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Act 104

**LEMBAGA KEMAJUAN TRENGGANU TENGAH
ACT, 1973**



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LAWS OF MALAYSIA

Act 104

**LEMBAGA KEMAJUAN TRENGGANU TENGAH
ACT, 1973**

An Act to incorporate the Lembaga Kemajuan Trengganu Tengah and to provide for matters connected therewith.

[1st May, 1973 ✓] (PU(B) 159/73)

BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang Dipertuan Agung with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

**PART I
PRELIMINARY**

1. This Act may be cited as the Lembaga Kemajuan Trengganu Tengah Act, 1973 and shall come into force on such date as the Minister may by notification in the *Gazette* appoint.

Short title and commencement.

2. In this Act, unless the context otherwise requires—
"Chairman" means the Chairman of the Lembaga appointed under section 5;

Interpretation. 108. AA 967/96

"company" has the same meaning as that assigned to "corporation" under subsection (1) of section 4 of the Companies Act, 1965;

79/65.

"corporation" means a corporation established under section 28;

"Deputy Chairman" means the Deputy Chairman of the Lembaga appointed under section 5;

"Director" means a Director of a Division designated under section 14;

"Division" means a Division set up under section 14;

"Fund" means the fund established under section 17;

“General Manager” means the General Manager appointed under section 13;

“Kawasan Trengganu Tengah” means any area as may be determined by the Minister in accordance with section 9;

“Lembaga” means the Lembaga Kemajuan Trengganu Tengah established under section 3; and

“the State” means the State of Trengganu.

PART II

THE LEMBAGA

The
Lembaga.

3. There is hereby established a body corporate by the name “Lembaga Kemajuan Trengganu Tengah” with perpetual succession and a common seal and may sue and be sued in its name and, subject to and for the purposes of this Act, may enter into contracts and may acquire, purchase, take, hold and enjoy movable and immovable property of every description and may convey, assign, surrender, yield up, charge, mortgage, demise, reassign, transfer or otherwise dispose of, or deal with, any movable or immovable property or any interest therein vested in the Lembaga upon such terms as it deems fit.

Functions
of the
Lembaga.

4. (1) The functions of the Lembaga shall be—

(a) to promote, stimulate, facilitate and undertake economic and social development in the Kawasan Trengganu Tengah;

(b) to promote, stimulate, facilitate and undertake residential, agricultural, industrial and commercial development in the Kawasan Trengganu Tengah; and

(c) to control and co-ordinate the performance of the aforesaid activities in the Kawasan Trengganu Tengah.

(2) The Lembaga shall have power to do all things expedient or reasonably necessary or incidental to the discharge of its functions, and in particular, but without prejudice to the generality of the foregoing—

(a) to carry on all activities particularly of commercial and industrial enterprises, the carrying on whereof appears to it to be requisite, advantageous or

LEMBAGA KEMAJUAN TRENGGANU TENGAH

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- convenient for or in connection with the discharge of its said function, including the manufacturing, assembling, processing, packing, grading and marketing of products, research and training;
- (b) to initiate preliminary studies of possible development and redevelopment areas and make preliminary plans outlining development or redevelopment activities and preliminary surveys to determine if the undertaking and carrying out of development or redevelopment projects are feasible;
 - (c) to co-operate with or act as agent or managing agent of or otherwise act in association with or on behalf of the Government of the Federation or of the State, any public authority, any company, any corporation, any body or any person;
 - (d) to promote and co-ordinate the carrying on of such activities by the Government of ~~the Federation~~ or of the State, public authorities, any company, corporation, or other body or person;
 - (e) to establish or expand, or promote the establishment or expansion of companies, corporation or other bodies to carry on any such activities either under the control or partial control of the Lembaga or independently;
 - (f) to give assistance to any public authority, company, corporation or other body or person appearing to the Lembaga to have facilities for the carrying on of any such activities, including financial assistance by the taking up of share or loan capital or by loan or otherwise;
 - (g) to purchase, underwrite or otherwise acquire any stock and shares in any public or private company, and to dispose of the same on such terms and conditions as the Lembaga may determine;
 - (h) to require departments, and governmental and non-governmental agencies engaged in carrying out or intending to carry out development in the Kawasan Trengganu Tengah to submit report regarding their activities or proposed activities containing such particulars and information as may be specified by the Lembaga;
 - (i) to appoint agents or establish such other bodies as it may deem fit for the purposes of carrying out its functions;

