



LAWS OF MALAYSIA

Act 784

SCOUTS ASSOCIATION OF MALAYSIA (INCORPORATION) ACT 1968

(Revised—2016)

REVISED BY
THE COMMISSIONER OF LAW REVISION, MALAYSIA
UNDER THE AUTHORITY OF THE REVISION OF LAWS ACT 1968
2016

**SCOUTS ASSOCIATION OF MALAYSIA
(INCORPORATION) ACT 1968**

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PREVIOUS REVISION

<i>First Revision</i>	...	...	...	1989 (Act 409 w.e.f. 14 December 1989)
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SCOUTS ASSOCIATION OF MALAYSIA (INCORPORATION) ACT 1968

ARRANGEMENT OF SECTIONS

Section

1. Short title and application
2. Interpretation
3. Incorporation of Scouts Association of Malaysia
4. Objects of Corporation
5. Aim and purposes of the Corporation
6. Council
7. Common seal
8. Register of members
9. Rules and by-laws
10. Transfer of properties and liabilities, *etc.*
11. Application of income and property
12. Restriction on sale of badges, *etc.*, of the Association
13. Possession and restriction on use of badges
14. Penalty
15. Repeal

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SCOUTS ASSOCIATION OF MALAYSIA (INCORPORATION) ACT 1968

An Act relating to the Persekutuan Pengakap-Pengakap Malaysia (or in English, the “Scouts Association of Malaysia”), and other matters connected therewith.

[21 November 1968]

Short title and application

1. (1) This Act may be cited as the Scouts Association of Malaysia (Incorporation) Act 1968.

(2) This Act applies throughout Malaysia.

Interpretation

2. In this Act, unless the context otherwise requires—

“Council” means a Council constituted in accordance with the rules of the Corporation referred to in section 6;

“Ordinance” means—

(a) the Boy Scouts Ordinance 1953 of the Federation of Malaya [*F.M. Ord. No. 60 of 1953*];

(b) the Boy Scouts Association Ordinance of Sabah [*Sabah Cap. 17*]; or

(c) the Boy Scouts Association Ordinance of Sarawak [*Sarawak Cap. 99*];

“Scouts” includes Scout, Junior Scout, Senior Scout, Rover Scout, Scouter, Lay Member of the Association or Member of Baden-Powell Guild recognized by the Ordinance;

“Corporation” means the Persekutuan Pengakap-Pengakap Malaysia or in English, the “Scouts Association of Malaysia” incorporated by this Act;

“Association” means the Boy Scouts Association of Malaysia referred to under the Ordinance.

Incorporation of Scouts Association of Malaysia

3. (1) Any person who, immediately before the commencement of this Act, was a member of the Association and all Scouts who become members of the Corporation pursuant to this Act or any rules made under this Act shall be a body corporate by the name of “Persekutuan Pengakap-Pengakap Malaysia” or in English, the “Scouts Association of Malaysia” with perpetual succession.

(2) The Corporation may sue and be sued in its name and may do all other matters and things incidental or appertaining to a body corporate.

(3) The Corporation may—

(a) enter into contracts;

(b) acquire, purchase, take, hold and enjoy movable and immovable property of every description; and

(c) convey, transfer, assign, surrender and yield up, charge, mortgage, demise, reassign or otherwise dispose of, or deal with, any movable or immovable property vested in the Corporation,

upon such terms as the Corporation thinks fit.

Objects of Corporation

4. The objects of the Corporation are—

- (a) to provide an organization which shall be open to all Scouts in Malaysia to enable them to give effect to the aim and purposes of the Corporation set out in section 5; and
- (b) to do all other things as the Corporation or its Council may deem incidental and conducive to the attainment of such objects.

Aim and purposes of the Corporation

5. (1) The aim of the Corporation is to develop good citizenship among boys by forming their character and to achieve this end by—

- (a) training them in habits of observation, obedience and self-reliance;
- (b) including loyalty and thoughtfulness for others;
- (c) teaching them services useful to the public and handicrafts useful to themselves; and
- (d) promoting their physical, mental, and spiritual development.

