



LAWS OF MALAYSIA

Act 47

LEMBAGA PADI DAN BERAS NEGARA ACT, 1971

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Date of Royal Assent 30th August, 1971

Date of publication in *Gazette* ... 2nd September, 1971

LAWS OF MALAYSIA

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LEMBAGA PADI DAN BERAS NEGARA ACT, 1971

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LAWS OF MALAYSIA

Act 47.

LEMBAGA PADI DAN BERAS NEGARA ACT, 1971

An Act to establish the Lembaga Padi dan Beras Negara and to provide for matters connected therewith.

Subs. by A. 221
- see slip.

* 20th September, 1971 -
Except in Sabah

BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Ra'ayat in Parliament assembled, and by the authority of the same, as follows:

PART I

PRELIMINARY

1. (1) This Act may be cited as the Lembaga Padi dan Beras Negara Act, 1971.

Short title, extent, commencement and application.

(2) This Act shall apply throughout Malaysia.

(3) This Act shall come into force on such date as the Minister may by notification in the *Gazette* appoint, and different dates may be appointed for different States or parts of Malaysia.

PUCA) 314/71

(4) The Yang di-Pertuan Agong may by order suspend the operation of any of the provisions of this Act.

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

Interpretation.

“authorised officer” means an officer authorised under section 18;

“Chairman” means the Chairman of the Lembaga;

“Deputy Chairman” means the Deputy Chairman of the Lembaga;

~~“Director General” means the Director General of the Lembaga;~~

Sub. A647

the public or any
se of rationing;
or rice belonging
equate compensa-
e milling of padi

"Fund" means the fund established under section 12;

"Lembaga" means the Lembaga Padi dan Beras Negara established under section 3;

"marketing" means sale, purchase, storage, transport, processing, milling, polishing, grading, packaging, advertising and promotion;

"Minister" means the Minister charged with the responsibility for the Lembaga Padi dan Beras Negara;

"padi" or "rice" includes the by-products thereof.

*Sub. by. A 221
- See ship.*

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PART II

THE LEMBAGA

The Lembaga.

3. There is hereby established a body corporate by the name "Lembaga Padi dan Beras Negara" (hereinafter referred to as "the Lembaga") with perpetual succession and a common seal, with power to acquire and hold movable or immovable property, and to dispose thereof or otherwise deal therewith.

Functions of the Lembaga.

4. (1) The functions of the Lembaga shall be—
(a) to ensure a fair and stable price of padi for farmers;
(b) to ensure a fair and stable price of rice for consumers;
(c) to ensure sufficient supply of rice to meet all emergencies;
(d) to make recommendations to the Government on policies designed to promote the development of the padi and rice industry, and where approved by Government to coordinate and assist in the implementation of the same.

Act A348

subject to the prior approval of the Minister, the Lembaga
(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 implement a guaranteed minimum price for padi;
(b) to enforce the maintenance of fair and stable price of rice for consumers;
(ba) *→ see ship.* (c) to maintain or to require any person to maintain a stockpile in padi or rice for strategic and price stabilisation purposes;

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LEMBAGA PADI DAN BERAS NEGARA

7

- (d) to regulate the marketing of padi and rice particularly through licencing of wholesalers, retailers, rice millers, importers and exporters;
new (a), (ab), (ac) and (ad) : see slip.
- (e) to conduct surveys and investigations in respect of padi and rice industry;
- (f) to require persons engaged in the production or marketing of padi and rice to register and to give in such manner as the Lembaga may specify such information as the Lembaga may deem necessary;
- (g) to regulate the production of padi;
- (h) to prohibit, regulate or control the movement of padi or rice;
- (i) to require departments and government and non-governmental agencies dealing in padi and rice industry to submit reports regarding their activities;
- (j) with the approval of the Minister, to enter into equity participation in any padi and rice industry;
- (k) to acquire, purchase, take on lease, hire, hold and enjoy movable and immovable property of every description and to convey, assign, surrender, and yield up, charge, mortgage, demise, reassign, transfer or otherwise dispose of, or deal with or to develop any movable or immovable property belonging to the Lembaga;
- (l) to enter into any contract;
- (m) to appoint agents or establish such other bodies as it may deem fit for the purpose of carrying out its functions;
- ^(m)(n) to impose fees or any other charges it deems fit for giving effect to any of its powers or functions; *Act 348*
- (o) to receive in consideration of the services rendered by it such commission or payment as may be agreed upon; and
- (p) to exercise all functions and powers and perform all duties which under or by virtue of any other written law may be vested or delegated to it.

