



# LAWS OF MALAYSIA

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TEXT OF REPRINT

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**Act 321**

## **RUBBER STATUTORY BODIES ACT 1985**

*As at 1 December 2012*

**RUBBER STATUTORY BODIES ACT 1985**

Date of Royal Assent	...	...	...	6 September 1985
Date of publication in the <i>Gazette</i>			...	12 September 1985

*PREVIOUS REPRINTS*

<i>First Reprint</i>	...	...	...	2001
<i>Second Reprint</i>	...	...	...	2006

**LAWS OF MALAYSIA****Act 321****RUBBER STATUTORY BODIES ACT 1985**

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**ARRANGEMENT OF SECTIONS**

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## Section

1. Short title and commencement
2. Amendments
3. Commencement of certain amendments
4. Reference to Malayan Rubber Fund (Research and Development) Ordinance 1958 to be substituted by reference to Malaysian Rubber Research and Development Fund Ordinance 1958
5. Construction of section 3 of Rubber Research Institute of Malaya (Extension and Amendment) Act 1972

## SCHEDULE



**LAWS OF MALAYSIA****Act 321****RUBBER STATUTORY BODIES ACT 1985**

An Act to amend the Malayan Rubber Fund (Research and Development) Ordinance 1958\* and the Rubber Research Institute of Malaysia Act 1966\*\* and to provide for matters connected therewith.

[10 October 1985, P.U. (B) 473/1985]

**BE IT ENACTED** by the Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

**Short title and commencement**

1. This Act may be cited as the Rubber Statutory Bodies Act 1985 and shall, subject to sections 3, 4 and 5, come into force on such date as the Minister may by notification in the *Gazette* appoint.

**Amendments**

2. The Malayan Rubber Fund (Research and Development) Ordinance 1958 [*Ord. 71 of 1958*]\*and the Rubber Research Institute of Malaysia Act 1966 [*Act 16 of 1966*]\*\*are amended as specified in Parts A and B respectively of the Schedule.

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\* *NOTE*—The Malayan Rubber Fund (Research and Development) Ordinance 1958 [*Ord. 71 of 1958*] has been revised as the Malaysian Rubber Research and Development Fund Act 1958 [*Act 401*]. Act 401 has been repealed by the Malaysian Rubber Board (Incorporation) Act 1966 [*Act 551*] w.e.f. 1 January 1998.

\*\* *NOTE*—This Act has been repealed by the Malaysian Rubber Board (Incorporation) Act 1996 [*Act 551*] w.e.f. 1 January 1998.

**Commencement of certain amendments**

3. (1) The amendments to the long title, section 1, 7 and parts of sections 15 and 16 (relating to the substitution of the word “Malaysia” for the words “the Federation”) of the Malayan Rubber Fund (Research and Development) Ordinance 1958 as specified in Part A of the Schedule shall be deemed to have come into force on 1 September 1973.

(2) The amendment to section 15 of the Malayan Rubber Fund (Research and Development) Ordinance 1958 relating to the insertion of subparagraph (ii) after subparagraph (i) of that section shall be deemed to have come into force on 1 January 1974.

**Reference to Malayan Rubber Fund (Research and Development) Ordinance 1958 to be substituted by reference to Malaysian Rubber Research and Development Fund Ordinance 1958**

4. Upon the publication of this Act in the *Gazette*, any reference in any written law or document on or after 1 September 1973 to the Malayan Rubber Fund (Research and Development) Ordinance 1958 shall be substituted by a reference to the Malaysian Rubber Research and Development Fund Ordinance 1958.

**Construction of section 3 of Rubber Research Institute of Malaya (Extension and Amendment) Act 1972**

5. For the avoidance of doubt it is declared that section 3 of the Rubber Research Institute of Malaya (Extension and Amendment) Act 1972 [*Act A141*] shall be construed as also being applicable in respect of the short title of the Rubber Research Institute of Malaya Act 1966 and that any reference in any written law or document on or after 1 September 1973 to the Rubber Research Institute of Malaya Act 1966 by its short title shall accordingly be substituted by a reference to the Rubber Research Institute of Malaysia Act 1966.

SCHEDULE

[Section 2]

PART A

MALAYAN RUBBER FUND (RESEARCH AND DEVELOPMENT)  
ORDINANCE 1958

Provision of Ordinance	Nature of Amendment
Long title	Substitute for the words “the Federation” the word “Malaysia”.
Section 1	Substitute for the words “Malayan Rubber Fund (Research and Development) Ordinance, 1958” the words “Malaysian Rubber Research and Development Fund Ordinance 1958”.
Section 3	<p>(a) Substitute for paragraph (4) (e) the following paragraph (e):</p> <p>“(e) five other members, of whom one each shall represent the Government of Sabah, the Government of Sarawak, the Federal Land Development Authority and the Rubber Industry Smallholders’ Development Authority:</p> <p>Provided that the Board shall be deemed to be duly and properly constituted notwithstanding that either of the members who shall represent the Government of Sabah or the Government of Sarawak has not been appointed.”.</p> <p>(b) Substitute for subsection (5) the following subsection (5):</p> <p>“(5) The Minister may in respect of every member of the Board other than the Controller appoint an alternate member who may attend meetings of the Board when the substantive member is temporarily unable to attend; and when so attending such alternate member shall be deemed for all purposes to be a member of the Board.”.</p>