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- (j) to impose fees or any other charges it deems fit for giving effect to any of its powers or functions;
- (k) to receive, in consideration of the services rendered by it, such commission or payment as may be agreed upon;
- (l) to regulate development in the Kawasan Trengganu Tengah; and
- (m) to do such other things as it deems fit for the effective carrying out of its functions and powers.

(3) Subject to section 8, it shall be the responsibility of the Lembaga in discharging its functions under this Act to ensure that the functions shall be performed in such manner as shall be in furtherance of the policy of the Government for the time being in force and in particular the policy relating to the restructuring of society.

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Member-ship of the Lembaga.

5. ~~(1) The Lembaga shall consist of the following members appointed by the Minister—~~

- ~~(a) a Chairman;~~
- ~~(b) a Deputy Chairman;~~
- ~~(c) ^{two three} ~~one~~ representatives of the Federal Government; and~~
- ~~(d) ^{three} ~~two~~ representatives of the State.~~

(Act A445/79)

(2) The provisions of the First Schedule to this Act shall apply to the members of the Lembaga.

Public Authorities Protection. F.M. 19/48.

6. The Public Authorities Protection Ordinance, 1948, shall apply to any action, suit, prosecution or proceedings against the Lembaga or against any member, officer, servant or agent of the Lembaga in respect of any act, neglect or default done or committed by him in such capacity.

Public servants.

7. All members, officers and servants of the Lembaga, while discharging their duties as such members, officers and servants, shall be deemed to be public servants within the meaning of the Penal Code.

F.M.S. Cap. 45.

Power of Minister to give directions.

8. (1) The Lembaga shall be responsible to the Minister, and the Minister may, from time to time, give directions not inconsistent with the provisions of this Act and the Lembaga shall, as soon as possible, give effect to all such directions.

(2) Without prejudice to the generality of subsection (1), and subject to consultation with the Lembaga, the power of the Minister to give directions shall extend to the giving to it of directions—

(a) as to the disposal of capital assets; and

(b) as to the application of proceeds of such disposals, notwithstanding that the directions may be of a specific character :

Provided that no such direction shall, so long as any sum borrowed by the Lembaga in accordance with the provisions of this Act remains outstanding be given.

9. (1) For the purposes of this Act, the Minister may, with the concurrence of the Government of the State, from time to time, determine by notification in the *Gazette* the area or areas within which the Lembaga shall perform its functions under this Act and such area or areas shall be known as the "Kawasan Trengganu Tengah".

The
Kawasan
Trengganu
Tengah.

(2) Notwithstanding any other written law, it shall be the responsibility of the Lembaga to exercise the functions provided by this Act in the Kawasan Trengganu Tengah.

10. In addition to the duties imposed upon and powers vested in the Lembaga by this Act, the Lembaga may undertake such other functions, exercise such other powers and administer and expend such other moneys for such purposes as the Government of the Federation or of the State, may assign or give to it and in so doing the Lembaga shall be deemed to be fulfilling the purposes of this Act and the provisions of this Act shall apply to the Lembaga in respect of such functions and the administration and expending of such moneys :

Additional
functions
of the
Lembaga.

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

11. (1) The Lembaga shall furnish the Minister and such other person, body of person or 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.

Returns,
reports,
accounts
and
information.

(2) Without prejudice to the generality of the provisions of subsection (1), the Lembaga 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 the Government of the State or any other public authority, a report dealing with the activities of the Lembaga during the preceding financial year and in such form and containing such information relating to the proceedings and policy of the Lembaga as the Minister may from time to time specify.

PART III

DIVISIONS, OFFICERS AND SERVANTS

Chairman
to be
principal
managing
officer.