5. (1) The Lembaga shall consist of a Chairman and a Deputy Chairman appointed by the Yang di-Pertuan Agong and the following members appointed by the Minister— *Member-ship. Act A 348*

- (a) a representative of the Prime Minister's Department;
- (b) a representative of the Treasury;

- (c) a representative of the Ministry of Commerce and Industry;
- (d) a representative of the Ministry of Agriculture and Lands;
- (e) a representative of the Federal Agricultural Marketing Authority; and
- (f) not less than two and not more than four other persons who have had experience of and have shown capacity in matters relating to production or marketing of padi and rice.

(2) The Minister shall, when appointing persons in paragraph (f) of subsection (1) give due consideration to the need for the various sectors of the padi and rice industry to be represented.

Act A348

AA647 →

(3) The provisions of the Schedule to this Act shall apply to the Lembaga.

Directions by the Minister.

Act A348

6. (1) The Minister may give to the Lembaga such directions of a general nature, not inconsistent with the provisions of this Act, as he may deem fit, as to the exercise and performance by the Lembaga of its powers, duties and functions under this Act, and the Lembaga shall give effect to all such directions.

(2) The Lembaga shall furnish the Minister with such information with respect to its property and activities as he may from time to time require.

Seal of the Lembaga.

7. (1) The Lembaga shall have a common seal and such seal may from time to time be broken, changed, altered or made anew as it deems fit:

Provided that until a seal is provided under this section, a stamp bearing the inscription "Lembaga Padi dan Beras Negara" may be used as a common seal.

Sub. AA647?

(2) ~~All deeds, documents and other instruments requiring the seal of the Lembaga shall be sealed accordingly~~ in the presence of two members of the Lembaga who shall sign every such deed, document or instrument to which such seal is affixed; and such signing shall without further attestation be sufficient evidence that such seal was duly and properly affixed and that the seal is the lawful seal of the Lembaga.

AA647 →

(3) ---

8. The Lembaga may, by an instrument in writing under the common seal of the Lembaga, delegate to any person or body such of its duties as may be necessary to be performed :

Subs. AAC 47
Delegation
by the
Lembaga.

Provided that any such person or body shall have no control over the Fund and shall act in all respects in accordance with the direction of the Lembaga.

PART III

ADMINISTRATION AND FINANCE

9. (1) *The Director General, who shall be appointed by the Minister*
~~The Deputy Chairman of the Lembaga shall be the~~ Director General who shall be responsible for the day to day administration and management of the affairs of the Lembaga and ^{shall} to exercise such duties and powers as may be entrusted or delegated by the Lembaga or the Chairman of the Lembaga acting on behalf of the Lembaga.

Sub. AAC 47
Act A348
Deputy
Chairman
to be
Director
General. *Act A348*

(2) The Director General shall have all the powers of an authorised officer under this Act.

10. (1) The Lembaga may appoint such officers and servants as it may consider necessary for the efficient conduct of the affairs of the Lembaga.

Appointment
of officers
and servants
of the
Lembaga.

(2) The officers and servants of the Lembaga shall be responsible to the Director General.

(3) The officers and servants of the Lembaga shall hold office for such period or periods, receive such salaries and allowances and be subject to such conditions of service as may be determined by the Lembaga with the approval of the Minister.

11. (1) 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 with, for or on behalf of the Lembaga.

Ineligibility
for employ-
ment as
officers of
the
Lembaga.

(2) Any officer or servant appointed by 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.

Fund of the Lembaga.

