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Act 664

ISKANDAR REGIONAL DEVELOPMENT AUTHORITY ACT 2007

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ISKANDAR REGIONAL DEVELOPMENT AUTHORITY ACT 2007

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LAWS OF MALAYSIA**Act 664****ISKANDAR REGIONAL DEVELOPMENT
AUTHORITY ACT 2007**

An Act to incorporate the Iskandar Regional Development Authority, to provide for the proper direction, policies and strategies in relation to development within the Iskandar Development Region, to provide for co-ordination between government agencies to promote trade, investment and development within the Iskandar Development Region, and to provide for matters connected therewith or ancillary thereto.

[17 February 2007; P.U. (B) 55/2007]

ENACTED by the Parliament of Malaysia as follows:

PART I**PRELIMINARY****Short title and commencement**

1. (1) This Act may be cited as the Iskandar Regional Development Authority Act 2007.

(2) This Act comes into operation on such date as the Minister may, after consultation with the State Authority of Johore, appoint by notification in the *Gazette*, and the Minister may appoint different dates—

- (a) for the coming into operation of this Act in different areas or parts of the Iskandar Development Region;
- (b) for the coming into operation of different provisions of this Act in the Iskandar Development Region; or

- (c) for the coming into operation of different provisions of this Act in different areas or parts of the Iskandar Development Region.

Interpretation

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

“Government Entity” means—

- (a) the Federal Government, or any State Government, State Authority or local government; and
- (b) any ministry, department, office, agency, authority, commission, committee, board, council or other body, corporate or incorporate, of the Federal Government, or of any State Government or local government, whether established under written law or otherwise;

“committee” means a committee established by the Authority under section 14;

“Approvals and Implementation Committee” means the Approvals and Implementation Committee established under section 30;

“State Planning Committee” means the State Planning Committee for Johore established under section 4 of the Town and Country Planning Act 1976 [*Act 172*];

“Approvals” means licences, permits or passes, registrations and other approvals including those related to the admission into, and departure from, Malaysia, of non-Malaysian citizens, and for tax, customs and excise duties and other fiscal incentives, required for or in connection with trade, investment and development in the Iskandar Development Region;

“Chief Executive” means the chief executive officer appointed under subsection 18(1) and includes any officer directed under subsection 18(7) to perform the duties of the chief executive officer;

“Fund” means the Iskandar Regional Development Authority Fund established under section 33;

“Social Projects Fund” means the Social Projects Fund established under section 37;

“National Physical Planning Council” has the meaning assigned to it in the Town and Country Planning Act 1976;

“prescribe” means prescribe by regulations;

“Minister” means the Prime Minister;

“Menteri Besar” means the Menteri Besar of Johore;

“Co-Chairmen” means the Co-Chairmen of the Authority appointed pursuant to section 8;

“Commissioners” mean the Commissioners appointed under section 29;

“Authority” means the Iskandar Regional Development Authority established under section 3;

“local planning authority” has the meaning assigned to it in the Town and Country Planning Act 1976;

“local authority” means the local authority for the area or areas within the Iskandar Development Region;

“Comprehensive Development Plan” means the Comprehensive Development Plan for the Iskandar Development Region, and includes any alteration of such Comprehensive Development Plan by virtue of section 25; and “draft Comprehensive Development Plan” shall be construed as the context requires;

“structure plan” has the meaning assigned to it in the Town and Country Planning Act 1976 in its application to the State of Johore;

“local plan” has the meaning assigned to it in the Town and Country Planning Act 1976;

“open space” means any land whether enclosed or not which is laid out or reserved for laying out wholly or partly as a public garden, park, sports and recreation ground, pleasure ground, walk or as a public place;

“Iskandar Development Region” means the area or areas determined by the Minister in accordance with section 15.

(2) For the avoidance of doubt, nothing in this Act shall be construed as reducing or limiting the jurisdiction, powers and

functions of the State Authority of Johore in relation to land and local government matters.

PART II

THE AUTHORITY

The Authority

3. (1) A body corporate by the name of “Iskandar Regional Development Authority” is established.

(2) The Authority shall have perpetual succession and a common seal.

(3) The Authority may sue and be sued in its name.

(4) Subject to and for the purposes of this Act, the Authority may, upon such terms as it deems fit—

(a) enter into contracts;

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

(c) 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 vested in the Authority.

Objective of the Authority

4. The objective of the Authority is to develop the Iskandar Development Region into a strong and sustainable metropolis of international standing.

Functions of the Authority

5. The functions of the Authority shall be—

(a) to establish national policies, direction and strategies in relation to development within the Iskandar Development Region and other functions in connection therewith as provided in Part IV;

- (b) to co-ordinate the performance of the activities carried out by Government Entities in the Iskandar Development Region as provided in Part V including—
 - (i) to act as a principal co-ordinating agent or authorized agent in relation to applications for Approvals in respect of which the Authority has entered into an agreement or arrangement under section 31;
 - (ii) to recommend uniform standards, guidelines, best practices and administrative processes and procedures to be used by Government Entities for the Iskandar Development Region; and
 - (iii) to monitor the implementation of uniform standards, guidelines, best practices and administrative processes and procedures in facilitating the development of the Iskandar Development Region;
- (c) to conduct inquiries, carry out surveys, collate, analyse and publish information, statistics and factors influencing or relevant to development, business or investment and to disseminate such information, statistics and factors to investors or potential investors, whether local or foreign, in the Iskandar Development Region and to the relevant Government Entities;
- (d) to recommend to the relevant Government Entities policies, laws and actions to be applied to the Iskandar Development Region to enhance the international competitiveness of industry and commerce in the Iskandar Development Region;
- (e) to recommend to the relevant Government Entities incentives in relation to taxes, customs and excise duties and other fiscal incentives applicable to investors in the Iskandar Development Region;
- (f) to promote and stimulate the Iskandar Development Region as a trade, investment and logistics centre, duty free area and tourist destination;
- (g) to promote, stimulate, facilitate and undertake in the Iskandar Development Region—
 - (i) economic and social development;

- (ii) the development of tourism and infrastructure as well as residential, agricultural, industrial and commercial development;
 - (iii) the development of art, culture, sport and recreational activities;
 - (iv) public education including the development of educational facilities; and
 - (v) public health including the development of health and medical facilities;
- (h) to promote private sector investment in the development mentioned in paragraph (g);
- (i) to plan, phase and co-ordinate the performance of the activities mentioned in paragraphs (f) and (g) and such other activities within the Iskandar Development Region which are deemed by the Authority to be of strategic national importance or in the national interest; and
- (j) to carry out any other function conferred by or under this Act and to perform any other functions that are supplemental, incidental, or consequential to any of the functions specified in this section.