12. (1) The Chairman shall be the principal managing officer of the Lembaga and shall be responsible for the preparation of programmes, schemes or projects for the consideration of the Lembaga, for the issue of policy guidance or of elucidation of decisions of the Lembaga to the General Manager and the other officers and servants of the Lembaga and for the supervision and control over the implementation of such decisions.

(2) All officers and servants of the Lembaga shall be under the general control of the Chairman.

(3) The Chairman shall perform such other or further duties as the Minister may from time to time determine.

(4) If the Chairman is temporarily absent from Malaysia or temporarily incapacitated through illness or for any other sufficient reason from the performance of his duties, the Deputy Chairman shall perform the duties of the Chairman during such temporary absence or other incapacity.

General
Manager.

13. (1) The Lembaga may, with the approval of the Minister, appoint any person, designated as "General Manager", to be the principal executive officer and vested with such powers and imposed with such duties and functions as may be determined by the Lembaga.

(2) The General Manager shall be responsible for the execution of all programmes, schemes or projects, for the carrying out of the decisions of the Lembaga and the direction of the Chairman.

(3) The General Manager shall be responsible to the Chairman.

(4) Subject to the directions of the Chairman, the General Manager shall have administrative control of the officers and servants of the Lembaga.

(5) The General Manager shall perform such other or further duties as the Lembaga or the Minister may from time to time determine or as the Chairman may from time to time direct.

(6) If the General Manager is temporarily absent from Malaysia or temporarily incapacitated through illness or for any other sufficient reason from the performance of his duties, the Lembaga may direct any member or officer or servant of the Lembaga to perform his duties during such temporary absence or other incapacity.

(7) The Lembaga may, subject to such conditions, limitations or restrictions as it thinks fit, direct that any or all of the powers, duties or functions vested in or imposed on the General Manager under this Act to be exercised or performed by any of the officers or servants of the Lembaga and thereafter the General Manager shall cease to exercise or perform such powers, duties or functions.

14. (1) The Lembaga may set up such Divisions as it may think desirable, and each Division shall be under the control and charge of an executive officer designated as "the Director".

Organisa-
tion of the
Lembaga
into
Divisions.

(2) The Director of each Division shall be appointed by the Chairman with the approval of the Minister.

(3) It shall be the responsibility of the Director of an appropriate Division to implement and execute the decision of the Lembaga on matters pertaining to his Division, to submit policy recommendations for consideration by the Lembaga, to participate without the right to vote, in any meeting of the Lembaga whenever matters pertaining to his Division are being considered in that meeting and also to exercise all the powers that may be delegated to him by the Lembaga.

15. (1) Subject to any regulations made under section 16, the Lembaga may appoint on such terms and conditions as the Lembaga may think desirable such other officers and servants as may be necessary for carrying out the purposes of this Act.

Appoint-
ment of
other
officers and
servants.

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

(3) Any officer or servant of the Lembaga who has or acquires any such share or interest shall be liable in the discretion of the Lembaga to summary dismissal without notice.

Regulations governing conditions of service of officers and servants.

16. (1) The Lembaga may, from time to time, with the approval of the Minister, make regulations governing the conditions of service of its officers and servants.

(2) Unless otherwise provided a reference in this Act to an officer of the Lembaga shall include a reference to the General Manager and the Director.

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PART IV

FINANCE

Establishment of the Fund.

17. (1) For the purposes of this Act there is hereby established a fund to be administered and controlled by the Lembaga.

(2) The Fund shall consist of—

(a) such sums as may be provided from time to time for those purposes by Parliament or the Legislative Assembly of the State;

(b) such sums as may be allocated from time to time to the Lembaga from loan funds;

(c) moneys earned by the operation of any project, scheme or enterprise financed from the Fund;

(d) moneys earned or arising from any property, investments, mortgages, charges or debentures acquired by or vested in the Lembaga;

(e) any property, investments, mortgages, charges or debentures acquired by or vested in the Lembaga;

(f) sums borrowed by the Lembaga for the purpose of meeting any of its obligations or discharging any of its duties; and

(g) all other sums or property which may in any manner become payable to or vested in the Lembaga in respect of any matter incidental to its powers and duties.

(3) In this section the expression "loan funds" means such sums as may be made available from time to time to the Government of the Federation or of the State by way of loan.