12. For the purpose of this Act, there is hereby established a fund (hereinafter referred to as the "Fund") to be administered and controlled by the Lembaga—

(a) into which shall be paid :

- (i) such sums as may be provided from time to time by Parliament;
- (ii) such sums as may from time to time be borrowed by the Lembaga for the purpose of meeting any of its obligations or discharging any of its duties;
- (iii) all monies earned by the operation of any project, scheme or enterprise financed from the Fund;
- (iv) all monies earned or arising from any property, investment, mortgage, charges or debentures acquired by or vested in the Lembaga; and
- (v) fees, charges or other sums or property which may in any manner become payable to, or vested in, the Lembaga in respect of any incidental to its powers and duties;

(b) out of which shall be defrayed—

- (i) all expenditure (including capital expenditure) incurred by the Lembaga in carrying out its functions; and
- (ii) monies for the repayment of any loan made to the Lembaga pursuant to its power to borrow.

(matter CAA 647)

AAE47 → ICA. ---

Borrowing powers.

13. The Lembaga may, upon terms and conditions approved by the Minister of Finance, borrow such sums as it may require for carrying out any of its functions under this Act.

Investment.

14. The assets of the Lembaga shall, insofar as they are not required to be expended by the Lembaga under this Act, be invested in such manner as the Minister of Finance may approve.

Finance.

15. (1) The expense 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

Sub-AAE47

following year in such form and with such particulars as the Minister may require; and the Minister shall before the beginning of November of that year notify the Lembaga of the amount 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.

16. (1) The Lembaga shall keep proper accounts and other records in respect of its operation and shall prepare statements of accounts in respect of each financial year. Accounts and audit.

(2) The accounts of the Lembaga shall be audited annually by the Auditor General or other auditors 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 in such manner as the Minister may require to be transmitted to the Minister, together with a copy of any observations made by the Auditor General or other auditors 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 each House of Parliament.

17. (j) The Lembaga shall not later than the 30th day of June of each year, cause to be made and transmitted to the Minister, a report dealing with the activities of the Lembaga during the preceding year and containing information relating to the proceedings and policy of the Lembaga. Annual Report. Act A 348

(2) - - -
17A. - - -

Act A 348

← AB763

PART IV

POWERS RELATING TO ENFORCEMENT

18. (1) The Minister may authorise in writing any public officer or officer of the Lembaga to exercise the powers under this Part. Authorisation of officer to exercise powers under this part.

(2) In exercising any of the powers under this Part the officer shall on demand produce to the person against whom he is acting under this Act or any regulation made thereunder the authority issued to him by the Minister.

18A. - see slip

¹² Subs. by A. 221/74

Power to enter premises.

19. Where any authorised officer or police officer has reasonable grounds for believing that an offence under this Act or under any regulation made thereunder has been committed, such officer may enter any premises belonging to or in the occupation of, any person and may carry out such inspection and examination (including the inspection and examination of books) as he may consider necessary and may seize and detain any books, documents or other things found in such premises which may furnish evidence of an offence under this Act or under regulations made thereunder.

Power of arrest, seizure, investigation and prosecution.

20. (1) Any authorised officer or police officer may—

(a) arrest without warrant any person whom he has reason to believe to have committed an offence under this Act or under any regulation made thereunder, if such person refuses to furnish his name and address or furnishes an address outside Malaysia or there are reasonable grounds for believing that he has furnished a false name or address or that he is likely to abscond:

Provided that when any person has been arrested as aforesaid he shall be thereafter dealt with as provided by the law relating to criminal procedure for the time being in force; and

(b) seize anything which he considers it necessary to seize in relation to the evidence necessary to establish the commission of any such offence.

(2) Any authorised officer and any police officer not below the rank of Inspector, may in relation to any investigation in respect of any offence under this Act or any regulation made thereunder without order of the Public Prosecutor exercise the special powers in relation to police investigations given by the law relating to criminal procedure in any seizable offence.

(3) Any prosecution in respect of an offence under this Act or under any regulation made thereunder may be conducted by an authorised officer.

Power to stop and search conveyance.

21. (1) Where an authorised officer or police officer has reasonable suspicion that any conveyance is carrying any padi or rice in contravention of any provision of this Act or any regulation made thereunder, it shall be lawful for such officer to stop and examine such conveyance for the

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purpose of ascertaining whether any padi or rice is contained therein or is being moved or transported contrary to the provisions thereof and the person in control or in charge of such conveyance shall if required to do so by such officer, stop such conveyance and allow such officer to examine the same.

(2) The person in control or in charge of any conveyance examined under the provision of this section shall on request by the authorised officer or police officer open all parts of the conveyance for examination by such officer and take all measures necessary to enable such examination as such officer considers necessary to be made.

