submit any records or documents required by the officer in the exercise of any power under this section or who, in submitting any required information, records or documents, knowingly or recklessly makes any statement which is false in any material particular or who knowingly submits any record or document which is false in any material particular,

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding two thousand ringgit or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

21. (1) If any forest officer not below the rank of Forester or any police officer has reasonable suspicion that any conveyance is carrying any thing in contravention of this Enactment or in respect of which an offence under this Enactment is being or has been committed, he may stop and examine the conveyance.

Power to stop and search conveyances.

(2) The person in control or in charge of the conveyance shall, if required to do so by the forest officer or police officer—

- (a) stop the conveyance and allow the forest officer or police officer to examine it; and
- (b) open all parts of the conveyance for examination and take all measures necessary to enable or facilitate the carrying out of such examination as the forest officer or police officer considers necessary to make.

(3) Any person who, without any reasonable cause, fails or refuses to comply with any requirement of the forest officer or police officer under subsection (2) shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one thousand ringgit or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

PART IV

MISCELLANEOUS

Director's
power to
prosecute,
or to
institute
or defend
actions,
etc.

22. (1) The Director may prosecute any offence or institute or defend any action, suit or other proceeding relating to any matter, under this Enactment.

(2) In any prosecution, action, suit or other proceeding to which this section applies, the Director may appear personally, or may be represented by any Federal Counsel, State Legal Adviser, Deputy Public Prosecutor, advocate and solicitor or any forest officer.

Offences
omitted by
corporations

23. Where a person charged with an offence under this Enactment is a body corporate, every person, who, at the time of the commission of such offence is a director or officer of that body corporate may be charged jointly in the same proceedings with the body corporate, and where the body corporate is convicted in the proceedings in respect of such offence, every such director or officer shall be deemed to be guilty of the offence unless he proves that the offence was committed without his knowledge and that he took reasonable precautions to prevent its commission.

Offences
committed
by partner,
servant or
agent.

24. Any person who would have been liable to any penalty for anything done, or omitted to be done, or any offence committed, by him personally, shall be liable to the same penalty if the thing has been done, or omitted to be done, or the offence has been committed, by his partner, agent or servant, unless he proves that he took reasonable precautions to prevent the doing of the thing, or the occurrence of the omission, or the commission of the offence.

Authority
cards.

25. (1) Every forest officer when acting under this Enactment shall, on demand, declare his office and produce to the person against whom he is acting or from whom he seeks any information such authority card as the Director may direct to be carried by such officer.

(2) It shall not be an offence for any person to refuse to comply with any request, demand or order made by any forest officer acting or purporting to act under this Enactment if such officer refuses to declare his office and produce his authority card on demand being made by such person.

26. No action or prosecution shall be brought, instituted or maintained in any court against any forest officer or police officer either personally or in his official capacity for or on account of or in respect of any act ordered or done by him or purporting to have been ordered or done by him for the purpose of carrying into effect this Enactment, and no suit or prosecution shall lie in any court against any other person for or on account of or in respect of any act done or purporting to have been done by him under order, direction or instruction of any forest or police officer given for any such purpose as aforesaid:

Protection of forest officers, police officers and other persons.

Provided that the act of such officer or person was done in good faith and in the reasonable belief that it was necessary for the purpose intended to be served thereby.

27. Where any person commits an offence under this Enactment for which no other penalty is specified, he shall, on conviction, be liable to be punished with imprisonment for a term not exceeding one year, or with fine not exceeding two thousand ringgit, or with both such imprisonment and fine.