Powers of the Authority

6. Subject to and for the purposes of this Act, the powers of the Authority shall include power—

- (a) to carry on all activities, particularly activities which are commercial or industrial in nature, activities relating to trade, investment, logistics, tourism, infrastructure and activities of research and training, the carrying on whereof appears to it to be requisite, advantageous or convenient for or in connection with the performance of its functions;
- (b) to initiate and carry out studies of possible development and redevelopment areas and to propose plans outlining development or redevelopment activities and surveys to determine if the undertaking and carrying out of development or redevelopment projects are feasible;

- (c) to require—
- (i) all relevant Government Entities to give such assistance and submit such information in their possession as may be required by the Authority in order for the Authority to carry out the functions mentioned in paragraph 5(c); and
 - (ii) all Government Entities, companies and corporations, and other bodies and persons, whether local or foreign, engaged in carrying out or intending to carry out development in the Iskandar Development Region to submit reports, containing such particulars and information as may be specified by the Authority, regarding their activities or proposed activities;
- (d) to co-ordinate development, including the development of property, infrastructure and public amenities in the Iskandar Development Region;
- (e) to make recommendations to the State Authority of Johore and local authorities within the Iskandar Development Region in relation to local government functions and services including local planning control and the regulation, approval or control of all buildings and building operations, the repair and removal of ruinous and dangerous buildings, and the prohibition, closure and demolition of a building of a particular class, design or appearance in the Iskandar Development Region;
- (f) to co-operate with or act as authorized agent of, or otherwise act in association with or on behalf of, any Government Entity, any company or corporation, or any body or person, whether local or foreign;
- (g) to directly or indirectly approach any investor or potential investor, whether local or foreign, in order to promote investment in the Iskandar Development Region;
- (h) to promote and co-ordinate the carrying on of the activities mentioned in paragraphs (a) and (b) by any Government Entity or person, whether local or foreign;
- (i) to establish or expand, or promote the establishment or expansion of, companies or other bodies to carry on any of the activities mentioned in paragraphs (a) and (b) either under the control or partial control of the Authority or independently;

- (j) to underwrite or otherwise acquire and hold any securities and to dispose of the securities on such terms and conditions as the Authority may determine;
- (k) subject to and in accordance with any written law, to establish, manage and operate any investment fund, whether relating to property, stock, shares or otherwise, and to dissolve the investment fund on such terms and conditions as the Authority may determine;
- (l) to apply for and accept the alienation or transfer of land within the Iskandar Development Region for development;
- (m) to dispose of capital assets and to use the proceeds from such disposal;
- (n) to appoint such agents as it may deem fit for the purpose of performing its functions;
- (o) to impose fees, costs, levies, contributions or any other charges as it deems fit for giving effect to any of its functions or powers; and
- (p) to do all things expedient or necessary for or incidental to the performance of its functions under this Act.

Additional functions of the Authority

7. In addition to the duties imposed on and powers vested in the Authority by this Act, the Authority may undertake such other functions, exercise such other powers and expend such other moneys for such purposes as the Federal Government or, with the approval of the Minister, the State Government of Johore may assign or give to it, and in so doing the Authority shall be deemed to be fulfilling the purposes of this Act and the provisions of this Act shall apply to the Authority in respect of the undertaking of such functions, the exercise of such powers and the expending of such moneys:

Provided that the accounts of such moneys shall be kept separate and apart from those of the Fund.

Membership of the Authority

8. (1) The Authority shall consist of the following members:
- (a) two Co-Chairmen, one of whom shall be the Prime Minister and the other shall be the Menteri Besar;
 - (b) two representatives of the Federal Government, consisting of—
 - (i) the Secretary General of the Federal Treasury; and
 - (ii) the Director General of the Economic Planning Unit of the Prime Minister’s Department;
 - (c) two representatives of the State Government of Johore, consisting of—
 - (i) the State Secretary for the State of Johore; and
 - (ii) the Director of the State Economic Planning Unit of the State of Johore; and
 - (d) two other members who shall be appointed by the Minister with the concurrence of the Menteri Besar, who, in the opinion of the Minister, have the experience and shown capacity and professionalism in matters relating to banking, finance, planning, local government, commerce, business or administration, or to be otherwise suitable for appointment because of their special knowledge, experience or academic qualifications, one of whom shall be from the private banking, finance or commerce sector.
- (2) The Deputy Prime Minister shall be the alternate member to the Prime Minister to preside, in place of the Prime Minister, at a meeting of the Authority if the Prime Minister is for any reason unable to attend.
- (3) When presiding at a meeting of the Authority, the Deputy Prime Minister shall for all purposes be deemed to be one of the Co-Chairmen.
- (4) The provisions of the Schedule shall apply to the Authority.

Appointment, revocation and resignation

9. (1) A member of the Authority appointed pursuant to paragraph 8(1)(d) shall, subject to such conditions as may be specified in his instrument of appointment, hold office for a term not exceeding two years and is eligible for reappointment for a maximum period of three consecutive terms.

(2) The appointment of any member pursuant to paragraph 8(1)(d) may at any time be revoked by the Minister, with the concurrence of the Menteri Besar, without assigning any reason for the revocation.

(3) A member appointed pursuant to paragraph 8(1)(d) may at any time resign his office by letter addressed to the Minister.

Vacation of office

10. The office of a member of the Authority appointed pursuant to paragraph 8(1)(d) is vacated—

- (a) if he dies;
- (b) if there has been proved against him, or he has been convicted on, a charge in respect of—
 - (i) an offence involving fraud, dishonesty or moral turpitude;
 - (ii) an offence under any law relating to corruption or under section 49; or
 - (iii) any other offence punishable with imprisonment (in itself only or in addition to or in lieu of a fine) for more than two years;
- (c) if he becomes a bankrupt;
- (d) if he is of unsound mind or is otherwise incapable of discharging his duties;
- (e) if he absents himself from three consecutive meetings of the Authority without leave of the Co-Chairmen;
- (f) if his resignation is accepted by the Minister; or
- (g) if his appointment is revoked by the Minister.

Filling of vacancy

11. Where any person ceases to be a member of the Authority by reason of any of the provisions of this Act, another person shall be appointed in his place in accordance with the provisions applying.

Remuneration or allowance

12. There may be paid to the members of the Authority such remuneration or allowance as the Minister may determine.

Disclosure of interest

13. (1) Any member of the Authority, the Approvals and Implementation Committee or a committee who has or acquires a direct or indirect interest by himself, through a member of his family or his associate in relation to any matter under discussion by the Authority or the Approvals and Implementation Committee or the committee shall disclose to the Authority, the Approvals and Implementation Committee or the committee, as the case may be, the fact of his interest and the nature of that interest.