(2) The principles and practice of the Corporation shall be based on the Scout Promise and Scout Law and such other principles and practice as shall be provided in the rules of the Corporation.

Council

6. The affairs of the Corporation shall be administered by a Council to be constituted in accordance with the rules of the Corporation.

Common seal

7. (1) The Corporation shall have a common seal and the seal may be broken, changed, altered and made anew as the Corporation thinks fit.

(2) All deeds, documents and other instruments requiring the seal of the Corporation shall be sealed with the seal of the Corporation pursuant to a resolution of the Council to the effect, in the presence of the persons discharging the duties of the National Chief Commissioner or an Assistant National Chief Commissioner and one other person authorized by the Council who shall sign every such deed, document or other instrument to which such seal is affixed.

(3) The signing shall be sufficient evidence that the seal was duly and properly affixed and that the seal is the lawful seal of the Corporation.

Register of members

8. (1) The Council shall cause a register to be kept in which the following particulars shall be recorded:

- (a) the name of every Scout who immediately before the commencement of this Act was a member of the Association; or
- (b) the name of every Scout who may thereafter become a duly admitted member of the Corporation; and
- (c) any other matters as may be determined by the Council.

(2) The register may be kept in such manner as the Council may decide and the duty of keeping parts of the register may be delegated to any member or official of the Corporation.

Rules and by-laws

9. It shall be lawful for the Council from time to time to make, alter or revoke such rules as it may deem expedient for the management of the affairs of the Corporation and the accomplishment of its

objects, and all rules and by-laws made shall be binding upon the members of the Corporation.

Transfer of property and liabilities, etc.

10. (1) All property belonging immediately before the commencement of this Act to the Association, whether held in the name of the Chief Commissioner Boy Scouts Association Federation of Malaya or in the name of any person in trust for the Association shall be vested in the Corporation.

(2) All property mentioned in subsection (1) together with all after-acquired property, movable or immovable, and all subscriptions, contributions, donations, fines, amounts of loans and advances received or to be received shall be held by the Corporation for the purposes of this Act and subject to the rules of the Corporation.

(3) All debts and liabilities of the Association existing immediately before the commencement of this Act shall be paid by the Corporation.

(4) All debts due to and subscriptions and contributions payable to the Association immediately before the commencement of this Act shall be paid to the Corporation.

Application of income and property

11. (1) The income and property of the Corporation, from whatever place or source, shall be applied solely towards the promotion of the objects of the Corporation as set out in this Act.

(2) No portion of the income and property of the Corporation shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise by way of profit to the members of the Corporation.

(3) Nothing in this section shall prevent the payment made in good faith of remuneration to any officers or servants of the Corporation or to any person in return for any services actually rendered to the Corporation.

Restriction on sale of badges, etc., of the Association

12. No person, other than the Corporation or a person authorized in writing so to do by the Corporation, shall sell or expose for sale any badge, token or emblem specifically adopted for use by a Scout under the rules of the Corporation.

Possession and restriction on use of badges

13. (1) No person, not being a Scout, shall publicly wear, carry or bear in such a manner as to convey the impression that such person is a Scout any badge, token or emblem specifically adopted for use by a Scout under the rules of the Corporation.

(2) No person shall, without lawful authority or excuse, have in his possession—

- (a) any device which so closely resembles any badge, token or emblem specifically adopted for use by a Scout under the rules of the Corporation as to lead to the belief that the device in question is such badge, token or emblem;
- (b) any badge, token or emblem containing any words or characters so closely resembling any words or characters ordinarily used to describe any Scout as to be calculated to deceive or mislead; or
- (c) any badge, token or emblem bearing the word “Scout” or “Scouts”.

Penalty

14. Any person who contravenes any of the provisions of this Act commits an offence and shall, on conviction, be liable to a fine not exceeding five hundred ringgit or to imprisonment for a term not exceeding one month.