Penalty

28. The State Authority may make such rules as appear to the State Authority to be necessary or expedient for carrying out the provisions of this Enactment, and in particular, but without prejudice to the generality of this section, such rules may--

Power to make rules

- (a) prescribe the manner of applying for a licence under this Enactment, the form or forms to be used, the particulars to be supplied by an applicant, the fees, charges, or periodical sums, payable and the conditions or restrictions to be imposed on the licence;

- (b) prescribe the standards and methods of seasoning, preserving, storing, bundling or packaging timber;
- (c) prescribe the minimum standards for the maintenance and operation of any machinery used in any wood-based industry;
- (d) prescribe the methods for the disposal of wastes, effluent and other industrial matter or substance arising out of or in relation to any wood-based industry;
- (e) prescribe the minimum standards and specifications for buildings, machinery and layout of any wood-based industry;
- (f) prescribe the minimum standards of hygiene and safety to be maintained in any wood-based industry;
- (g) prescribe the procedure for stopping the operation of, and for the sealing of any place, premises, building, or structure when a wood-based industry is being operated, or of any machinery used in such operation, and the form of notice required therefor;
- (h) provide for the stoppage, examination, marking, detaining and reporting of any converted timber in transit;
- (i) provide for offences under the rules made under this section and for persons found guilty of such offences to be liable on conviction to a term of imprisonment not exceeding one year, or to a fine not exceeding two thousand ringgit, or to both such imprisonment and fine;
- (j) prescribe anything that may be, or is, required to be prescribed under this Enactment.

Saving of
existing
licences
Act 313.

29. (1) Notwithstanding the repeal of the Selangor State Forest Enactment by the National Forestry Act 1984, every licence in respect of a wood-based industry issued under such Enactment which, immediately before the coming into force of that Act, was valid and

in force, shall continue to have effect and shall be deemed to have been issued under this Enactment, and shall be subject to the provisions of this Enactment.

(2) The provisions of section II relating to the suspension and revocation of licences shall apply to all licences deemed under subsection (1) to have been issued under this Enactment.

30. Upon the commencement of this Enactment, all rules and other subsidiary legislation made under the Selangor State Forest Enactment relating to any activity which falls within the scope of a wood-based industry shall cease to have effect.

Cessation of subsidiary legislation relating to wood-based industries made under the Forest Enactment.

31. The State Authority may by order published in the *Gazette* make such provisions as it considers necessary or expedient for the purpose of removing any difficulties occasioned by the coming into force of this Enactment, and any such order may be made so as to have effect as from the commencement of this Enactment.

Power of State Authority to make additional transitional provisions.

SCHEDULE

(Section 2)

WOOD-BASED INDUSTRIES

1. (i) Sawmill
(ii) Mobile sawmill
2. (i) Veneer mill
(ii) Plywood mill
3. (i) Kiln-drying plant
(ii) Preservation plant
4. (i) Furniture mill
(ii) Wood moulding mill
(iii) Woodworking mill
(iv) Parquet flooring mill
(v) Wood-boxes, crates and pallets factory
(vi) Pre-fabricated timber building components plant
5. (i) Blockboard mill/battenboard mill/laminated board mill
(ii) Particleboard mill/chipboard mill
(iii) Fibreboard mill
(iv) Woodwool board mill/wood cement board mill
(v) Woolboard mill/flakeboard mill

6. Pulp and paper mill
7. (i) Wood chip plant
(ii) Wood flour plant
8. (i) Charcoal kiln
(ii) Wood briquettes plant
9. Match factory
10. (i) Wood distillation plant
(ii) Wood hydrolysis plant
(iii) Rayon pulp mill
11. Bamboo factory
12. Rattan factory

Passed this 22nd day of November 1985.

[DUN. Sel. 30051/38; PHN. Sel. (S) 158 Vol. 2 (26);
P.U. Sel. Sulit 51.]

MOHAMAD HASHIM BIN MAT AZIZ,
*Clerk of the Legislative Assembly,
Selangor*

**COLLECTION OF TOLLS
(PRIVATE ROADS)
ENACTMENT 1986**

**ENAKMEN MENGUTIP TOL
(JALAN-JALAN
PERSENDIRIAN) 1986**

SELANGOR

ENAKMEN No. 4 tahun 1986

BISA PERKENANKAN,

U.I.

SALAHUDDIN ABDUL AZIZ SHAH,
Sultan Selangor

(MOHOR KERAJAAN)

26hb Februari 1987

Satu Enakmen untuk mengawal kutipan-kutipan tol kerana menggunakan jalan-jalan persendirian di atas tanah-tanah milik.

