



LAWS OF MALAYSIA

Act 842

PENANG FREE SCHOOL ACT 1920

(Revised—2023)

PENANG FREE SCHOOL ACT 1920

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LAWS OF MALAYSIA**Act 842****PENANG FREE SCHOOL ACT 1920**

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SCHEDULE

LAWS OF MALAYSIA**Act 842****PENANG FREE SCHOOL ACT 1920**

An Act to provide for the incorporation of a statutory body of trustees of Penang Free School and for matters related thereto.

[1 January 1920]

Short title

1. This Act may be cited as the Penang Free School Act 1920.

Incorporation of statutory trustees

2. (1) Persons appointed under subsection 7(1) as Trustees of the Penang Free School and their successors in office shall be a body corporate under the name of the “Trustees of the Penang Free School” (“the Corporation”) and shall have perpetual succession.

(2) The Corporation may sue or be sued in its name.

(3) The Corporation shall have a common seal and the seal may be changed, altered and made anew as the Corporation may think fit.

(4) The Corporation may, upon such terms as the Corporation thinks fit—

- (a) acquire, purchase, lease, take, hold and enjoy moveable and immoveable property of every description; and
- (b) subject to this Act, sell, convey, assign, surrender, and yield up, mortgage, demise, reassign, transfer or otherwise dispose of any moveable and immoveable property vested in the Corporation.

Certain bonds, securities and moneys vested in the Corporation

3. (1) All the bonds, securities and moneys specified and described in the Schedule are vested in the Corporation, together with all interest accrued or accruing due thereon, subject to the trusts and purposes more particularly mentioned in the Schedule.

(2) The immovable property specified in clause 3 of the Schedule is vested in the Corporation subject to such right or equity of redemption as at present subsisting therein.

Objects and general purposes

4. The objects and general purposes of the Corporation are—

- (a) to hold, control and administer the moneys, funds, securities and property vested in the Corporation or hereafter given to or in any manner acquired by or being in the custody or control of the Corporation and the income thereof, in accordance with the trusts or for the purposes affecting the same respectively, or in the absence of any special trust or purpose, for the general purposes of the Corporation and in particular to invest any money for the time being requiring investment in any investment authorized by law for trust funds or in the purchase of immoveable property suitable for the general purposes of the Corporation;
- (b) to provide or assist in providing salaries for teachers for the Penang Free School, and prizes and scholarships for the scholars thereof, and to promote the moral, intellectual and physical education and wellbeing of the scholars and teachers of the Penang Free School and generally to promote the advancement of education; and
- (c) such other purposes as are identical with or conducive to the attainments of any of the objects mentioned in paragraphs (a) and (b).

Committee of management

5. The affairs of the Corporation shall be managed by the Trustees for the time being who shall have full control of the capital funds and property of the Corporation and the income thereof and shall govern, direct and decide all matters connected with the administration of the affairs of the Corporation and the accomplishment of the objects and general purposes thereof, and the Trustees shall have and may exercise all the powers conferred on or vested in the Corporation by this Act.

Execution of documents

6. All deeds, documents or other instruments requiring the seal of the Corporation shall be sealed with the common seal of the Corporation in the presence of two Trustees at the least who shall sign every such deed, document or other instrument to which the common seal is affixed, and such signing shall be sufficient evidence that the seal was duly and properly affixed and that the seal is the lawful seal of the Corporation.

Constitution of Committee

7. (1) The Trustees shall consist of the persons for the time being performing the duties of—

- (a) the Chief Minister;
- (b) the State Treasurer;
- (c) the Director of Education, Penang; and
- (d) not less than three but not more than five other persons to be appointed for a period of not more than three years by the Yang di-Pertua Negeri.

(2) On the death, inability to act, resignation or absence from the State for more than three months of any member referred to in paragraph (1)(d), a new member shall within a reasonable time be appointed by the Yang di-Pertua Negeri.

(3) The Trustees may meet together for the despatch of business, and questions arising at any meeting shall be decided by a majority of the votes of the Trustees present at such meeting, and the chairman shall have a casting vote.

(4) The Chief Minister shall preside as chairman at meetings of the Trustees and in his absence, the senior member referred to in paragraph (1)(d) and in the absence of both, a chairman shall be chosen from the Trustees present at the meeting.

(5) No act or proceeding of the Trustees shall be questioned on account of any Trustee or Trustees being absent from any meeting or on account of any vacancy in the body of Trustees.