(2) A disclosure under subsection (1) shall be recorded in the minutes of the meeting of the Authority, the Approvals and Implementation Committee or the committee, as the case may be, in which the matter is discussed and, after the disclosure, the member—

- (a) shall not be present or take part in any discussion or decision of the Authority, the Approvals and Implementation Committee or the committee, as the case may be, about the matter; and
- (b) shall be disregarded for the purpose of constituting a quorum of the Authority, the Approvals and Implementation Committee or the committee, as the case may be,

when the matter is discussed or decided upon.

(3) Any member of the Authority, the Approvals and Implementation Committee or a committee who fails to disclose his interest as provided under subsection (1) commits an offence

and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit or to imprisonment for a term not exceeding two years or to both.

(4) No act or proceedings of the Authority, the Approvals and Implementation Committee or a committee shall be invalidated on the ground that any member of the Authority, the Approvals and Implementation Committee or the committee has contravened this section.

(5) For the purpose of this section—

“a member of his family”, in relation to a member of the Authority, the Approvals and Implementation Committee or a committee, includes—

- (a) his spouse;
- (b) his parent including a parent of his spouse;
- (c) his child including an adopted child or stepchild;
- (d) his brother or sister including a brother or sister of his spouse; and
- (e) a spouse of his child, brother or sister; and

“associate”, in relation to a member of the Authority, the Approvals and Implementation Committee or a committee, means—

- (a) a person who is a nominee or an employee of the member;
- (b) a firm of which the member or any nominee of his is a partner;
- (c) a partner of the member;
- (d) a trustee of a trust under which the member or a member of his family is a beneficiary; or
- (e) any corporation within the meaning of the Companies Act 1965 [Act 125], of which the member or any nominee of his or a member of the member’s family is a director or has a substantial shareholding in the corporation.

The Authority may establish committees

14. (1) The Authority may establish such committees as it considers necessary or expedient to assist it in the performance of its functions under this Act.

(2) The Authority may elect any of its members to be the chairman of a committee.

(3) The Authority may appoint any person to be a member of any committee established under subsection (1).

(4) A member of a committee shall hold office for such term as may be specified in his letter of appointment and is eligible for reappointment.

(5) The Authority may revoke the appointment of any member of a committee without assigning any reason for the revocation.

(6) A member of a committee may at any time resign by giving notice in writing to the Co-Chairmen of the Authority.

(7) A committee may regulate its own procedure.

(8) A committee shall be subject to and act in accordance with any direction given to the committee by the Authority.

(9) The Authority may at any time discontinue or alter the constitution of a committee.

(10) Meetings of a committee shall be held at such times and places as the chairman of the committee may determine.

(11) A committee shall cause—

(a) minutes of all its meetings to be maintained and kept in a proper form; and

(b) copies of the minutes of all its meetings to be submitted to the Authority as soon as practicable.

(12) Any minutes made of a meeting of a committee shall, if duly signed, be admissible in evidence in all legal proceedings without further proof.

(13) Every meeting of a committee in respect of the proceedings of which minutes have been made in accordance with subsections (11) and (12) shall be deemed to have been duly convened and held and all members thereof to have been duly qualified to act.

(14) A committee may invite any person to attend any of its meetings, for the purpose of advising it on any matter under discussion, but that person shall not be entitled to vote at the meeting.

(15) Members of a committee or any person invited to attend any meeting of a committee may be paid such allowances and other expenses as the Authority may determine.

(16) No act done or proceeding taken under this Act shall be questioned on the ground of—

- (a) any vacancy in the membership of, or any defect in the constitution of, a committee; or
- (b) any omission, defect or an irregularity not affecting the merit of the case.

The Iskandar Development Region

15. (1) The Minister may, with the concurrence of the State Authority of Johore, from time to time, determine by notification in the Gazette the area or areas within which the Authority shall perform its functions under this Act and such area or areas shall be known as the “Iskandar Development Region”.

(2) Notwithstanding any other written law, it shall be the responsibility of the Authority to perform, in the Iskandar Development Region, the functions provided by this Act.

Delegation of the Authority’s functions and powers

16. (1) The Authority may, in writing, delegate any of its functions, and powers, other than its power to borrow money, to raise loans or to make subsidiary legislation, to—

- (a) the Co-Chairmen;
- (b) a member of the Authority;

- (c) the Approvals and Implementation Committee;
- (d) a committee; or
- (e) an officer of the Authority.

(2) Without prejudice to subsection (1) and other provisions of this Act, the Authority may delegate to a member of the Authority, the Approvals and Implementation Committee or a committee or an officer of the Authority, authority to sanction expenditure from the Fund, the Social Projects Fund or any other moneys vested in and under the control of the Authority up to such limit as the Authority shall specify.

(3) A member of the Authority, the Approvals and Implementation Committee or a committee or an officer, as the case may be, delegated with such function or power shall be bound to observe and have regard to all conditions and restrictions imposed by the Authority and all requirements, procedures and matters specified by the Authority.

(4) Any function or power delegated under this section shall be performed and exercised in the name and on behalf of the Authority.

(5) A delegation under this section shall not preclude the Authority itself from performing or exercising at any time any of the delegated functions or powers.

Returns, reports, accounts and information

17. (1) The Authority shall furnish to the Minister, and such public authority as may be directed by the Minister, such returns, reports, accounts and information with respect to its property and activities as the Minister may, from time to time, require or direct.

(2) Without prejudice to the generality of subsection (1), the Authority shall, as soon as practicable after the end of each financial year, cause to be made and transmitted to the Minister and, if so directed by the Minister, to any other public authority a report dealing with the activities of the Authority during the preceding financial year.

(3) The report under subsection (2) shall be in such form and shall contain such information relating to the proceedings and policy of the Authority as the Minister may, from time to time, specify.

PART III

CHIEF EXECUTIVE, OFFICERS AND SERVANTS OF THE AUTHORITY

The Chief Executive

18. (1) The Authority shall appoint a Chief Executive on such term and conditions as it thinks desirable.

(2) The Chief Executive shall be responsible for—

- (a) the general conduct, administration and management of the functions, activities and day to day affairs of the Authority;
- (b) the preparation of programs, schemes and projects for the consideration of the Authority;
- (c) the execution of all programs, schemes and projects of the Authority; and
- (d) the carrying out of the decisions of the Authority and the directions of the Co-Chairmen.

(3) The Chief Executive shall have general control of the officers and servants of the Authority.

(4) The Chief Executive shall be the Secretary to the Authority.

(5) The Chief Executive shall perform such further duties as the Authority may, from time to time, direct.

(6) In discharging his duties, the Chief Executive shall act under the general authority and direction of the Authority.