[]

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

1. Enakmen ini bolehlah dinamakan Enakmen Mengutip Tol (Jalan-jalan Persendirian) 1986. Tajuk ringkas

2. Dalam Enakmen ini melainkan kandungan ayatnya berkehendakkan pengertian yang berlainan— Tafsiran

“jalan” ertinya jalan yang dibuat di dalam atau di atas tanah, dan termasuk sesuatu jalan dan jambatan yang diselenggarakan oleh Kerajaan Persekutuan atau Negeri, atau Majlis Perbandaran atau Majlis Daerah;

“tanah” ertinya tanah yang telah diberimilik oleh Kerajaan Negeri.

Lesen
dikehendaki
bagi
mengutip
tol.

3. Melainkan ada peruntukan-peruntukan undang-undang yang lain yang memberi kuasa kepadanya, seseorang tidak boleh mengutip ataupun memberi kebenaran untuk mengutip tol kerana menggunakan sebarang jalan, melainkan ia telah mendapatkan lesen di bawah Seksyen 5 Enakmen ini.

Kutipan
tol bagi
digunakan
untuk
penyeleng-
garaan jalan

4. (i) Semua kutipan tol hendaklah digunakan oleh pemegang lesen semata-mata untuk menyelenggarakan dengan sempurna jalan-jalan yang orang awam dibenarkan menggunakannya.

(ii) Pemegang lesen hendaklah menyelenggarakan jalan-jalan tersebut dalam keadaan sempurna dan dengan mengikut amalan kejuruteraan yang wajar.

Pengeluaran
lesen.

5. Lesen untuk mengutip tol di bawah Enakmen ini hendaklah dikeluarkan oleh Setiausaha Kerajaan dan hendaklah bagi tempoh masa dan tertakluk kepada syarat-syarat dan sekatan-sekatan yang disebutkan dalam lesen itu.

Pembatalan
lesen.

6. Setiausaha Kerajaan boleh pada bila-bila masa tanpa menyatakan sebabnya dan tanpa membayar apa-apa pampasan, membatalkan mana-mana lesen yang telah dikeluarkan di bawah Seksyen 5 Enakmen ini setelah memberi sebulan notis bertulis kepada pemegang lesen.

Pemegang
hendaklah
menyimpan
daftar dan
buku resit.

7. Tiap-tiap pemegang lesen hendaklah:

- (i) menyimpan daftar kutipan tol dalam Bahasa Kebangsaan menunjukkan jumlah kutipan bagi tiap-tiap hari;
- (ii) apabila dengan sendirinya atau melalui wakilnya menerima bayaran tol daripada seseorang, memberi kepada orang itu satu resit; dan
- (iii) menyimpan dengan sempurna kira-kira dan lain-lain rekod mengenai pendapatan perbelanjaan semua kutipan tol dan hendaklah menyediakan penyata kira-kira bagi tiap-tiap tahun.

8. Setiausaha Kerajaan dan pegawai-pegawai lain yang diberikuasa olehnya secara bertulis boleh masuk ke sebarang bangunan pada masa-masa yang munasabah untuk memeriksa daftar, buku-buku resit atau rekod-rekod yang disimpan mengikut Enakmen ini.

Pemeriksaan oleh Pegawai pemberi lesen dan Pegawai-pegawai lain.

9. Penyata kira-kira bagi tahun yang lepas hendaklah diaudit oleh Jurukira yang berkeelayakan dan pemegang lesen hendaklah menghantarkan penyata kira-kira itu kepada Setiausaha Kerajaan supaya sampai kepadanya pada atau sebelum 31hb Mei, tiap-tiap tahun.

Mengaudit penyata kira-kira.

10. (i) Seseorang yang melanggar peruntukan-peruntukan Enakmen ini atau mana-mana kaedah yang dibuat di bawah Seksyen 13 atau apa-apa syarat atau sekatan yang dicatatkan atas sesuatu lesen yang dikeluarkan di bawah Seksyen 5, adalah melakukan satu kesalahan dan apabila disabit boleh dihukum penjara tidak lebih daripada 6 bulan, atau didenda tidak lebih daripada \$10,000.00 atau kedua-duanya.

Penalti.