Treasurer of the Trustees

8. The Treasurer of the Trustees shall be the State Treasurer.

Accounts

9. The Trustees shall cause proper books of accounts to be kept and within two months of the close of each year the Trustees shall cause to be prepared a statement of the receipts and disbursements during the previous year, and the same shall be subject to such audit and be published in such manner as the Yang di-Pertua Negeri may direct.

Trustees to make rules

10. (1) Subject to the approval of the Yang di-Pertua Negeri, the Trustees may make rules—

- (a) to regulate the proceedings of the Trustees, the calling of meetings, the quorum necessary for the transaction of business, the voting of the Trustees and the procedure for the transaction of business;

- (b) for the appointment of committees;
- (c) for the appointment and remuneration of a Secretary;
- (d) to allocate duties to and to regulate the exercise of executive power by any committee or subcommittee and the officers of the Corporation;
- (e) to regulate the keeping and presentation of accounts;
- (f) generally to carry out the purposes of this Act.

(2) A certified copy of all such rules shall be published in the *Gazette*.

SCHEDULE

Particulars of funds, securities and moneys	Particulars of trusts affecting the same
<p>1. (a) Five Bonds of \$1,000 each numbered B 03554 to B 03558 in the Straits Settlements 5½ per cent. War Loan. Two Bonds of \$100 each number C/1 00441 and C/1 00442 in the Straits Settlements 5½ per cent. War Loan Conversion.</p> <p>(b) Cash \$70.</p> <p>All which securities and cash represent a fund of \$5,000 known as the Tye Kee Yoon Trust Fund and interest thereon amounting to \$270.</p>	<p>Income to be applied for or towards payment of school fees of poor and necessitous boys.</p>
<p>2. (a) Four Bonds of \$1,000 each numbered B 03559 to B 03561 and B 04377 in the Straits Settlements 5½ per cent. War Loan.</p> <p>(b) Cash \$216.</p> <p>All which securities and cash represent a fund of \$4,000 known as the Ghi Hin Society Trust Fund and Interest thereon amounting to \$216.</p>	<p>Income to be applied for the purpose of providing free education for Chinese boys.</p>
<p>3. (a) Three Bonds of \$1,000 each numbered C/3 00083 to C/3 00085 in the Straits Settlements 5½ per cent. War Loan Conversion. Certificate No. 67 value \$4,000, Certificate No. 80 value \$5,000 and Certificate No. 48 value \$5,000 in the Penang 5 per cent. Municipal Debentures and Certificate No. 48 value \$3,000 in the Penang 6 per cent. Municipal Debentures. Certificate No. 275 value \$3,000 in the Singapore 5 per cent. Municipal Debentures.</p>	<p>Income to be applied for general purposes.</p>

Particulars of funds, securities and moneys	Particulars of trusts affecting the same
<p>A mortgage debt of \$18,000 secured by an Indenture of Mortgage dated the 6th day of December, 1916, and made between Khaw Joo Teang of the one part and the Committee of Management of the Penang Free School of the other part and the full benefit of all securities for the same including the following immoveable property, viz.:</p> <p>Two pieces of lands known as Lots 103 and 104, Town Subdivision XIX, being part of the land comprised in Grant No. 162 with the messuages and premises erected thereon and known as Nos. 3 and 3A, Leith Street, Penang.</p> <p>(b) Cash \$1,160.</p> <p>All which securities and cash represent a fund of \$40,000 known as the Penang Free School Endowment Fund and Interest thereon amounting to \$2,160.</p> <p>4. (a) Four Bonds of \$1,000 each numbered C/3 00086 to C/3 00089 inclusive, C/4 00182 for \$5,000 in the Straits Settlements 5½ per cent. War Loan Conversion.</p> <p>(b) Cash \$169.80.</p> <p>All which securities and cash represent a fund of \$8,700 known as the Shaik Imam Trust Fund and Interest thereon amounting to \$469.80.</p>	<p>Income to be applied for or towards payment of the expenses of the education of sons of indigent Mohamedans.</p>