18. It shall be the duty of the Lembaga to conserve the Fund by so exercising and performing its powers, functions and duties under this Act as to secure that the total revenues of the Lembaga are, subject to any directions given by the Minister under section 8, sufficient to meet all sums properly chargeable to its revenue account, including, without prejudice to the generality of that expression provisions in respect of its obligations under sections 17 and 19 and depreciation and interest on capital, taking one year with another.

Balancing
of revenue
account.

19. The Lembaga shall establish and manage a reserve fund within the Fund.

Reserve
fund.

20. The Fund shall be expended for the purpose of—

Expenses to
be charged
on the Fund.

- (a) paying all expenses incurred under section 25;
- (b) granting loans under section 27;
- (c) paying any expenses lawfully incurred by the Lembaga, including survey, legal and other fees and costs, and the remuneration of officers and servants appointed and employed by the Lembaga, including superannuation allowances, pensions or gratuities;
- (d) paying any other expenses, cost or expenditure properly incurred or accepted by the Lembaga in the execution of its duty or in the discharge of its functions under section 4;
- (e) purchasing or hiring plant, equipment, machinery, stores and any other materials and acquiring land and erecting buildings and carrying out any other works and undertakings in the execution of its duty or in the discharge of its functions under section 4;
- (f) repaying any moneys borrowed under this Act and the interest due thereon; and
- (g) generally, paying any expenses for carrying into effect the provisions of this Act.

Expenditure
and pre-
paration of
Estimates.

21. (1) The expenses of the Lembaga up to such amount as may be authorised by the Minister for any one year shall be defrayed out of the Fund.

(2) Before the beginning of September of each year the Lembaga shall submit to the Minister an estimate of the expenses (including those for development projects) for the following year in such form and containing such particulars as the Minister may direct; and the Minister shall before the beginning of that following year notify the Lembaga of the amount authorised for expenses generally or of the amounts authorised for each description of expenditure.

(3) The Lembaga may at any time submit to the Minister a supplementary estimate for any one year and the Minister may allow the whole or any part of the additional expenditure included therein.

(4) The Minister may direct the Lembaga to submit a copy of the estimate or supplementary estimate, as the case may be, to the Government of the State or to any other person as may be specified in the direction.

Accounts
and audit.

22. (1) The Lembaga shall keep proper accounts and other records in respect of its operation and shall prepare statement of accounts in respect of each financial year.

(2) The accounts of the Lembaga shall be audited annually by the Auditor General or other auditor appointed by the Lembaga with the approval of the Minister.

(3) After the end of each financial year, and as soon as the accounts of the Lembaga have been audited, the Lembaga shall cause a copy of the statement of accounts to be transmitted to the Minister or, on being directed so to do by the Minister, to the Government of the State or any other person, together with a copy of any observations made by the Auditor General or other auditor appointed under subsection (2) on any statement or on the accounts of the Lembaga.

(4) The Minister shall cause a copy of every such statement and observations to be laid on the table of the Dewan Rakyat.

PART V

OTHER POWERS OF THE LEMBAGA

23. (1) The Lembaga may, subject to such conditions, limitations or restrictions as it thinks fit, delegate to the Chairman General Manager or any other person the power and authority to carry out on its behalf such powers, duties or functions by this Act vested in or imposed on the Lembaga as the Lembaga may determine, except the power to borrow money, raise loans or make regulations; and any power or functions so delegated may be exercised or performed by the Chairman or General Manager or such other person, as the case may be, in the name and on behalf of the Lembaga.

Delegation of powers of Lembaga.

(2) Without prejudice to the generality of subsection (1), the Lembaga may delegate to the Chairman, General Manager, any of its other members or any person authority to sanction expenditure from the Fund or any other money under the control of the Lembaga up to such limit as the Lembaga shall in such case specify.

24. (1) The Lembaga may from time to time 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 Minister with the concurrence of the Minister of Finance may approve, any sums required by the Lembaga for meeting any of its obligations or discharging any of its duties.

Power to borrow.