(ii) Pegawai Kewangan Negeri bolehlah menggunakan budibicaranya untuk mengkompaun apa-apa kesalahan di bawah Enakmen ini dengan menerima daripada orang-orang yang disyaki dengan munasabahnya telah melakukan kesalahan itu suatu amaun tidak melebihi dua ribu lima ratus ringgit (\$2,500.00).

11. Dalam sebarang perbicaraan mengenai kesalahan di bawah Enakmen ini, tuan atau penduduk tanah hendaklah, setakat yang diperlukan bagi membuktikan kesalahan seperti yang dituduh, dianggap kecuali jika dibuktikan sebaliknya telah mengutip atau membenarkan pengutipan tol kerana penggunaan jalan di atas tanah yang dipunyai atau yang diduduki olehnya.

Anggapan.

12. Suatu sekatan boleh didirikan melintang jalan di tempat di mana tol kena dibayar dan sekatan ini bolehlah ditutup untuk menghalang laluan apa-apa kenderaan sehingga tol yang sepatutnya berhubung dengan kenderaan itu dibayar.

Sekatan boleh didirikan.

Kaedah-
kaedah.

13. Raja dalam Mesyuarat boleh membuat kaedah-kaedah untuk melaksanakan peruntukan-peruntukan dan tujuan-tujuan Enakmen ini dan pada khususnya dan tanpa menyentuh keluasan peruntukan sebelum ini, untuk semua atau mana-mana perkara berikut:

- (a) menentukan bayaran yang patut dikenakan kerana mengeluarkan lesen di bawah Seksyen 5;
- (b) menetapkan kenderaan-kenderaan atau mana-mana jenis kenderaan yang mana tol hendaklah dibayar;
- (c) menentukan amaun tol yang pemegang lesen berkuasa mengutip; dan
- (d) menentukan bentuk-bentuk daftar dan resit di bawah Seksyen 7.

Diluluskan pada 10hb Disember 1986.

[DUN. Sel. 30051/42; IPK. Sel. (Sulit) 1815/19 Subject.]

MOHAMAD HASHIM BIN MAT AZIZ,
Setiausaha,
Dewan Undangan Negeri Selangor

SELANGOR
ENACTMENT No. 4 of 1986

I ASSENT.

sgd.
SALAHUDDIN ABDUL AZIZ SHAH,
Sultan of Selangor

(STATE SEAL)

26th day of February 1987

An Enactment to regulate the collection of tolls for the use of private roads over alienated lands.

[]

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

1. This Enactment may be cited as the Collection of Tolls (Private Roads) Enactment 1986. Short title.

2. In this Enactment unless the context otherwise requires— Interpretation.

“road” means any road built in or over any land, and includes a bridge but does not include any road or bridge maintained by the Federal or State Government or any Municipal Council or District Council;

“land” means land alienated by the State Government

Licence
required of
collection
of toll.

3. Save as may be expressly authorised under the provisions any other law, no person shall, unless he has obtained a licence under Section 5 of this Enactment, collect or permit to be collected any toll for the use by any person of any road.

Tolls
collected
for road
maintenance.

4. (i) The toll collected shall be utilised by the licensee solely for the proper maintenance of the roads which the public is allowed to use.

(ii) The licensee shall maintain in good repair and condition and in accordance with sound engineering practice the aforesaid roads.

Issue of
licence.

5. A licence for the collection of toll under this Enactment shall be issued by the State Secretary and shall be for such period and subject to such conditions and restrictions as may be stated therein.

Revocation
of licence.

6. The State Secretary may at any time without assigning any reasons therefor, and without payment of any compensation revoke any licence issued under Section 5 of this Enactment after giving to the licensee one month's notice in writing.

Licensee
to keep
register
and receipt
books.

7. Every licensee shall:

(i) keep a register of collection of tolls in the National language showing the amount of each day's collection;

(ii) upon payment to him or his agent of any toll by any person, issue a receipt to that person; and

(iii) keep proper accounts and other records of the income and expenditure of the tolls collected and shall prepare statements of accounts in respect of each year.

Entry by
licensing
authority
and other
officers.