(7) If the Chief Executive is temporarily absent from Malaysia or is temporarily incapacitated through illness or for any other reason from the performance of his duties, the Authority may direct any other officer to perform his duties during such temporary absence or incapacity.

Employment of other officers and servants of the Authority

19. (1) Subject to any regulations made under subsection (3), the Authority may, from time to time, employ such number of officers and servants as the Authority thinks desirable and necessary and upon such terms as it considers appropriate for carrying out the purposes of this Act.

(2) No person shall be eligible for employment as an officer or servant of the Authority if he has, directly or indirectly, by himself or through his partner, any share or interest in any contract or proposed contract with, for or on behalf of the Authority.

(3) The Authority may, with the approval of the Minister, make regulations with respect to the conditions of service of its officers and servants.

Financial assistance to members, officers, servants and other persons

20. The Authority may provide—

- (a) payment of retirement benefits, gratuities and other allowances as the Authority may determine to the officers and servants of the Authority;
- (b) subsidies, grants, financing or credit facilities, with or without interest, for housing or vehicle purposes, and other compassionate financing or loans, to the members, officers and servants of the Authority;
- (c) subsidies, grants, financing or credit facilities, with or without interest, for medical purposes to the members, officers and servants of the Authority, and their dependents;
- (d) financing or credit facilities, with or without interest, for educational purposes or scholarships to the members, officers and servants of the Authority or any other person; and
- (e) donations to any person,

on such terms and conditions as the Authority may determine.

The Authority may adopt regulations, etc.

21. The Authority may adopt with such modifications as it deems fit any regulations, rules, policies, circulars and directives enacted or issued by the Federal Government in relation to any matter under this Part.

PART IV

DIRECTION, POLICIES AND STRATEGIES FOR
DEVELOPMENT IN THE ISKANDAR DEVELOPMENT REGION**Responsibility of the Authority**

22. (1) In performing its functions under this Act, it shall be the responsibility of the Authority to—

- (a) ensure that the functions are performed in such manner as shall be in furtherance of the policy of the Federal Government and the State Government of Johore for the time being in force and in particular the policy relating to the development of the Iskandar Development Region; and
- (b) have regard to and act within the general framework of—
 - (i) the national policy for the promotion and control of the utilisation of land; and
 - (ii) the general policy of the State Authority of Johore in respect of the planning of the development and use of land and buildings.

(2) Without prejudice to any other provision of this Act, in carrying out its responsibility under subsection (1), the Authority shall—

- (a) assist the State Planning Committee and relevant local planning authorities to co-ordinate development in the Iskandar Development Region, and for this purpose, the Authority shall prepare a Comprehensive Development Plan and formulate strategies and initiatives for the implementation of the Comprehensive Development Plan in the private and public sectors for adoption by such local planning authorities pursuant to subsection 24(4);

- (b) integrate the planning policies and strategies of the Federal Government, State Government of Johore and local planning authorities insofar as they are applicable or relevant to the Iskandar Development Region;
- (c) implement strategies and initiatives for the development of international trade and marketing, and the attraction of investment to the Iskandar Development Region, in accordance with the Comprehensive Development Plan;
- (d) identify the necessary infrastructure for the maintenance and expansion of the economy of the Iskandar Development Region in accordance with the Comprehensive Development Plan, develop and recommend strategies and initiatives for the provision of such infrastructure, receive and channel any funds allocated by Parliament for the provision of such infrastructure and monitor its construction, implementation, operation and upkeep;
- (e) recommend criteria to be met by Government Entities and private contractors in relation to the provision of, or the capacity to provide, the infrastructure or services required, in accordance with the Comprehensive Development Plan, for the economic development of the Iskandar Development Region;
- (f) identify the necessary skills for the maintenance and expansion of the economy of the Iskandar Development Region and develop strategies for ensuring that those skills are developed and maintained; and
- (g) integrate scientific and technological research and its commercial exploitation within the economic framework of the Iskandar Development Region.

Preparation of draft Comprehensive Development Plan

23. (1) For the purposes of paragraph 22(2)(a), the Authority shall prepare a draft Comprehensive Development Plan for the Iskandar Development Region.

(2) The draft Comprehensive Development Plan shall consist of written statements and—

- (a) shall formulate, in such details as the Authority thinks appropriate, its proposals for the overall framework, vision and objectives of the development of the Iskandar

Development Region, which shall include strategies for the physical, economic and social development of the Iskandar Development Region;

(b) shall formulate, in such details as the Authority thinks appropriate, its proposals for planning and implementation initiatives to realise the strategies referred to in paragraph (a), which shall include initiatives relating to—

- (i) the functions of the Authority under paragraphs 5(b) and (d);
- (ii) the enhancement of the quality of living environment in the Iskandar Development Region;
- (iii) the enhancement of social development in the Iskandar Development Region;
- (iv) the management of the use of land in the Iskandar Development Region;
- (v) the management and promotion of urbanisation of the Iskandar Development Region;
- (vi) the protection, preservation and enhancement of natural environmental resources, agricultural resources, parks and open spaces in the Iskandar Development Region;
- (vii) the development of coastal areas in the Iskandar Development Region in balance with the protection of the natural coastal environment;
- (viii) the revitalisation and enhancement of the economic, social and physical environment of the Johor Bahru City Centre;
- (ix) the provision, integration and co-ordination of urban infrastructure and utility services in the Iskandar Development Region;
- (x) the improvement of urban linkages within the Iskandar Development Region for the movement of goods and people;
- (xi) the promotion of transit-oriented development in the Iskandar Development Region; and
- (xii) targeted commercial development,

which shall be consistent with the overall framework, vision, objectives and strategies referred to in paragraph (a); and

- (c) may formulate, in such details as the Authority thinks appropriate, its proposals, policies and strategies applicable to the areas surrounding the Iskandar Development Region insofar as such proposals, policies and strategies are reasonably required to achieve the proposals referred to in paragraphs (a) and (b); and without prejudice to the generality of the foregoing, the proposals, policies and strategies applicable to the areas surrounding the Iskandar Development Region may include matters relating to security, the protection and improvement of the environment and the preservation of natural resources.

(3) The draft Comprehensive Development Plan shall contain, or be accompanied by, such maps, diagrams, illustrations, reports, drawings, models and descriptive matter as the Authority thinks appropriate for the purpose of explaining or illustrating the proposals in the Comprehensive Development Plan, or as may in any particular case be specified in directions given by the State Planning Committee; and the maps, diagrams, illustrations, reports, drawings, models and descriptive matter shall be treated as forming part of the Comprehensive Development Plan.