22. (1) If any authorised officer or police officer has reason to believe that any person is committing an offence under this Act he may take possession in such manner as he shall deem fit of any padi or rice in respect of which he has reason to believe such an offence has been committed or of any vehicle, vessel or other article by means of which any such offence has been committed or which he has reason to believe is intended to be used for the commission of such offence.

Power to
take
possession.

Secs. 1A 647

(2) Where, under the provision of this section, possession has been taken of any padi, rice, vehicle, vessel or other article, then the Director General—

(a) if he has reason to believe that an offence under this Act or under any regulation made thereunder has been committed and criminal proceedings have been instituted against any person in respect of such offence, he may retain such padi or rice until conclusion of such criminal proceedings; and if he is satisfied that such padi or rice by reason of its condition is liable to deteriorate, he may order that such padi or rice shall be sold in such manner as may be specified by him and the proceeds of sale shall be kept until the conclusion of such criminal proceedings and except where the Court orders confiscation of such proceeds under section 29, shall be disposed of in such manner as the Court may order;

(b) in any other case, may restore possession to the owner, or where a maximum price has been fixed by written law in respect of such padi or rice, may pay to the owner of such padi or rice the price so

fixed less an amount not exceeding twenty-five *per centum* thereof being the expenses certified by the Director General to have been incurred by the Director General in taking possession, storing and restoring possession of such padi or rice.

(3) (a) The Director General may in writing delegate his powers under subsection (2) to any authorised officer and may at any time revoke any such delegation.

(b) Notwithstanding any such delegation, the Director General may, if he thinks fit, exercise the powers so delegated.

AA647 → 22A and 22B. ---

PART V

OFFENCES, PENALTIES AND PROCEEDINGS

Prohibition of concealment or destruction of padi or rice.

23. Any person who conceals or destroys any padi or rice in order to withhold such padi or rice from the market shall be guilty of an offence under this Act.

23A - *see slip.*

Illegal condition.

24. Any person who, in selling padi or rice, imposes except with the permission of the Director General, any condition of sale other than a condition of sale—

- (a) requiring immediate payment therefore; or
- (b) prescribing the time within which payment must be made or delivery taken; or
- (c) requiring a deposit in respect of sale of such padi or rice;

shall be guilty of an offence under this Act.

Unlawful possession of padi or rice.

25. Any person in possession or control of any padi or rice in such circumstances as to raise a reasonable suspicion that an offence under this Act or under any regulation made thereunder has been or is intended to be committed by him in relation to such padi or rice, shall be guilty of an offence under this Act unless he satisfies the Court that such offence has not been and was not intended to be committed by him.

Offence of obstruction.

26. Any person who obstructs or impedes the Director General, any authorised officer or police officer in the lawful exercise of any of his powers under this Act or under any regulation made thereunder shall be guilty of an offence under this Act.

27. (1) Any person, other than a body corporate, but including a director or officer of a body corporate, who commits an offence under, or who fails to comply with, any of the provisions of this Act or of any regulation made thereunder in respect of which no penalty is expressly provided for, shall be liable on conviction to imprisonment for a term not exceeding two years or to a fine not exceeding fifteen thousand dollars or to both such imprisonment and fine, and for a second or subsequent offence, to imprisonment for a term not exceeding five years ~~and~~ to a fine not exceeding twenty five thousand ~~dollars~~ or to both such imprisonment and fine.

General penalty.

*Act A348
suggit
Act 160*

(2) Any body corporate which commits an offence under, or fails to comply with, any of the provisions of this Act or of any regulation made thereunder shall be liable to a fine not exceeding twenty-five thousand ~~dollars~~ and, for a second or subsequent offence, to a fine not exceeding fifty thousand ~~dollars~~.

*suggit
Act 160*

(3) Where a person charged with an offence under any of the provisions of this Act or of any regulation made thereunder is a body corporate every person who, at the time of the commission of such offence is a director or officer of such body corporate may be charged jointly in the same proceedings with such body corporate, and where the body corporate is convicted of the offence charged, every such director or officer shall be deemed to be guilty of that offence unless he proves that the offence was committed without his knowledge or that he took reasonable precautions to prevent its commission.