8. The State Secretary and other officer authorised in writing by him in that behalf may enter into any premises at any reasonable time for the purpose of inspecting any register, receipt books or records kept under this Enactment.

9. Statements of accounts of the previous year shall be audited by a qualified accountant and the licensee shall submit the Statements of accounts to the State Secretary to reach him on or before 31st day of May in each year. Auditing of accounts

10. (i) Any person who contravenes the provisions of this Enactment or any rules made under section 13 or any condition or restriction endorsed on a licence issued under Section 5 shall be guilty of an offence and shall be liable on conviction to imprisonment not exceeding 6 months or to a fine not exceeding \$10,000 or both. Penalty

(ii) The State Financial Officer may in his discretion compound any offence under this Enactment by accepting from the persons reasonably suspected of having committed such offence a sum of money not exceeding two thousand five hundred dollars (\$2,500.00).

11. In any proceedings for any offence under this Enactment, insofar as it may be necessary to establish the offence charged, it shall be presumed until the contrary is proved that the owner or occupier of the land has collected or permitted the collection of tolls for the use of any road on the land owned or occupied by him. Presumption

12. A barrier may be erected across the road at any place where tolls are to be paid, and such barrier may be kept closed against any vehicle until the toll due in respect of such vehicle has been paid. Barrier may be erected

13. The Ruler in Council may make rules for carrying out the provisions and purposes of this Enactment and in particular and without prejudice to the generality of the foregoing, for all or any of the following matters: Rules

- (a) prescribing the fees to be charged for the issue of a licence under section 5;
- (b) specifying the vehicles or any class thereof in respect of which tolls are payable;

- (c) prescribing the amounts of tolls authorised to be collected by a licensee; and
- (d) prescribing the forms of register and receipt under section 7.

Passed this 10th day of December 1986.
[DUN. Sel. 30051/42; IPK. Sel. (Sulit) 1815/19 Sub-Jacket.]

MOHAMAD HASHIM BIN MAT AZIZ,
*Clerk of the Legislative Assembly,
Selangor*

**LOAN (SALARY ARREARS
ON CABINET SALARY
COMMITTEE REPORT)
ENACTMENT 1987**

**ENAKMEN PINJAMAN
(TUNGGAKAN GAJI LAPORAN
GAJI JAWATANKUASA
KABINET) 1987**

SELANGOR

ENAKMEN No. 5 tahun 1987

BHIA PERKENANKAN,

U.U.

SALAHUDDIN ABDUL AZIZ SHAH AL-HAJ,
Sultan Selangor

(MOHOR KERAJAAN)

1hb Februari 1988

Suatu Enakmen untuk memberi kuasa meminjam sejumlah wang tidak melebihi dua puluh lima juta, enam ratus empat puluh ribu ringgit dari Kerajaan Persekutuan bagi sesuatu maksud tertentu.

[1hb Januari 1983.]

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

1. Enakmen ini bolehlah dinamakan Enakmen Pinjaman (Tunggakan Gaji Laporan Gaji Jawatankuasa Kabinet) 1987 dan hendaklah disifatkan telah mula berkuatkuasa pada 1hb Januari 1983. Tajuk ringkas dan mula berkuatkuasa
2. Kerajaan Negeri dengan ini diberi kuasa tertakluk kepada peruntukan-peruntukan Enakmen ini meminjam dari Kerajaan Persekutuan sejumlah wang tidak melebihi dua puluh lima juta, enam ratus empat puluh ribu ringgit (\$25 640 000) dengan syarat-syarat Kuasa meminjam dari Kerajaan Persekutuan

Pinjaman
dikenakan
pada
Kumpulan-
wang Di-
satukan
Negeri.

3. Wang pokok yang dipinjam di bawah peruntukan-peruntukan Enakmen ini dan semua faedah dan lain-lain tanggungan adalah dengan ini dikenakan pada Kumpulanwang Disatukan Negeri.

Kegunaan
Pinjaman.

4. Semua wang yang dipinjam di bawah peruntukan-peruntukan Enakmen ini hendaklah digunakan bagi maksud bayaran tunggakan gaji akibat daripada Laporan Gaji Jawatankuasa Kabinet untuk kakitangan Kerajaan Negeri Selangor dan semua perkara yang berkaitan dengannya.