Provision of Ordinance	Nature of Amendment
	<p>(c) Substitute for subsection (6) the following subsection (6):</p> <p>“(6) The members of the Board (other than the Controller, he being an ex-officio member) and the alternates of such other members shall hold office for such period as may be determined by the Minister and shall be eligible for re-appointment.”.</p>
Section 4	<p>Substitute for subsection (4) the following subsection (4):</p> <p>“(4) In the absence from any cause of the Controller from any meeting, the Deputy Controller shall act as chairman; and in the absence of the Controller and the Deputy Controller from any meeting, the members of the Board present shall elect a member to act as chairman.”.</p>
Section 6	<p>Insert after subsection (2) the following subsection (3):</p> <p>“(3) The Board may, with the approval of the Minister, make regulations in respect of the terms and conditions of service and the discipline of its officers and servants other than the Controller and Deputy Controller.”.</p>
Section 7	<p>Substitute for the words “the Federation” in paragraph (1)(b) the word “Malaysia”.</p>
Section 11	<p>Insert after subsection (3) the following subsection (4):</p> <p>“(4) The Minister may make regulations in respect of the discipline of the Controller and Deputy Controller.”.</p>
Section 15	<p>(a) Substitute for the words “the Federation” in paragraph (d) the word “Malaysia”.</p> <p>(b) Insert after subparagraph (i) the following subparagraph (ii):</p>

Provision of Ordinance	Nature of Amendment
	“(ii) as grants to institutions of higher learning in Malaysia which have as one of their disciplines the teaching and training of technologists in natural rubber.”.
New section 15A	<p>Insert after section 15 the following section 15A:</p> <p><b>“Power to borrow</b></p> <p><b>15A.</b> The Board may, with the approval of the Minister given after consultation with the Minister charged with responsibility for finance, borrow moneys for the purpose of performing its functions.”.</p>
Section 16	<p>(a) Substitute for the words “the Federation” wherever they appear the word “Malaysia”.</p> <p>(b) Substitute for the word “securities” wherever it appears the word “investments”.</p>
New section 17A	<p>Insert after section 17 the following section 17A:</p> <p><b>“Statutory Bodies (Accounts and Annual Reports) Act 1980 to apply</b></p> <p><b>17A.</b> Without prejudice to section 17, the provisions of the Statutory Bodies (Accounts and Annual Reports) Act 1980 [<i>Act 240</i>] shall apply in respect of the Board.”.</p>

PART B

*RUBBER RESEARCH INSTITUTE OF MALAYSIA ACT 1966*

Provision of Act	Nature of Amendment
Section 2	<p>Insert appropriately the following interpretation of “Board”:</p> <p>“Board” means the Board established under section 4;’.</p>
Section 4	<p>Substitute for subsection (1) the following subsection (1):</p>

**“Constitution of the Board**

**4.** (1) There is established a Board of the Institute which shall consist of the following members who, other than the members referred to in paragraphs (a), (b) and (e), shall be appointed by the Minister:

- (a) the Controller who shall be Chairman of the Board;
- (b) the Director;
- (c) a representative from the Ministry of the Minister charged with responsibility for the rubber industry;
- (d) a representative from the Ministry of the Minister charged with responsibility for finance;
- (e) the person for the time being performing the duties and exercising the functions of the Director General of Agriculture;
- (f) a member representing the Rubber Industry Smallholders’ Development Authority;
- (g) three members representing the estate sector of the rubber industry, from the nominations of the Malaysian Rubber Producers’ Council;
- (h) three members representing the smallholder sector of the rubber industry; and
- (i) two other members, one each representing the Government of Sabah and the Government of Sarawak:

Provided that the Board shall be deemed to be duly and properly constituted notwithstanding that either of the members representing the Government of Sabah or the Government of Sarawak has not been appointed.”.

Provision of Act	Nature of Amendment
Section 6	<p>Insert after subsection (2) the following subsection (2A):</p> <p>“(2A) The Board may, with the approval of the Minister, make regulations in respect of the terms and conditions of service and the discipline of its officers and servants other than the Director and Deputy Directors.”.</p>
Section 11	<p>Substitute for subsection (2) the following subsection (2):</p> <p>“(2) The Malaysian Rubber Research and Development Board may, with the approval of the Minister, make regulations in respect of the terms and conditions of service and the discipline of the Director and Deputy Directors.”.</p>
Section 12	<p>Insert after subsection (1) the following subsection (1A):</p> <p>“(1A) Any officer of the Institute or any other person who exercises the powers and performs the duties of the Director in any of the circumstances referred to in subsection (1) shall also, during such period, be a member of the Board.”.</p>
New section 15A	<p>Insert after section 15 the following section 15A:</p> <p><b>“Statutory Bodies (Accounts and Annual Reports) Act 1980 to apply</b></p> <p><b>15A.</b> Notwithstanding section 15, the provisions of the Statutory Bodies (Accounts and Annual Reports) Act 1980 [<i>Act 240</i>] shall apply in respect of the Board.”.</p> <hr/>

**LAWS OF MALAYSIA**

**Act 321**

**RUBBER STATUTORY BODIES ACT 1985**

**LIST OF AMENDMENTS**

Amending law

Short title

In force from

— NIL —

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**LAWS OF MALAYSIA****Act 321****RUBBER STATUTORY BODIES ACT 1985****LIST OF SECTIONS AMENDED**

Section	Amending authority	In force from
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— NIL —

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