(4) In formulating its proposals in the draft Comprehensive Development Plan, the Authority shall consult the National Physical Planning Council, the State Planning Committee and the local planning authorities within the Iskandar Development Region, and secure that the proposals conform generally to the structure plan as it stands for the time being, whether or not it has come into effect, and shall have regard to—

- (a) any information and other considerations that appear to it to be relevant, or that the National Physical Planning Council or State Planning Committee may in any particular case direct it to take into account; and
- (b) national, the State of Johore and regional policies wherever relevant.

Approval or rejection of draft Comprehensive Development Plan

24. (1) When the Authority has prepared a draft Comprehensive Development Plan, the Authority shall submit the draft Comprehensive Development Plan to the State Planning Committee for its approval.

(2) If the State Planning Committee is of the opinion that the draft Comprehensive Development Plan or any part thereof has not been prepared in accordance with the requirements of subsection 23(4), it may withhold its approval of the draft Comprehensive Development Plan until such requirements have been met.

(3) The Authority shall publish the fact of the approval of the draft Comprehensive Development Plan by the State Planning Committee—

- (a) at the Authority's internet website, in the national and English languages, together with the approved Comprehensive Development Plan; and
- (b) in three issues of at least one local newspaper in the national language and one local newspaper in the English language, together with the marking by which the approved Comprehensive Development Plan may be identified and with a statement of the place where the approved Comprehensive Development Plan may be inspected.

(4) After the Comprehensive Development Plan has been approved—

- (a) in relation to any area within the Iskandar Development Region for which a local plan has yet to receive the assent of the State Authority of Johore, the State Planning Committee shall give a direction to the relevant local planning authority under paragraph 12(3)(b) and subsection 12(8) of the Town and Country Planning Act 1976 to incorporate into the draft local plan for the area such contents of the approved Comprehensive Development Plan as the State Planning Committee may deem relevant or appropriate; and
- (b) in relation to any area within the Iskandar Development Region for which a local plan has received the assent of the State Authority of Johore, the State Planning Committee shall give a direction to the relevant local planning authority under subsection 16(2) of the Town and Country Planning Act 1976 to alter such local plan by incorporating such contents of the approved Comprehensive Development Plan as the State Planning Committee may deem relevant or appropriate.

Review or alteration of Comprehensive Development Plan

25. (1) The Authority and the State Planning Committee may at any time jointly review or alter the Comprehensive Development Plan.

(2) Section 24 shall apply, with the necessary modifications, in relation to an alteration of the Comprehensive Development Plan as it applies in relation to the preparation of the draft Comprehensive Development Plan.

Duty to take cognisance of approved Comprehensive Development Plan

26. It shall be the duty of every Government Entity and person, whether local or foreign, to take cognisance of, and act in a manner consistent with—

- (a) the contents of the approved Comprehensive Development Plan not incorporated into a local plan pursuant to subsection 24(4) in the performance of its functions and duties, in the exercise of its powers, and in the carrying out of its activities, within the Iskandar Development Region; and
- (b) the contents of the approved Comprehensive Development Plan as described in paragraph 23(2)(c) not incorporated into a local plan pursuant to subsection 24(4), if any, in the performance of its functions and duties, in the exercise of its powers, and in the carrying out of its activities in the areas surrounding the Iskandar Development Region.

Prescribed strategic development

27. (1) The Authority with the concurrence of the State Planning Committee may prescribe any development or any area or areas within the Iskandar Development Region which may have a significant economic impact to the Iskandar Development Region as a prescribed strategic development or prescribed strategic development area respectively.

(2) Any person or Government Entity intending to carry out—

- (a) any prescribed strategic development; or
- (b) any development within a prescribed strategic development area,

shall first refer such proposed development to the Authority for its direction before carrying out the proposed development.

(3) Directions given under subsection (2) shall be for securing conformity and consistency with the contents of the approved Comprehensive Development Plan not incorporated into a draft local plan pursuant to subsection 24(4).

PART V

CO-ORDINATION BETWEEN GOVERNMENT ENTITIES IN THE ISKANDAR DEVELOPMENT REGION

Principal co-ordinating agency

28. (1) The Authority shall, in co-ordinating the performance of the activities carried out by Government Entities in the Iskandar Development Region—

- (a) act as a principal co-ordinating agent or authorized agent on behalf of the relevant Government Entities in relation to receiving, processing and expediting the requisite Approvals and administrative actions in connection with applications for Approvals in respect of which the Authority has entered into an agreement or arrangement under section 31; and
- (b) render administrative services and assistance to the State Authority of Johore in connection with matters relating to land within the Iskandar Development Region.

(2) The Authority may, in carrying out the role mentioned in paragraph (1)(a)—

- (a) impose on the applicant for the Approvals such fees, costs, levies, contributions or any other charges as may be prescribed in respect of services rendered by the Authority; and

- (b) on behalf of the relevant Government Entities, collect from the applicant for the Approvals such fees, costs, levies, contributions or any other charges as may be lawfully required by such Government Entities in connection with the applications.

Federal and State Commissioners

29. (1) The Authority shall appoint two or more Commissioners from among the officers and servants of the Authority to assist the Authority to perform its functions under section 28.

(2) At least one of the Commissioners shall be authorized by the Federal Government to liaise with and coordinate all relevant ministries, departments, offices, agencies, authorities, commissions, committees, boards, councils or other bodies, corporate or incorporate, of the Federal Government in order to expedite the issuance or grant of all Approvals required or available under the federal laws.

(3) At least one of the Commissioners shall be authorized by the State Government of Johore to liaise with and coordinate all relevant departments, offices, agencies, authorities, commissions, committees, boards, councils or other bodies, corporate or incorporate, of the State Government of Johore in order to expedite the issuance or grant of all Approvals required or available under the State laws of Johore.

Approvals and Implementation Committee

30. (1) The Authority shall establish an Approvals and Implementation Committee which shall consist of the following members:

- (a) a chairman, who shall be the Menteri Besar;
- (b) the Chief Executive;
- (c) a senior representative of the ministry responsible for finance;
- (d) a senior representative of the Companies Commission of Malaysia;
- (e) a senior representative of the ministry responsible for immigration;

- (f) a senior representative of the ministry responsible for international trade and industry;
- (g) the State Director of the Department of Lands and Mines;
- (h) the State Planning Director;
- (i) the Commissioners;
- (j) the President of every local authority within the Iskandar Development Region; and
- (k) such other members as may be appointed by the Authority.

(2) The Authority may, in respect of each member appointed under paragraphs (1)(c) to (f), appoint an alternate member to attend meetings of the Committee if that member is for any reason unable to attend.

(3) When attending meetings of the Authority an alternate member shall for all purposes be deemed to be a member of the Committee.