Pembayaran
balik
Pinjaman.

5. Semua wang yang dipinjam di bawah peruntukan-peruntukan Enakmen ini beserta semua faedah dan lain-lain tanggungan yang berkaitan hendaklah dibayar balik mengikut syarat-syarat dan had-had sepertimana yang telah dipersetujui di antara Kerajaan Negeri dan Kerajaan Persekutuan mengikut Seksyen 2 dan hendaklah dibayar dari Kumpulanwang Disatukan Negeri kepada Kerajaan Persekutuan tiap-tiap tahun kewangan semua jumlah wang yang patut dibayar dalam tahun itu.

Diluluskan pada 3hb Disember 1987.
[DUN. Sel. 30051/44.]

MOHAMAD HASHIM BIN MAT AZIZ,
*Setiausaha,
Dewan Undangan Negeri,
Selangor Darul Ehsan*

SELANGOR
ENACTMENT No. 5 of 1987

I ASSENT,

sgd.
SALAHUDDIN ABDUL AZIZ SHAH AL-HAJ,
Sultan of Selangor

(STATE SEAL)

1st February 1988

An Enactment to authorise the borrowing of a sum not exceeding twenty five million six hundred and forty thousand ringgit from the Federal Government for a certain purpose.

[1st January 1983.]

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

1. This Enactment may be cited as the Loan (Salary Arrears on Cabinet Salary Committee Report) Enactment 1987 and shall be deemed to have come into force on the 1st day of January 1983. Short title and commencement.
2. The State Government is hereby authorised, subject to the provisions of this Enactment, to borrow from the Federal Government sums of money not exceeding twenty five million six hundred and forty thousand Power to borrow money from the Federal Government.

Loans to be
charged upon
the State
Consolidated
Fund.

3. The principal moneys borrowed under the provisions of this Enactment together with all interest and other charges thereon are hereby charged to the Consolidated Fund of the State.

Application
of loan.

4. All moneys borrowed under the provisions of this Enactment shall be applied for the purpose of the payments of salary arrears for the State staff due to the Cabinet Committee Salary Report and all matters ancillary thereto.

Repayment
of loan.

5. All moneys borrowed under the provisions of this Enactment, together with all interest and other charges thereon, shall be repaid in accordance with the terms and conditions agreed upon between the State Government and the Federal Government in accordance with Section 2, and shall be appropriated out of the Consolidated Fund of the State and paid to the Federal Government in each financial year all sums due to be paid in that year.

Passed this 3rd day of December 1987.
[DUN. Sel. 30051/44.]

MOHAMAD HASHIM BIN MAT AZIZ,
*Clerk of the Legislative Assembly,
Selangor Darul Ehsan*

**NON-ISLAMIC RELIGIONS
(CONTROL OF PROPAGATION
AMONGST MUSLIMS)
ENACTMENT 1988**

**ENAKMEN AGAMA BUKAN
ISLAM (KAWALAN
PERKEMBANGAN DI
KALANGAN ORANG ISLAM)
1988**

SELANGOR
ENAKMEN No. 1 tahun 1988

BETA PERKENANKAH,

TENGGU IDRIS SHAH,
Pemangku Raja Negeri Selangor

(MOHOR KERAJAAN)

28hb Jun 1988

Suatu Enakmen untuk mengawal dan menyekat pengembangan iktikad dan kepercayaan-kepercayaan agama bukan Islam di kalangan orang-orang yang menganuti agama Islam.

15 Jun 1988

BAHAWASANYA Perkara 11 (4) Perlembagaan Persekutuan memperuntukkan bahawa undang-undang Negeri boleh mengawal dan menyekat pengembangan apa-apa iktikad atau kepercayaan agama antara orang-orang yang menganut agama Islam.

