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- Regulations. 22. The Ruler in Council may make regulations for the proper performance by the Board of its duties, or necessary for giving full effect to the provisions of this Enactment and for their due administration.”.

Diluluskan pada 30 Mac 2001.  
[PU. Sel. Am/0125; DUN. Sel. 30287/1 Jld. 3.]

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



## SELANGOR

## ENACTMENT No. 3 of 2001

I ASSENT,

(STATE  
SEAL)TENGKU IDRIS SHAH IBNI  
SULTAN SALAHUDDIN ABDUL  
AZIZ SHAH AL-HAJ,  
*Regent of Selangor*

23 April 2001

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

[ ]

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

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

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

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

‘ “Anak Selangor” means the subject of His Highness the Sultan of Selangor who fulfills the following criteria—

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

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

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

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

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

Substitution  
of section 3.

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

“Estab-  
lishment  
of the  
Fund.

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

(2) The Fund shall consist of—

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

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

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

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

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

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

“Cost of managing Fund and Object of the Fund.

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

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

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

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

Amendment  
of section 9.

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

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

Amendment  
of section  
10.

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

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

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

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

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

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

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

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

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

Cessation of scholarship or any other study award in certain cases.

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

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

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

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

Loan repayment terms.

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

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

Investment of Fund.

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



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

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

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

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

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

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

Audit and  
Accounts.

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

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

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

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

Appointment  
of Officer  
and Staff.

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

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

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

Passed this 30 March 2001.

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

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

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