(4) The Approvals and Implementation Committee shall be responsible for—

- (a) identifying proposed major or strategic development and investments in the Iskandar Development Region;
- (b) monitoring the status of all Approvals in relation to such proposed major or strategic development and investments;
- (c) co-ordinating the roles and activities of all relevant Government Entities to expedite the implementation of such proposed major or strategic development and investments;
- (d) identifying any difficulties or issues arising during the implementation of such proposed major or strategic development and investments, and taking or recommending appropriate steps and administrative actions to resolve such difficulties or issues;
- (e) reporting the status of the implementation of such proposed major or strategic development and investments to the Authority; and

(f) performing any other functions or duties delegated to it by the Authority pursuant to paragraph 16(1)(c).

(5) The Approvals and Implementation Committee may regulate its own procedures.

(6) The Approvals and Implementation Committee shall be subject to and act in accordance with any direction given to the Committee by the Authority.

(7) Meeting of the Approvals and Implementation Committee shall be held at such times and places as the chairman of the Committee may determine.

(8) The Approvals and Implementation Committee shall cause—

(a) minutes of all its meetings to be maintained and kept in proper form; and

(b) copies of the minutes of all its meetings to be submitted to the Authority as soon as practicable.

(9) Any minutes made of a meeting of the Approvals and Implementation Committee shall, if duly signed, be admissible in evidence in all legal proceedings without further proof.

(10) Every meeting of the Approvals and Implementation Committee in respect of the proceedings of which minutes have been made in accordance with subsections (8) and (9) shall be deemed to have been duly convened and held and all members thereat to have been duly qualified to act.

(11) Members of the Approvals and Implementation Committee may be paid such allowances and other expenses as the Authority may determine.

(12) No act done or proceeding taken under this Act shall be questioned on the ground of—

(a) any vacancy in the membership of, or any defect in the constitution of, the Approvals and Implementation Committee; or

(b) any omission, defect or an irregularity not affecting the merit of the case.

Arrangements with Government Entities

31. (1) Subject to subsection (2), the Authority may enter into an agreement or arrangement with any Government Entity concerning—

- (a) the carrying out by the Authority and the Government Entity of any of their respective functions and powers;
- (b) the carrying out or provision by the Authority for the Government Entity, or by the Government Entity for the Authority, of any works or services; or
- (c) the collection by the Authority on behalf of the Government Entity of such fees, costs, levies, contributions or any other charges as may be lawfully required, charged or imposed by such Government Entity.

(2) Any agreement or arrangement entered into under subsection (1) shall be—

- (a) with the consent of the Minister in the case of a Federal Government Entity;
- (b) with the consent of the State Authority of Johore in the case of a Johore State Government Entity; and
- (c) subject to and in accordance with the laws governing the powers and functions of the relevant Government Entity.

Responsibility of Government Entities

32. It shall be the responsibility of every Government Entity to—

- (a) co-operate with and assist the Authority in the performance by the Authority of its functions under this Act;
- (b) where relevant, refer and utilise the information, statistics and factors disseminated by the Authority under paragraph 5(c) in the performance of its functions and duties, in the exercise of its powers, and in the carrying out of its activities, within the Iskandar Development Region; and

- (c) give due consideration to proposed policies, laws and actions to be applied to the Iskandar Development Region as recommended by the Authority under paragraph 5(d).

PART VI

FINANCE

The Fund

33. (1) A fund to be known as the “Iskandar Regional Development Authority Fund” to be administered and controlled by the Authority is established.

(2) The Fund shall consist of—

- (a) such sums as may be provided by the Parliament for the purposes of this Act from time to time;
- (b) such sums as may be paid to the Authority from time to time for loans made by the Authority;
- (c) all moneys earned by the operation of any project, scheme or enterprise financed from the Fund;
- (d) all moneys earned or arising from any property, investment, investment fund, mortgage, charge or debenture acquired by or vested in the Authority;
- (e) any property, investment, investment fund, mortgage, charge or debenture acquired by or vested in the Authority;
- (f) sums borrowed by the Authority for the purposes of meeting any of its obligations or discharging any of its duties;
- (g) fees, costs, levies, contributions and other charges imposed by the Authority under this Act;
- (h) all moneys earned from consultancy and advisory services and any other service rendered by the Authority;
- (i) all other sums or property, other than sums mentioned in paragraph 28(2)(b) and subsection 37(2), which may in any manner become payable to or vested in the Authority in respect of any matter incidental to its functions, powers and duties; and
- (j) all other moneys lawfully received by the Authority.

Expenditure to be charged on the Fund

34. The Fund shall be expended for the purposes of—

- (a) paying any expenditure lawfully incurred by the Authority, including survey and legal fees and costs and other fees and costs;
- (b) paying for the remuneration, allowances and other expenses of the members of the Authority, the Approvals and Implementation Committee, any committee, officers and servants of the Authority including the granting of loans and advances, superannuation allowances, retirement benefits, pensions and gratuities;
- (c) paying any other expenses, costs or expenditure lawfully incurred or accepted by the Authority in the performance of its functions or the exercise of its powers under this Act;
- (d) purchasing or hiring plant, equipment, machinery and materials, acquiring land and other assets, and erecting buildings, and carrying out any other works and undertakings in the performance of its functions or the exercise of its powers under this Act;
- (e) repaying any moneys borrowed under this Act and the interest due on the borrowed moneys;
- (f) granting financial assistance under section 20; and
- (g) generally paying any expenses for carrying into effect the provisions of this Act.

Conservation of the Fund

35. It shall be the duty of the Authority to conserve the Fund by so performing its functions and exercising its powers under this Act to secure that the total revenues of the Authority are sufficient to meet all sums properly chargeable to its revenue account, including depreciation and interest on capital, taking one year with another.

Reserve fund

36. The Authority shall establish and manage a reserve fund within the Fund.

Social Projects Fund

37. (1) The Authority shall establish and manage a fund to be known as the “Social Projects Fund”.

(2) The Social Projects Fund shall consist of—

(a) such sums as may be contributed or donated from time to time for the purposes of the Social Projects Fund by any person, corporation or other entity; and

(b) sums borrowed by the Authority for the purposes of the Social Projects Fund.

(3) The Social Projects Fund shall be expended for projects, schemes and undertakings which, in the opinion of the Authority, are for the general benefit of the Iskandar Development Region community and consistent with the strategies and initiatives in the Comprehensive Development Plan relating to social development, and which may, for the avoidance of doubt, include projects, schemes and undertakings for the promotion of art and culture.

Bank accounts

38. The Authority shall open and maintain an account or accounts with such banks in Malaysia as the Authority thinks fit, and every account shall be operated upon as far as practicable by cheques signed by any person as may be authorized by the Authority for such purpose from time to time.

