



PARLIMEN MALAYSIA



BILL

Betting and Sweepstake Duties (Amendment) 1961

D.R.07/1961

A BILL
intituled

An Act to amend the Betting and Sweepstake Duties Ordinance, 1948.

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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 Betting and Sweepstake Duties (Amendment) Act, 1961, and shall come into operation on such date as the Minister of Finance may by notification in the *Gazette* appoint.

Short title
and com-
mencement.

2. The Betting and Sweepstake Duties Ordinance, 1948 (hereinafter in this Act referred to as "the Ordinance") is hereby amended by inserting immediately after section 1 thereof the following new section:

New section
1A.
F.M.
6 of 1948.

"Interpreta-
tion.

1A. In this Ordinance, unless the context otherwise requires—

of 1961. 'the Board' means the Totalisator Board established by the Racing (Totalisator Board) Act, 1961;

'the promoter' means the Board, or the secretary of the racing club or association which has promoted any totalisator, pari-mutuel or sweepstake, as the circumstances may require."

3. Section 2 of the Ordinance is hereby amended—

Amend-
ment of
section 2.

(a) by substituting for the words "any racing club or association exempted from the application of the provisions of any Ordinance or Enactment in force in the Federation relating to betting there shall be charged a duty of ten per centum of the amount of the bet" appearing in sub-section (1) thereof the words "the Board or any racing club or association in accordance with any approved scheme under section 16 of the Racing (Totalisator Board) Act, 1961, there shall be charged such duty, being not more than twenty *per centum* of the amount of the bet as the Minister of Finance may from time to time fix by order published in the *Gazette*";

(b) by substituting for the word "twenty" appearing in sub-section (2) thereof the word "thirty".

amend-
ment of
section 3.

4. Sub-section (3) of section 3 of the Ordinance is hereby repealed.

amend-
ment of
section 4.

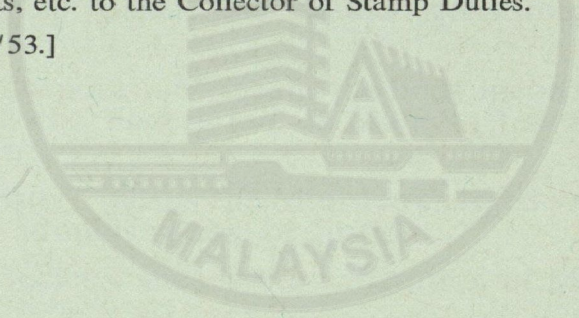
5. Section 4 of the Ordinance is hereby amended by inserting immediately before the words "any racing club or association" appearing therein the words "the Board or by".

EXPLANATORY STATEMENT

The above Bill is designed to make amendments in the Betting and Sweepstake Duties Ordinance, 1948, consequential upon the Racing (Totalisator Board) Bill. The amending Bill therefore provides:

- (a) by *clause 2*, a new definition of "the Board", related to the Totalisator Board established by the Racing (Totalisator Board) Act, 1961, and also takes in the definition of "promoter", contained in sub-section (3) of section 3 of the Ordinance, which is therefore repealed (*clause 4*);
- (b) by *clause 3*, a duty of up to twenty *per cent* on bets made with the Board or racing clubs: at the same time permitting the Minister of Finance to vary the duty, as he may, under sub-section (2) of section 2, in the case of sweepstake duty, the maximum for which is to be raised from twenty to thirty *per cent*;
- (c) by *clause 5*, an obligation upon the Board to produce books and accounts, etc. to the Collector of Stamp Duties.

[A.G. 364/53.]



A BILL
intituled **D. N. No.**

7 61

An Act to incorporate the Malayan Red Cross Society and for purposes connected therewith.

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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 Malayan Red Cross Society (Incorporation) Act, 1961, and shall come into operation 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—
“appointed day” means the date appointed under section 1 for the coming into operation of this Act; Interpretation.

“Council” means the Council constituted under section 6;

“the Corporation” means the body incorporated under the name of the Federation of Malaya Red Cross Society by this Act;

“Minister” means the Minister charged with responsibility for the administration of justice;

“the Society” means the Federation of Malaya Red Cross Society.

3. The persons who immediately before the appointed day are members of the voluntary association known as the Federation of Malaya Red Cross Society and all such persons as may hereafter become members of the Corporation pursuant to the provisions of this Act or of any rules and by-laws made thereunder shall be a body corporate by the name of the Federation of Malaya Red Cross Society and by such name shall have perpetual succession and may enter into contracts, and may acquire, purchase, take, hold and enjoy movable and immovable property of every description, and may convey, transfer, assign, surrender and yield up, charge, mortgage, demise, reassign or otherwise dispose of, or deal with, any movable or immovable property vested in the Corporation upon such terms as to Incorporation of the Society.

the Corporation may seem fit, and by the same name may sue and be sued in all courts and in all manner of actions and suits and may do all other matters and things incidental or appertaining to a body corporate.