DAN BAHAWASANYA adalah sekarang dikehendaki supaya diperbuat suatu undang-undang untuk mengawal dan menyekat pengembangan iktikad dan kepercayaan-kepercayaan agama bukan Islam di

OLEH YANG DEMIKIAN, menurut Perkara 11 (4) Perlembagaan Persekutuan MAKA INILAH DIPERBUAT UNDANG-UNDANG oleh Badan Perundangan Negeri Selangor seperti berikut:

Tajuk
ringkas

1. Enakmen ini bolehlah dinamakan Enakmen Ugama Bukan Islam (Kawalan Pengembangan Di Kalangan Orang Islam), 1988.

Tafsiran.

2. (1) Dalam Enakmen ini—

“Negeri” ertinya Negeri Selangor;

“Orang belum dewasa” ertinya seseorang yang di bawah umur lapan belas tahun;

“Pegawai bertauliah” ertinya pegawai awam yang bertauliah di bawah Seksyen 10 supaya menjalankan kuasa-kuasa pegawai bertauliah di bawah Enakmen ini;

“terbitan” ertinya apa-apa buku, majalah, pamflet, risalah, bahan rakaman bunyi, filem wayang gambar dan apa-apa bahan lain untuk dibaca, dilihat atau didengar walau bagaimana cara pun dihasilkan;

“ugama bukan Islam” ertinya ugama Kristian, Hindu, Budha, Sikh, Yahudi atau apa-apa variasi, versi, bentuk atau cabang mana-mana ugama tersebut dan termasuklah apa-apa pegangan, ideoloji, falsafah, atau apa-apa kumpulan atau sistem amalan atau penunaian—

(a) yang mana salah satu daripada sifat-sifatnya ialah penyembahan sesuatu wujudan atau kuasa spiritual atau sakti sama ada benar-benar ada atau disangka ada; atau

(b) yang mengakui bahawa tujuannya atau salah satu daripada tujuan-tujuannya ialah pencapaian kebijaksanaan spiritual atau kewujudan spiritual,

iaitu suatu pegangan, ideoloji, falsafah, atau kumpulan atau sistem amalan atau penunaian yang tidak diakui oleh ugama Islam sebagai berunsur Islam.

(2) Bagi maksud Enakmen ini, sesuatu terbitan hendaklah dianggap sebagai terbitan mengenai ugama bukan Islam jika ia dianggap oleh penganut atau

UGAMA BUKAN ISLAM (KAWALAN PENGEMBANGAN 3
DI KALANGAN ORANG ISLAM)

anggota agama itu sebagai suatu buku suci atau buku asas atau salah satu daripada teks-teks penting agama itu (selepas ini dirujuk sebagai "buku asas agama") atau jika pada intipatinya ia adalah suatu terbitan yang—

- (a) mengandungi apa-apa kutipan, sedutan, petikan atau salinan sama ada sebahagian atau sepenuhnya daripada buku asas agama;
- (b) memperkatakan sejarah, prinsip, ajaran, sifat, asas, penunaian, upacara, amalresam, kebaikan, dogma, perintah atau organisasi agama itu;
- (c) memperkatakan sesuatu wujudan, kuasa, orang atau benda yang disembah atau disanjung oleh penganut atau anggota agama itu;
- (d) mengandungi cerita, kisah, legenda, dongeng ibarat atau anekdot yang berasaskan, berasal dari atau menjadi asas agama itu;
- (e) bertujuan untuk memujuk, mempengaruhi atau menghasut orang supaya menjadi penganut atau anggota agama itu atau mempelajari atau mencari pengetahuan berkenaan dengan agama itu; atau
- (f) bertujuan untuk membawa orang kepada apa-apa pengetahuan atau sumber pengetahuan mengenai apa-apa perkara yang tersebut di atas.

(3) Walaupun sesuatu terbitan itu adalah terbitan mengenai agama bukan Islam dengan sebab ia termasuk di bawah seksyen kecil (2), ia tidaklah menjadi perkara sesuatu kesalahan di bawah Enakmen ini jika terbitan itu pada keseluruhannya adalah untuk kepentingan umat Islam atau agama Islam.

3. Jika dalam sesuatu pendakwaan bagi suatu kesalahan di bawah Enakmen ini timbul apa-apa soal berkenaan sama ada seseorang itu beragama Islam, soal itu hendaklah diputuskan mengikut kriteria reputasi

Kriteria bagi memutuskan sama ada seseorang itu orang