Repeal

15. The following laws are repealed:

- (a) the Boy Scouts Ordinance 1953 of the Federation of Malaya;
 - (b) the Boy Scouts Association Ordinance of Sabah; and
 - (c) the Boy Scouts Association Ordinance of Sarawak in so far as the Ordinance apply to Boy Scouts.
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LAWS OF MALAYSIA

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**SCOUTS ASSOCIATION OF MALAYSIA
(INCORPORATION) ACT 1968**

(Revised—2016)

*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
Act 143	Scouts Association of Malaysia Act 1974	23-08-1974

LIST OF LAWS OR PARTS THEREOF SUPERSEDED

No.	Title
Act 409	Scouts Association of Malaysia (Incorporation) Act 1968

LAWS OF MALAYSIA**Act 784****SCOUTS ASSOCIATION OF MALAYSIA
(INCORPORATION) ACT 1968**

(Revised—2016)

LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
Long title	Act 143	23-08-1974
1	Act 143	23-08-1974
2	Act 143	23-08-1974
3	Act 143	23-08-1974
13A	Act 143	23-08-1974

LAWS OF MALAYSIA

Act 784

SCOUTS ASSOCIATION OF MALAYSIA (INCORPORATION) ACT 1968

(Revised—2016)

LIST OF AMENDMENTS MADE BY THE COMMISSIONER OF LAW REVISION UNDER SECTION 6 OF THE REVISION OF LAWS ACT 1968 [ACT 1]

Provision	Particulars of amendments	Authority for amendment
Table of contents	Arrangement of sections altered	paragraph 6(1)(vii)
Throughout the Act	Word “rules” substituted for “Rules”	paragraph 6(1)(xv)
Enacting clause	Omitted	subparagraph 6(1)(i)(f)
subsection 1(2)	Word “applies” substituted for “shall apply”	paragraph 6(1)(iii)
section 2	1. Interpretation section arranged according to the national language text with consequential alterations made	subparagraph 6(1)(iv) (a) and paragraph 6(1) (xxiv)
Interpretation of “Council”	2. Interpretation of “Council” inserted before the interpretation of “Ordinance”	paragraph 6(1)(xxiv)
Interpretation of “Ordinance”	3. Words “ <i>F.M. Ord. No.</i> ” inserted before word “60”	paragraph 6(1)(iii)
Interpretation of “Scouts”	4. Words “Scouts” includes Scout, Junior Scout, Senior Scout, Rover Scout, Scouter, Lay Member of the Association or Member	paragraphs 6(1)(xvii) and (xxiv)

Provision	Particulars of amendments	Authority for amendment
	of Baden-Powell Guild recognized by the Ordinance;’ substituted for “Scouts” includes Wolf Cub, Boy Scout, Senior Scout, Rover Scout, Scouter, Lay Member of the Association or Member of B P Guild recognized as such by the Ordinance.’ with consequential alterations made	
Interpretation of “Corporation”	5. In interpretation of “Corporation”, brackets omitted	paragraph 6(1)(xvi)
Interpretation of “Association”	6. Words ““Association” means the Boy Scouts Association of Malaysia referred to under the Ordinance;’ substituted for “Association” means the Boy Scouts Association, referred to under the Ordinance;’ with consequential alterations made	paragraphs 6(1)(xvii) and (xxiv)
section 3	In the shoulder note, “Incorporation of Scouts Association of Malaysia” substituted for “Incorporation of Boy Scouts Association, Federation of Malaya and Boy Scouts Association in Sabah and Sarawak”	paragraph 6(1)(vi)
subsection 3(1)	1. Words “Any person” substituted for “Persons” 2. Commas inserted after the words “Any person who” and “immediately before the commencement of this Act” 3. Words “was a” substituted for “were” 4. Word “who” substituted for “as may hereafter”	paragraphs 6(1)(iii) and (xxiv) paragraph 6(1)(xvi) paragraph 6(1)(xv) paragraphs 6(1)(xxi) and (xxiv)