4. The objects of the Corporation are to provide an organisation which shall be open, without any discrimination on the grounds of religion, race or politics, to all persons in the Federation to enable them to give effect to the purposes of the Corporation as defined in section 5, and to do all other things as the Corporation or its Council may deem incidental or conducive to the attainment of such objects.

5. The purposes of the Corporation shall be—

- (a) in time of peace or war, to carry on and assist in work for the improvement of health, the prevention of disease and the mitigation of suffering throughout the world;
- (b) in time of war, to furnish voluntary aid to the sick and wounded both of armies and non-belligerents, to prisoners of war and to civilian sufferers from the effect of war, in accordance with the spirit and condition of the Geneva convention for the amelioration of the condition of the wounded and sick in armed forces in the field, signed at Geneva on the twelfth day of August, nineteen hundred and forty-nine;
- (c) to perform all the duties devolved upon a national society by each nation which has acceded to the said Convention.

6. (1) The affairs of the Corporation shall be administered by a Council to be constituted in accordance with the rules and by-laws for the time being of the Corporation.

(2) The first members of the Council shall be those persons who immediately before the appointed day are the members of the Executive Committee of the Society.

7. (1) The Corporation shall have a common seal, and such seal may from time to time be broken, changed, altered and made anew as to the Corporation seems fit.

(2) All deeds, documents and other instruments requiring the seal of the Corporation shall be sealed with the seal of the Corporation pursuant to a resolution of the Council to the effect, in the presence of the Chairman or a Vice-Chairman of the Council, and of the Secretary of the same, or some other person authorised by the Council to act in that behalf, who shall sign every such

deed, document, or other instrument to which such seal is affixed, and such signing shall be sufficient evidence that such seal was duly and properly affixed and that the same was the lawful seal of the Corporation.

8. (1) The Council shall cause a register to be kept in which the name of every person who is, immediately before the appointed day, a member of the Society, or who may thereafter become a duly admitted member of the Corporation and in which shall be recorded such other matters as may from time to time be determined by the Council.

Register of members.

(2) The register may be kept in such number of parts as the Council may from time to time decide and the duty of keeping parts of the register may be delegated to any member or official of the Corporation.

9. It shall be lawful for the Council from time to time to make, alter or revoke such rules and by-laws as it may deem expedient for the management of the affairs of the Corporation and the accomplishment of its objects, and all such rules and by-laws shall be binding upon the members for the time being of the Corporation.

Rules and by-laws.

10. Without prejudice to the right of any person, on and after the appointed day, the right to use the heraldic emblem of the red cross on a white ground formed by reversing the Federal Colours of Switzerland, or the words "Red Cross" or "Geneva Cross" shall vest in the Corporation.

Use of the "Red Cross".

11. (1) On the appointed day all property belonging immediately before such day to the Society, whether held in the name of the Society or in the name or names of any person or persons in trust for the Society, shall be and the same is hereby vested in the Corporation, and the same together with all after-acquired property, movable or immovable, and all subscriptions, contributions, donations, fines, amounts of loans and advances received or to be received shall be held by the Corporation for the purposes of this Act and subject to the rules for the time being of the Corporation.

Transfer of property and liabilities, etc.

(2) All debts and liabilities of the Society existing immediately before the appointed day shall be paid by the Corporation, and all debts due to and subscriptions and contributions payable to the Society shall be paid to the Corporation for the purposes of this Act.

12. (1) The income and property of the Corporation, whencesoever derived, shall be applied solely towards the promotion of the objects of the Corporation as set out in

Application of income and property.

this Act, and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to the members of the Corporation:

Provided that nothing herein contained shall prevent the payment in good faith of remuneration to any officers or servants of the Corporation or to any members of the Corporation in return for any services actually rendered to the Corporation.

(2) The liability of each member of the Corporation in respect of the transactions of the Corporation shall in no case exceed the amount of such annual subscriptions as may be due from such member to the Corporation.

13. Nothing in this Act shall affect the rights of the Yang di-Pertuan Agong, the Rulers or the Governors or of any body politic or corporate or of any other persons except such as are mentioned in this Act and those claiming by, from or under them.

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EXPLANATORY STATEMENT

The Federation of Malaya Red Cross Society has exercised the functions of the British Red Cross Society in the Federation since September, 1957, but has not yet been incorporated. The above Bill provides for the incorporation of the Society, conferring on it the powers usually found in Acts of incorporation.

[AG. 1968.]