



PARLIMEN MALAYSIA



BILL

Development Fund(Amendment) 1960

D.R.31/1960

(Presented and read a first time and ordered to be printed, 8th August, 1960.)

A BILL
intituled

An Act to amend the Development Fund Ordinance, 1958.

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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:

1. This Act may be cited as the Development Fund (Amendment) Act, 1960. Short title.

2. Section 2 of the Development Fund Ordinance, 1958 (hereinafter in this Act referred to as "the principal Ordinance") is hereby amended— Amendment of section 2. 18 of 1958.

(a) by substituting a semi-colon and the word "and" for the full-stop at the end thereof;

(b) by adding thereto the following new paragraph:

"(c) all sums representing the repayments of principal of loans lawfully made from the Development Fund for any one or more of the purposes referred to in the First Schedule to this Ordinance."

3. Section 4 of the principal Ordinance is hereby amended— Amendment of section 4.

(a) by substituting for sub-section (1) thereof the following new sub-section:

"(1) The Yang di-Pertuan Agong shall in respect of every financial year cause to be laid before the House of Representatives a statement of—

(a) the proposed expenditure out of the Development Fund for that year;

(b) the sums necessary to meet each head and sub-head of such proposed expenditure; and

(c) the estimated total cost of projects, works and undertakings included under any head or sub-head of such proposed expenditure."

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- (b) by substituting a comma for the full-stop at the end of sub-section (3) thereof and by inserting immediately thereafter the following:

“and provided further that the estimated total cost of any project, work or undertaking to which such sub-head relates, as specified in the last preceding statement laid before the House of Representatives pursuant to sub-section (1) or (4), is not thereby exceeded.”;

- (c) by inserting immediately after sub-section (4) thereof the following two new sub-sections:

“(5) Subject to the provisions of this section, all appropriations made under this section shall lapse at the end of the financial year, and any balances remaining in the Development Fund shall thereafter be available for further appropriation:

Provided that if the purpose for which any sum shall have been appropriated remains uncompleted at the close of the year the Minister charged with responsibility for finance may direct that any balance of such appropriation shall not lapse but shall be applied for the completion of such purpose during an ensuing year.

(6) The Yang di-Pertuan Agong shall cause to be laid before the Senate a statement of any expenditure approved by the House of Representatives under sub-sections (2) and (4).”.

Amendment
of Second
Schedule.

4. The Second Schedule to the principal Ordinance is hereby amended by inserting immediately before the item “No. 16 of 1949 ... The Loan Ordinance, 1949.” the item—
“No. 10 of 1946 ... The Loan Ordinance, 1946.”.

EXPLANATORY STATEMENT

The object of the above Bill is to make several amendments to the Development Fund Ordinance, 1958, which experience in the administration of that Ordinance has shown to be necessary.

2. *Clause 2* is designed to amend section 2 (which defines the Development Fund) in order to make it clear that repayments of principal in respect of loans made from the Fund under paragraph 5 of the First Schedule are to be credited back to the Fund, and *clause 4* adds to the Second Schedule a reference to the Loan Ordinance, 1946, so that the unspent proceeds of any loan raised under that Ordinance shall be paid into the Development Fund.

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3. *Clause 3* is designed to amend section 4 of the Ordinance, which sets out the procedure concerning the Development Estimates, etc. By *clause 3 (a)* it is proposed to amend sub-section (1) of the section in order to require the Estimates to show (as in practice they do) the estimated total cost of projects, works and undertakings included under any head or sub-head of development expenditure: and by *clause 3 (b)* a restriction is put on the virement procedure provided by sub-section (3), by limiting any such virement to such estimated total cost.

4. By *clause 3 (c)* it is proposed to add two new sub-sections to section 4 of the Ordinance. The new sub-section (5) is designed to provide that all appropriations made under section 4 of the Ordinance will lapse at the end of the year, unless the Minister of Finance directs that the balance of the appropriation is to be applied to the purpose for which the money was originally appropriated, during an ensuing year.

5. Finally, it is proposed by the new sub-section (6) to section 4 of the Ordinance to require all statements of development expenditure approved by the House of Representatives to be laid before the Senate.

[AG. 2237.]