(2) The Lembaga may, from time to time, with the approval of the Minister and the concurrence of the Minister of Finance, borrow money by the issue of bonds, debentures or debenture stock, or raise capital by the issue of shares or stock of such class and value and upon such terms as it may deem expedient, for all or any of the following purposes:

- (a) the provisions of working capital;
- (b) the fulfilling of the duties of the Lembaga under this Act;
- (c) the fulfilling of such additional functions as may be undertaken by the Lembaga under this Act;
- (d) the redemption of any shares or stock which it is required or entitled to redeem; and
- (e) any other expenditure properly chargeable to capital account.

- Investment. **25.** The assets of the Lembaga shall, in so far as they are not required to be expended by the Lembaga under this Act, be invested in such manner as the Minister with the concurrence of the Minister of Finance may approve.
- Power to employ agents. **26.** The Lembaga may employ and pay agents and technical advisers including advocates and solicitors, bankers, stock-brokers, surveyors or valuers or other persons, to transact any business or to do any act required to be transacted or done in the execution of its duties or for the better carrying into effect the purposes of this Act.
- Power to make loans. **27.** In the execution of its duty or in the discharge of its functions, the Lembaga may make loans, and such loans may be granted subject to such terms and conditions as the Lembaga may deem fit to impose in particular cases.
- Powers to establish corporation. **28.** (1) The Lembaga may from time to time by Order published in the *Gazette* establish a corporation by such name as the Lembaga may think fit to carry out and have the charge, conduct and management of any project, scheme or enterprise which has been planned or undertaken by the Lembaga in execution of its duties or discharge of its function.
(2) The provisions of the Second Schedule shall apply to the corporation established by the Lembaga under subsection (1).
- Compulsory acquisition of land. **29.** (1) When any immovable property, not being State land, is needed to be acquired by the Lembaga for the purposes of this Act, such property may be acquired in accordance with the provisions of any written law relating to the acquisition of land for a public purpose for the time being in force in the State, and any declaration required by any such written law that such land is so needed may be made notwithstanding that compensation is to be paid by the Lembaga; and such declaration shall have effect as if it were a declaration that such land is needed for a public purpose in accordance with such written law.
(2) The expenses and compensation in respect of any immovable property acquired under this section shall be paid by the Lembaga.
(3) When any immovable property has been acquired under this section, the Lembaga shall extract the necessary documents of title in respect of such property and shall pay any rent to which such property may be subject.

PART VI

GENERAL

30. The Lembaga shall be exempt from the payment of stamp duty under the Stamp Ordinance, 1949.

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Exemption granted to the Lembaga. F.M. 59 of 1949.

31. (1) Except for the purpose of this Act or of any criminal proceedings under this Act, no member, officer or servant of the Lembaga 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.

Obligation of secrecy.

(2) Any person contravening the provisions of subsection (1) shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding one thousand dollars or to both.

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32. (1) The Lembaga may, with the approval of the Minister, make such regulations as may be expedient or necessary for the better carrying out of the provision of this Act.

Power to make regulations.

(2) Without prejudice to subsection (1), regulations under that subsection may be made for—

- (a) prescribing the manner in which documents, cheques and instruments of any description shall be signed or executed on behalf of the Lembaga;
- (b) prescribing for the responsibilities and control of officers and servants of the Lembaga;
- (c) imposing fees in such cases as may be determined by the Lembaga;
- (d) providing for such matters in connection with shares, stock, bonds, debentures or debenture stock issued under this Act as may appear necessary or expedient to the Lembaga, and, in particular, for regulating the method of issue, transfer, redemption or other dealing with such shares, stock, bonds, debentures or debenture stock;
- (e) prescribing the manner in which and the terms and conditions on which loans may be granted by the Lembaga under section 27; and
- (f) providing generally for the exercise of its powers and duties under the provisions of this Act.

(3) Such regulations—

(a) may prescribe that any act or omission in contravention of the provisions of any regulation shall be an offence; and

(b) may provide for the imposition of penalties for such offences, which penalties shall not exceed one thousand dollars.

Things done in anticipation of this Act.