Particulars of funds, securities and moneys	Particulars of trusts affecting the same
<p>5. (a) Two Bonds of \$100 each numbered C/1 00447 and C/1 00448 and one Bond for \$1,000 numbered C/3 00090 in the Straits Settlements 5½ per cent. War Loan Conversion.</p> <p>(b) Cash \$64.80.</p> <p>All which securities and cash represent a fund of \$1,200 known as the Gottlieb Scholarship and Interest thereon amounting to \$64.80.</p>	<p>Income to be applied to provide a Scholarship to be called "The Gottlieb Scholarship".</p>
<p>6. (a) Three Bonds of \$1,000 each numbered B 04380 to B 04382 inclusive in the Straits Settlements 5½ per cent. War Loan and one Bond for \$100 numbered C/1 00443 in the Straits Settlements 5½ per cent. War Loan Conversion.</p> <p>(b) Cash \$62.</p> <p>All which securities and cash represent a fund of \$3,000 known as the Khoo Sian Ewe Foundation and Interest thereon amounting to \$162.</p>	<p>Income to be applied for or towards payment of school fees of poor and necessitous Chinese boys.</p>
<p>7. (a) One Bond for \$1,000 numbered B 04378 in the Straits Settlements 5½ per cent. War Loan.</p> <p>(b) Cash \$54.</p> <p>All which securities and cash represent a fund of \$1,000 known as the Lee Boon Choe Scholarship and Interest thereon amounting to \$54.</p>	<p>Income to be applied for providing school prizes and one Scholarship.</p>

Particulars of funds, securities and moneys	Particulars of trusts affecting the same
<p>8. (a) One Bond for \$1,000 numbered B 04379 in the Straits Settlements 5½ per cent. War Loan.</p> <p>(b) Cash \$54.</p> <p>All which securities and cash represent a fund of \$1,000 known as the Yeap Gaik Ee Neoh Foundation and Interest thereon amounting to \$54.</p>	<p>Income to be applied for providing school prizes.</p>
<p>9. (a) One Bond for \$1,000 numbered B 04383 in the Straits Settlements 5½ per cent. War Loan and One Bond for \$500 numbered C/2 00266 in the Straits Settlements 5½ per cent. War Loan Conversion.</p> <p>(b) Cash \$81.</p> <p>All which securities and cash represent a fund of \$1,500 known as the Khoo Cheow Teong Scholarship and Interest thereon amounting to \$81.</p>	<p>Income to be applied for providing a Scholarship.</p>
<p>10. (a) One Bond for \$500 numbered C/2 00267 in the Straits Settlements 5½ per cent. War Loan Conversion.</p> <p>(b) Cash \$27.</p> <p>All which securities and cash represent a fund of \$500 known as the Diamond Jubilee Scholarship and Interest thereon amounting to \$27.</p>	<p>Income to be applied for a school prize.</p>

Particulars of funds, securities and moneys	Particulars of trusts affecting the same
<p>11. (a) One Bond for \$100 numbered C/1 00449 and one Bond for \$500 numbered C/2 00264 in the Straits Settlements 5½ per cent. War Loan Conversion.</p> <p>(b) Cash \$32.40.</p> <p>All which securities and cash represent a fund of \$600 known as the Tunku Syed Husin Scholarship and Interest thereon amounting to \$32.40.</p>	<p>Annual income to be applied for providing a scholarship for Mohamedan boys.</p>
<p>12. (a) One Bond for \$1,000 numbered B 04384 in the Straits Settlements 5½ per cent. War Loan and 2 Bonds of \$100 each numbered C/1 00444 and C/1 00445 in the Straits Settlements 5½ per cent. War Loan Conversion.</p> <p>(b) Cash \$73.30.</p> <p>All securities and cash represent a fund of \$1,208.07 known as the Peace Scholarship and Interest thereon amounting to \$65.23.</p>	<p>Annual income to be applied for providing a Scholarship.</p>
<p>13. (a) One Bond for \$100 numbered C/1 00446, one Bond of \$500 numbered C/2 00265 and one Bond for \$1,000 numbered C/3 00091 in the Straits Settlements 5½ per cent. War Loan Conversion.</p> <p>(b) Cash \$39.95 viz. Petty Cash \$20 Savings Bank Deposit Fu Shin Tseng \$17.05 and Cash \$2.90.</p> <p>All which securities and cash represent a fund of \$1,555.93 known as the Compassionate Fund and Interest thereon amounting to \$84.02.</p>	<p>Income to be applied for or towards payment of school fees of poor and necessitous boys.</p>

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Act 842

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(Revised—2023)

*Particulars under paragraphs 7(ii) and (iii) of the
Revision of Laws Act 1968 [Act 1]*

LIST OF AMENDMENTS

Amending law	Short title	In force from
F.M. Ord. No. 1/1948	Transfer of Powers Ordinance 1948	06-03-1948
F.M. Ord. No. 9/1953	The Penang Free School (Amendment) Ordinance 1953	19-02-1953
L.N. 192/1958	Federal Constitutions (Modification of Laws) (Penang Free School Ordinance) Order 1958	10-07-1958

LIST OF LAWS OR PARTS THEREOF SUPERSEDED

No.	Title
S.S. Cap. 259	Penang Free School Ordinance, 1920