(4) Any person who would have been liable under any of the provisions of this Act or of any regulation made thereunder to any penalty for anything done or omitted if such thing had been done or omitted by him personally, shall be liable to the same penalty if such thing has been done or omitted by his partner, agent or servant, unless he proves that he took reasonable precautions to prevent the doing or omission of such thing.

28. (1) In any prosecution in respect of an offence under this Act or under any regulation made thereunder upon a charge of doing any act which is unlawful unless the person doing such act is entitled to do so by reason of his being the holder of a licence, permit or written permission, consent, authorisation or exemption entitling him to do such act, it

Burden of proof.

shall be sufficient for the prosecution to allege and prove his doing such act and the onus shall then be upon the accused to show that he was entitled to do such act.

(2) In any prosecution in respect of an offence under this Act or under any regulation made thereunder, the production by the person conducting the prosecution of an original invoice or a duplicate invoice proved to have been found in the possession of the seller, shall, where the person conducting the prosecution so requests, be admitted as *prima facie* evidence of a sale by the seller and of all the facts stated in such invoice or duplicate invoice and notwithstanding the provisions of any law to the contrary for the time being in force, the burden of proving that such sale did not take place or that any fact stated in the original invoice or duplicate invoice is not what it is stated to be, shall lie upon the accused.

AA647 →
Power of Court to confiscate.

28A. ---
29. (1) Where any person is convicted of an offence under this Act or under any regulation made thereunder the Court may order the confiscation in whole or in part of:

Sub. AA647

- (a) any padi or rice in respect of which the offence has been committed which has been seized by, or has otherwise come into the possession of the Director General or any authorised officer or police officer or any vehicle, vessel or other article, the property of the accused, by means of which such offence has been committed or which is intended to be used for the commission of an offence under this Act or under any regulation made thereunder; or
- (b) the proceeds of sale of any such padi or rice if it has been sold under section 22.

(2) Where confiscation is ordered under subsection (1), the Court shall deliver such padi or rice or the proceeds of the sale thereof (if not already in possession of the Director General) to the Director General or to any person designated by him, and shall give directions as to its disposal.

AA647 →

Jurisdiction.
F.M. 43/48.
Sabah
Cap. 29.
Sarawak
Cap. 42.

29A. ---
30. Notwithstanding anything in the ~~Courts Ordinance, 1948, the Subordinate Courts Ordinance of the State of Sabah or the Subordinate Courts Ordinance of the State of Sarawak;~~ ^{Subordinate Courts Act} a Sessions Court in the States of Malaya and a Court of a Magistrate of the First Class in the State of Sabah or Sarawak, shall have jurisdiction to try any offence under this Act or under any regulation made thereunder, and to award full punishment for any such offence.

31. No proceedings shall be instituted under this Act against any person duly authorised in that behalf by the Director General who has knowingly done or omitted to do any act which would, but for the provisions of this section, have been an offence, provided that he has done or omitted to do such act with the intention of procuring evidence for the purpose of prosecuting the seller for an offence under this Act or under any regulation made thereunder. Saving.

PART VI
GENERAL

32. The Lembaga may, with the approval of the Minister, make regulations generally for the carrying out of the provisions of this Act, and such regulations may— Regulations. *dfc. A 221/74*

- (a) prescribe marks or labels to be affixed by retailers to the containers of padi or rice indicating the quality, grade or price of such padi or rice;
- (b) prescribe such fees or charges as may be necessary for the purposes of this Act; and *A/AAGH7*
- (c) prescribe any act or omission in contravention of the provision of any such regulation shall be an offence. *cancel*

33. (1) Except for the purposes of this Act or of any criminal proceedings under this Act, no member, officer or servant of the Lembaga shall disclose any information with respect to any individual business, which has been obtained by him in the course of his duties and which is not published in pursuance of this Act. *32A. (d) --- (e) (f) ---*
AAGH7
AP 763
BB 763
Secrecy and penalty.

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

34. The Director General and any officer or servant of the Lembaga appointed under section 10 and any authorised officer shall be deemed to be a public servant within the meaning of the Penal Code in force in the States of Malaya or of any written law corresponding thereto in force in the States of Sabah and Sarawak. Penal Code.
F.M.S.
Cap. 45.
Sabah 3/59.
Sarawak
Cap. 57.