33. All things done by any person or authority on behalf of the Lembaga in the preparation of and towards the proper implementation of any of the provisions of this Act and any expenditure incurred in relation thereto, in anticipation of the promulgation of this Act, shall be deemed to have been authorised by this Act; and all rights and obligations acquired or imposed on behalf of the Lembaga from anything so done or any expenditure so incurred shall upon the coming into force of this Act be deemed to be the rights and obligations of the Lembaga.

FIRST SCHEDULE
(Section 5 (2))

Terms and conditions of appointment, revocation and resignation.

1. (1) A member of the Lembaga shall hold office for such term and subject to such conditions as the Minister may specify in the instrument appointing him.

(2) The appointment of any member may at any time be revoked by the Minister without assigning any reason therefor.

(3) A member may at any time resign his office by letter addressed to the Minister.

(4) A member shall devote such time to the business of the Lembaga as may be necessary to the discharge of his duties.

Office deemed vacated.

2. (1) The office of a member of the Lembaga shall be 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; or

(ii) an offence under any law relating to corruption; 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; or

(c) if he becomes bankrupt; or

(d) if he is of unsound mind or is otherwise incapable of performing his duties; or

(e) if he absents himself from three consecutive meetings without leave of the Lembaga; or

LEMBAGA KEMAJUAN TRENGGANU TENGAH 19

- (f) in the event of his resignation being accepted by the Minister;
or
(g) if his appointment is revoked.

(2) Where any member ceases to be a member by reason of any of the provision of this Act, a person shall be appointed in his place in accordance with the provisions applying.

3. There shall be paid to members of the Lembaga or any other person such salaries, remuneration or allowances as the Lembaga may determine after consultation with the Minister. Remuneration and allowances.

4. (1) The Lembaga shall meet at least once in every month. Meetings.

(2) The quorum of the Lembaga shall be ~~three~~ ^{four} ~~three~~ ^{six}.

(3) At all meetings of the Lembaga the Chairman, or in his absence, the Deputy Chairman, or in the absence of both such persons, such member as the members present may elect, shall preside. (Act A445/79)
A520

(4) If on any question to be determined by the Lembaga there is an equality of votes, the Chairman or the member presiding shall have a casting vote in addition to his deliberative vote.

(5) Subject to sub-paragraphs (1), (2), (3) dan (4), the Lembaga shall determine its own procedure.

5. The Lembaga may request any person (not being a member of the Lembaga) to attend any meeting or deliberation of the Lembaga for the purpose of advising it on any matter under discussion, but any person so attending shall have no right to vote at the said meeting or deliberation. Lembaga may invite others to meetings.

6. (1) The Lembaga shall have a common seal, which shall bear such device as the Lembaga shall approve and such seal may from time to time be broken, changed, altered or made anew, as the Lembaga may think fit. Common seal.

(2) Until a seal is provided by the Lembaga a stamp bearing the description "Lembaga Kemajuan Trengganu Tengah" may be used and shall be deemed to be a common seal.

(3) The common seal or the stamp referred to in subparagraph (2) shall be kept in the custody of the Chairman or such other person as may be authorised by the Lembaga, and shall be authenticated by either the Chairman or such authorised person or by any officer authorised by either of them in writing; and all deeds, documents and other instruments purporting to be sealed with the said seal, authenticated as aforesaid, shall until the contrary is proved be deemed to have been validly executed:

Provided that any document or instrument which if executed by a person not being a body corporate would not be required under seal may in like manner be executed by the Lembaga and any such document or instrument may be executed on behalf of the Lembaga by any officer or servant of the Lembaga generally or specially authorised by the Lembaga in that behalf.

(4) The seal of the Lembaga shall be officially and judicially noticed.

Disclosure of interest.

7. A member of the Lembaga having, directly or indirectly, by himself or his partner, any interests in any company or undertaking with which the Lembaga proposes to make any contract or having any interest in any such contract or in any matter under discussion by the Lembaga shall disclose to the Lembaga the fact of his interest and the nature thereof, and such disclosure shall be recorded in the minutes of the Lembaga, and unless specifically authorised thereto by the Chairman, such member shall take no part in any deliberation or decision of the Lembaga relating to the contract.

Minutes.