Power to borrow

39. (1) The Authority may from time to time, with the approval of the Federal Government, borrow, at such rate of interest and for such period and upon such terms as to the time and method of repayment and otherwise as the Federal Government may approve, any sums required by the Authority for meeting any of its obligations or discharging any of its duties or for the purposes of the Social Projects Fund.

(2) The Authority may from time to time, with the approval of the Federal Government, borrow money by the issue of bonds, debentures or stock of such class and value and upon such terms as it may, with the approval of the Federal Government, deem expedient, for all or any of the following purposes:

- (a) the provision of working capital;
- (b) the performance of the functions, the exercise of the powers and the discharge of the duties of the Authority under this Act;
- (c) the performance of such additional functions as may be undertaken by the Authority under this Act;
- (d) the redemption of any shares or stock which the Authority is required or entitled to redeem; and
- (e) any other expenditure properly chargeable to capital account.

Investment

40. The moneys of the Authority, insofar as they are not required to be expended by the Authority under this Act, shall be invested in such manner as the Minister may approve.

Expenditure and preparation of estimates

41. (1) The expenditure of the Authority up to such amount as may be authorized by the Minister for any one year shall be defrayed out of the Fund.

(2) Before the beginning of September of each year, the Authority shall submit to the Minister an estimate of the expenditure, including the expenditure for development projects, for the following year in such form and containing such particulars as the Minister may direct.

(3) The Minister shall, before the beginning of the following year, notify the Authority of the amount authorized for expenditure generally or of the amounts authorized for each description of expenditure.

(4) The Authority may at any time submit to the Minister a supplementary estimate of its expenditure for any one year and the Minister may allow the whole or any part of the additional expenditure included in the supplementary estimate.

(5) The Minister may direct the Authority to submit a copy of the estimate or supplementary estimate, as the case may be, to such other public authority as may be specified in the direction.

Financial year

42. The financial year of the Authority shall begin on 1 January and end on 31 December of each year.

Statutory Bodies (Accounts and Annual Reports) Act 1980

43. The Statutory Bodies (Accounts and Annual Reports) Act 1980 [*Act 240*] shall apply to the Authority.

PART VII

GENERAL

Power to employ

44. The Authority may employ, appoint and pay agents, contractors and technical advisers, including advocates and solicitors, bankers, stockbrokers, surveyors, valuers and other persons, to transact any business, to carry out any project, scheme or enterprise, or to do any act required to be transacted or done in the performance of its functions, the exercise of its powers or the discharge of its duties or for the better carrying into effect the purposes of this Act.

Power to establish companies

45. The Authority may establish companies under the Companies Act 1965 to carry out and have the charge, conduct and management of any project, scheme or enterprise which has been planned or undertaken by the Authority in the performance of its functions or the exercise of its powers.

Offence for giving false or misleading information

46. (1) Subject to subsection (2), a person who discloses or provides information to the Authority which he knows or has reason to believe is false or misleading commits an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit.

(2) If a person who commits an offence under subsection (1) is one whose profession is regulated by any written law, he shall, on conviction, be liable to a fine not exceeding one hundred thousand ringgit.

Offence for unauthorized modification of information in the Authority's custody

47. (1) A person commits an offence if he does any act which he knows will cause unauthorized modification of any information, statistic or other data, whether in electronic form or otherwise, in the possession, custody or control of the Authority.

(2) For the purposes of this section—

- (a) it is immaterial that the act in question is not directed at—
 - (i) any particular information, statistic or data;
 - (ii) information, statistic or data of any kind; or
 - (iii) any information, statistic or data held in any particular location;
- (b) it is immaterial whether an unauthorized modification is, or is intended to be, permanent or merely temporary;
- (c) a modification of any information, statistic or data takes place if—
 - (i) such information, statistic or data is altered or erased;
 - (ii) any new information, statistic or data is introduced or added to such information, statistic or data; or

- (iii) any event occurs which impairs the ability of the Authority to have access to such information, statistic or data,

and includes any act that contributes towards causing such a modification.

(3) A person who commits an offence under this section shall, on conviction, be liable to a fine not exceeding one hundred thousand ringgit, or be liable to a fine not exceeding one hundred and fifty thousand ringgit if the act is done with the intention of causing injury as defined in the Penal Code [*Act 574*].

Exemption from stamp duty

48. The Authority and every company established by the Authority shall be exempted from the payment of stamp duty under the Stamp Act 1949 [*Act 378*].

Obligation of secrecy

49. (1) Except for any of the purposes of this Act or for the purpose of any civil or criminal proceedings under any written law, no member, officer or servant of the Authority, member of the Approvals and Implementation Committee, member of a committee or person invited to attend any meetings of the Authority, the Approvals and Implementation Committee or any committee shall disclose any information which has been obtained by him in the course of his duties and which is not published in pursuance of this Act.

(2) Any person contravening subsection (1) commits an offence and shall, on conviction, be liable to imprisonment for a term not exceeding six months or to a fine not exceeding ten thousand ringgit or to both.

Protection against suit and legal proceedings

50. No action, suit, prosecution or other proceedings shall lie or be brought, instituted or maintained in any court against—

- (a) the Minister;
- (b) the Authority;

- (c) any member of the Authority, any member of the Approvals and Implementation Committee, any member of a committee, or any officer, servant or agent of the Authority; or
- (d) any other person lawfully acting on behalf of the Authority,

in respect of any act, neglect or default done or committed by him or it in good faith or any omission omitted by him or it in good faith in such capacity.

Public Authorities Protection Act 1948

51. The Public Authorities Protection Act 1948 [*Act 198*] shall apply to any action, suit, prosecution or proceedings against the Authority or against any member of the Authority, any member of the Approvals and Implementation Committee, any member of a committee, or any officer, servant or agent of the Authority in respect of any act, neglect or default done or omitted by it or him in such capacity.

Public servants

52. Every member of the Authority or the Approvals and Implementation Committee or any committee, or any officer, servant or agent of the Authority, while discharging his duty under this Act as such member, officer, servant or agent, shall be deemed to be a public servant within the meaning of the Penal Code.

Representation in civil proceedings

53. Notwithstanding any other written law—

- (a) in any civil proceedings by or against the Authority; or
- (b) in any other civil proceedings in which the Authority is required or permitted by the court to be represented, or to be heard, or is otherwise entitled to be represented or to be heard,

any person authorized by the Authority for that purpose may, on behalf of the Authority, institute such proceedings or appear in such proceedings and may make all appearances and applications and do all acts in respect of the proceedings on behalf of the Authority.

Power to make regulations

54. (1) The Authority may, with the approval of the Minister, make such regulations as may be expedient or necessary for the better carrying out of the provisions of this Act or for prescribing anything that may be, or is required to be, prescribed under this Act.