35. (1) No action, suit, prosecution or other proceedings shall be brought or instituted personally against any member of the Lembaga or against the Director General, officer Protection
against
legal
proceedings

or servant appointed by the Lembaga in respect of any act done or statement made *bona fide* in pursuance or execution or intended execution of this Act.

(2) Where any person is exempted from liability by reason only of the provision of this section, the Lembaga is liable to the extent that it would be if such person were a servant or agent of the Lembaga.

Non-application of certain laws to padi and rice.

36. (1) On the coming into force of this Act—

(a) the Control of Supplies Act, 1961 shall not apply to padi and rice, and that Act shall have effect as if the words “controlled article” as defined in that Act exclude padi and rice; and

(b) the Price Control Ordinance, 1946 shall not apply to padi and rice, and that Ordinance shall have effect as if the word “goods” as defined in that Ordinance excludes padi and rice.

(2) Nothing in subsection (1) shall affect the validity of any licence, permit or authority granted or issued under the Act or Ordinance mentioned in that subsection and such licence permit or authority shall continue in force until superseded, revoked or otherwise terminated under this Act.

Amendment of Act 49/65 and transitional provisions.

37. (1) Subsection (1) of section 24 of the Federal Agricultural Marketing Authority Act, 1965 is hereby amended by substituting the words “pineapple, rubber, padi and rice” for the words “pineapple and rubber” appearing in the definition of “agricultural produce”.

49/65.

(2) Notwithstanding the provisions of subsection (1), the marketing schemes prescribed under section 5 of the Federal Agricultural Marketing Authority Act, 1965 shall continue to have force and effect until superseded, revoked or otherwise terminated under this Act; and during the continuance of such marketing schemes, the Federal Agricultural Marketing Authority established under that Act shall notwithstanding anything in that Act and in such marketing schemes exercise on behalf of the Lembaga all the powers of the marketing board established under that Act for the purpose of such marketing schemes (hereafter in this section referred to as “the board”).

(3) Subject to the provisions of this Act, all movable and immovable property and assets which immediately before the coming into force of this Act were vested in the board or in any person on behalf of the board shall on that day vest in the Lembaga.

LEMBAGA PADI DAN BERAS NEGARA

(4) Subject to the provisions of this Act, all deeds, bonds, agreements, instruments and working arrangements subsisting immediately before the coming into force of this Act and affecting any of the property transferred under subsection (3) shall be of full force and effect against or in favour of the Lembaga and enforceable as fully and effectually as if, instead of the board or any person acting on behalf of the board, the Lembaga had been named therein or had been a party thereto.

37A. ---

← AA 647

38. 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.

Things done in anticipation of this Act.

1/74

SCHEDULE

(Section 5)

PART I

1. A member of the Lembaga shall hold office for such time as may be specified in the instrument appointing him and shall be eligible for re-appointment.

← AA 647
sub. by Act
A342

2. The office of a member of the Lembaga shall be deemed to have been vacated:

AA 763

- (a) if he dies;
- (b) if he becomes bankrupt, lunatic or of unsound mind;
- (c) if he absents himself from three consecutive meetings without leave of the Lembaga;
- (d) in the event of his resignation being accepted by the Minister; or
- (e) his appointment is revoked.

3. There shall be paid to members of the Lembaga or to such of those members as the Minister may determine after consultation with the Minister of Finance, such salaries, remuneration or allowances as the Lembaga may determine.

sub. by
Act 1937

4. The Lembaga shall meet at least once in three months and may meet at any time when called by the Chairman.

5. (1) The quorum of the Lembaga shall be five.

(2) At all meetings of the Lembaga the Chairman, or in his absence, the Deputy Chairman or in the absence of both the Chairman and the Deputy Chairman, such member as the members present may elect, shall preside.

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(3) If on any question to be determined by the Lembaga with equality of votes, the Chairman or the Deputy Chairman or the person presiding shall have a casting vote.

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

6. 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. A person so attending shall have no right to vote at the said meeting or deliberation.

7. The Lembaga may with the approval of the Minister make rules for the establishment and management of a provident fund for the officers and servants appointed by the Lembaga or for the payment of pensions, allowances or gratuities to officers and servants on retirement or otherwise ceasing to be officers and servants.

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PART II