8. (1) The Lembaga shall cause minutes of all meetings of the Lembaga to be maintained and kept in a proper form.

(2) Any minutes made of meetings of the Lembaga shall, if duly signed, be receivable in evidence in all legal proceedings without further proof and every meeting of the Lembaga in respect of the proceedings of which minutes have been so made shall be deemed to have been duly convened and held and all members thereat to have been duly qualified to act.

Validity of act and proceedings.

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

- (a) of any vacancy in the membership of, or of any defect in the constitution of, the Lembaga; or
- (b) of the contravention by any member of the Lembaga relating to the disclosure of interest by such member; or
- (c) of any omission, defect or irregularity not affecting the merits of the case.

SECOND SCHEDULE

(Section 28 (2))

Power of Lembaga to make regulations in respect of a corporation.

1. The Lembaga shall, on or before the date on which any corporation is established under section 28, make regulations in respect of such corporation defining—

- (a) the purposes and objects for which such corporation is established;
- (b) the rights, powers, duties and functions of such corporation;
- (c) the system of management thereof; and
- (d) the relations between such corporation and the Lembaga and its rights of control over such corporation.

Savings.

2. Nothing in paragraph 1 shall be deemed to authorise the Lembaga to make regulations to establish any corporation for any purpose or object more extensive in scope than the purposes or objects for which the Lembaga was constituted or to confer on any corporation any right, duty, power or function which is not within the rights, duties, powers or functions of the Lembaga under this Act.

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3. Subject to the provisions of this Act and of any regulations made under section 32, any regulations made under paragraph 1 shall be binding on the corporation in respect of which they were made and shall have effect for all purposes as if they had been enacted in this Act. Regulations subject to the Act.
4. The Lembaga may at any time amend, revoke, or add to, any regulations made in respect of any corporation under paragraph 1 and section 34 of the Interpretation Act, 1967, shall apply to any such amended or revoked regulations as if such regulations had been written law. Amendment of the regulations. 23/67.
5. The Lembaga shall keep a register in the prescribed form of all corporations established by it under section 28 and such register together with copies of all regulations made under paragraph 1 shall be open to public inspection at such place or places and at such times as it may prescribe. Register of corporation.
6. (1) The Lembaga may by order published in the *Gazette* direct that any corporation established by it shall be wound up and dissolved. Winding up.
- (2) Upon the dissolution of any corporation under this paragraph the assets of the corporation after payment of all liabilities shall be transferred to and vested in the Lembaga.
- (3) The winding up of a corporation under this paragraph shall be conducted in such manner as the Lembaga may prescribe.
7. Every corporation established under section 28 shall be a body corporate by such name as the Lembaga shall give to such corporation and shall have perpetual succession and a common seal and may sue and be sued in such name, and for the purpose of carrying into effect the registered development project for which it has been established may enter into contracts and may hold and deal in or with any immovable or movable property and may do all other matters and things incidental or appertaining to a body corporate not inconsistent with the provision of this Act and subject to such restrictions or limitations as may be prescribed by the Lembaga in each case. Corporation to be bodies corporate.
8. (1) Every corporation shall have a common seal, which shall bear such device as the corporation, with the approval of the Lembaga may approve, and such seal may from time to time be broken, changed, altered and made anew by the corporation, with the approval of the Lembaga, as the corporation shall think fit. Common seal of the corporation.
- (2) Until a seal is provided by the corporation under this paragraph a stamp bearing the name of the corporation encircling the letters "LKTT" may be used as a common seal.
- (3) The common seal, or the stamp referred to in sub-paragraph (2), shall be in the custody of such person as the corporation shall direct and shall be authenticated by such person; and all deeds, documents and other instruments purporting to be sealed with the said seal, authenticated as aforesaid, shall until the contrary is proved, be deemed to have been validly executed.
- Provided that any document or instrument which if executed by a person not being a body corporate would not be required to be under seal may in like manner be executed by the corporation; and any such

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document or instrument may be executed on behalf of the corporation by any officer or servant of the corporation generally or specially authorised by the corporation in that behalf.

(4) The seal of every corporation shall be officially and judicially noticed.