(2) Without prejudice to the generality of subsection (1), regulations may be made for—

- (a) monitoring the development of land in the Iskandar Development Region and generally providing for the orderly development of land in the Iskandar Development Region;
- (b) prescribing the manner in which documents, cheques and instruments of any description shall be signed or executed on behalf of the Authority;
- (c) prescribing the responsibilities and control of officers and servants of the Authority;
- (d) imposing fees, costs, levies, contributions or any other charges in such cases as may be determined by the Authority;
- (e) providing for such matters in connection with shares, stock, bonds or debentures issued under this Act as may appear necessary or expedient to the Authority, and, in particular, for regulating the method of issue, transfer, redemption or other dealing with such shares, stock, bonds or debentures;
- (f) prescribing the description or type of prescribed strategic development or prescribed strategic development area for the purposes of section 27;
- (g) prescribing the manner in which and the terms and conditions on which financial assistance may be provided by the Authority under section 20;

- (h) prescribing the details of the forms and contents of the Comprehensive Development Plan, the procedure to be followed in the preparation, submission and approval thereof;
- (i) prescribing the procedures to be followed in entering into agreements or arrangements with Government Entities pursuant to section 31;
- (j) prescribing all matters relating to the administration of the Social Projects Fund; and
- (k) providing for such other matters as are contemplated by, or necessary for giving full effect to the provisions of this Act.

(3) Regulations made under this section may prescribe any act or omission in contravention of the regulations to be an offence and may prescribe penalties of a fine not exceeding fifty thousand ringgit or imprisonment for a term not exceeding two years or to both, and in the case of a continuing offence, may prescribe a further fine of five thousand ringgit for every day or part of a day during which the offence continues after conviction.

Things done in anticipation of the enactment of this Act

55. All acts and things done on behalf of the Authority in preparation for or in anticipation of the enactment of this Act and any expenditure incurred in relation thereto shall be deemed to have been authorized under this Act, provided that the acts and things done are consistent with the general intention and purposes of this Act; and all rights and obligations acquired or incurred as a result of the doing of those acts or things including any expenditure incurred in relation thereto shall upon the coming into operation of this Act be deemed to be the rights and obligations of the Authority.

Prevention of anomalies

56. (1) The Minister may, after consultation with the State Authority of Johore, by order, make such modifications in the provisions of this Act as may appear to him to be necessary or expedient for the purpose of removing any difficulty occasioned

by the coming into operation of this Act only as regard to the performance of the functions and the exercise of the powers by the Authority.

(2) The Minister shall not exercise the powers conferred by this section after the expiration of two years from the date of coming into operation of this Act.

(3) In this section, “modifications” means amendments, additions, deletions and substitutions of any provision of this Act.

SCHEDULE

[Subsection 8(4)]

Meetings

1. (1) The Authority shall meet at such times and places as the Co-Chairmen may determine.

(2) The Co-Chairmen shall preside at a meeting of the Authority.

(3) The Co-Chairmen who preside at a meeting of the Authority under subparagraph (2) and four other members shall constitute a quorum at any meeting of the Authority.

(4) Subject to subparagraph (5), every member present at a meeting of the Authority shall be entitled to one vote.

(5) For the avoidance of doubt, in all meetings presided by the Co-Chairmen, the vote of the Co-Chairmen shall be counted as one.

(6) If on any question to be determined by the Authority there is an equality of votes, the Co-Chairmen shall have a casting vote.

Authority may invite others to meetings

2. (1) The Authority may invite any other person to attend any meeting or discussion of the Authority for the purpose of advising it on any matter under discussion, but any person so attending shall have no right to vote at the meeting or discussion.

(2) Any person invited to attend any meeting or discussion of the Authority under subparagraph (1) may be paid such allowances and other expenses as the Authority may determine.

Resolutions without meetings

3. (1) A resolution is taken to have been passed at a meeting of the Authority if—

- (a) all members of the Authority have been informed of the proposed resolution, or reasonable efforts have been made to inform all members of the Authority of the proposed resolution; and
- (b) without meeting, all of the members of the Authority indicate agreement with the resolution in accordance with the method determined by the Authority under subparagraph (2).

(2) Subparagraph (1) applies only if the Authority—

- (a) decides that the subparagraph applies; and
- (b) decides the method by which members of the Authority are to indicate agreement with the resolutions.

Common seal

4. (1) The Authority shall have a common seal which shall bear such device as the Authority shall approve and such seal may be broken, changed, altered or made anew as the Authority may think fit.

(2) Until a seal is provided by the Authority, a stamp bearing the words “Iskandar Regional Development Authority” may be used and shall be deemed to be the common seal of the Authority.

(3) The common seal shall be kept in the custody of the Chief Executive or such other person as may be authorized by the Authority, and shall be authenticated by the Chief Executive or such authorized person or by any officer authorized by either of them in writing; and all deeds, documents or other instruments purporting to be sealed with that seal, authenticated as specified in this subparagraph, shall, until the contrary is proved, be deemed to have been validly executed.

(4) Notwithstanding subparagraph (3), any document or instrument which if executed by a person who is not being a body corporate would not be required to be under seal may in like manner be executed by the Authority; and any such document or instrument may be executed on behalf of the Authority by any officer or servant of the Authority generally or specially authorized by the Authority in that behalf.

(5) The common seal of the Authority shall be officially and judicially noticed.

Minutes

5. (1) The Authority shall cause minutes of all its meetings to be maintained and kept in a proper form.

(2) Any minutes made of a meeting of the Authority shall, if duly signed, be admissible in evidence in all legal proceedings without further proof.

(3) Every meeting of the Authority in respect of the proceedings of which minutes have been made in accordance with subparagraphs (1) and (2) shall be deemed to have been duly convened and held and all members thereat to have been duly qualified to act.

Procedure

6. Subject to this Act, the Authority may regulate its own procedure.

Validity of acts and proceedings

7. No act done or proceeding taken under this Act shall be questioned on the ground of—

- (a) any vacancy in the membership of, or any defect in the constitution of, the Authority;
- (b) any omission, defect or irregularity not affecting the merits of the case.

Member of Authority to devote time to business of the Authority

8. Every member of the Authority shall devote such time to the business of the Authority as may be necessary to discharge his duties effectively.

LAWS OF MALAYSIA

Act 664

**ISKANDAR REGIONAL DEVELOPMENT AUTHORITY
ACT 2007**

LIST OF AMENDMENTS

Amending law

Short title

In force from

– NIL –

LAWS OF MALAYSIA**Act 664****ISKANDAR REGIONAL DEVELOPMENT AUTHORITY
ACT 2007**

LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
	- NIL -	