Provision	Particulars of amendments	Authority for amendment
	5. Words “become members” substituted for “become member”	paragraph 6(1)(xv)
	6. Words “under this Act” substituted for “thereunder”	paragraph 6(1)(xxiv)
	7. Words “with perpetual succession” transposed from subsection 3(2) with consequential alterations made and inserted after the word “Malaysia”	paragraphs 6(1)(iii) and (xxiv)
subsection 3(2)	Words “shall have perpetual succession” transposed into subsection 3(1) with consequential alterations made	paragraphs 6(1)(xiii) and (xxiv)
subsections 3(2) and (3)	Divided into subsection 3(2) and paragraphs 3(3)(a), (b) and (c) with consequential alterations made	paragraphs 6(1)(iii), (xii) and (xxiv)
section 4	1. In the shoulder note, word “ the ” omitted	paragraph 6(1)(iii)
	2. Divided into paragraphs 4(a) and (b) with consequential alterations made	paragraphs 6(1)(xii), (xvi) and (xxiv)
section 5	In the shoulder note, word “ Aim ” substituted for “ The aim ”	paragraph 6(1)(iii)
subsection 6(1)	1. Renumbered as section 6	paragraph 6(1)(xii)
	2. Words “for the time being” omitted	paragraph 6(1)(xii)
subsection 6(2)	Omitted	subparagraph 6(1)(i)(aa)
section 7	In the shoulder note, words “ of Corporation ” omitted	paragraphs 6(1)(iii) and (xxi)
subsection 7(1)	1. Comma after word “common seal” omitted	paragraph 6(1)(xvi)
	2. Word “the” substituted for “such”	paragraph 6(1)(xv)
	3. Words “from time to time” omitted	paragraph 6(1)(xxi)

Provision	Particulars of amendments	Authority for amendment
	4. Word “thinks” substituted for “deems”	paragraph 6(1)(xxa)
subsection 7(2)	Divided into subsections 7(2) and (3) with consequential alterations made	paragraphs 6(1)(xv), (xvi), (xxi) and (xxiv)
subsection 8(1)	Divided into paragraphs 8(1)(a), (b) and (c) with consequential alterations made	paragraphs 6(1)(xiii), (xvi) and (xxiv)
subsection 8(2)	Words “from time to time” omitted	paragraph 6(1)(xxi)
section 9	1. In the shoulder note, word “ by-laws ” substituted for “ By-laws ”	paragraphs 6(1)(iii), (xv) and (xxa)
	2. Words “for the time being” omitted	paragraph 6(1)(xxi)
subsection 10(1)	Divided into subsections 10(1) and (2) with consequential alterations made	paragraphs 6(1)(xiii), (xvi), (xxi) and (xxiv)
subsection 10(2)	Renumbered and divided into subsections (3) and (4) with consequential alterations made	paragraphs 6(1)(xiii), (xvi), (xxi) and (xxiv)
section 11	Divided into subsections 11(1), (2) and (3) with consequential alterations made	paragraphs 6(1)(xiii), (xvi), (xxi) and (xxiv)
section 12	Comma inserted after the words “so to do by the Corporation”	paragraph 6(1)(xvi)
subsection 13(2)	Commas inserted after the words “No person shall” and “without lawful authority or excuse”	paragraph 6(1)(xvi)
paragraph 13(2)(a)	Word “or” at the end of paragraph omitted	paragraph 6(1)(xxi)
paragraph 13(2)(c)	Word “Boy” in the paragraph omitted	paragraph 6(1)(xxi)
section 13A	1. Renumbered as section 14	paragraph 6(1)(xii)
	2. Words “who contravenes” substituted for “contravening”	subparagraph 6(1)(iv)(b)
	3. Words “commits an offence and” inserted after the words “this Act”	subparagraph 6(1)(iv)(b)

Provision	Particulars of amendments	Authority for amendment
section 14	1. Renumbered as section 15	paragraph 6(1)(xii)
	2. Word “hereby” omitted	paragraph 6(1)(xxi)
paragraph 14(c)	Word “Ordinance” substituted for “provisions thereof”	paragraph 6(1)(xxi)
