



PARLIMEN MALAYSIA



RANG UNDANG-UNDANG
Lembaga Pelabuhan (Pindaan) 1985
DR.10/1985

Naskhah Sahih—Bahasa Inggeris

RANG UNDANG-UNDANG

bernama

Suatu Akta untuk meminda Akta Lembaga Pelabuhan 1963.

MAKA INILAH DIPERBUAT UNDANG-UNDANG oleh Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong dengan nasihat dan persetujuan Dewan Negara dan Dewan Rakyat yang bersidang dalam Parlimen, dan dengan kuasa daripadanya, seperti berikut :

1. Akta ini bolehlah dinamakan Akta Lembaga Pelabuhan (Pindaan) 1985.

Tajuk ringkas.

2. Seksyen 3 Akta Lembaga Pelabuhan 1963, yang disebut "Akta ibu" dalam Akta ini, adalah dipinda dengan memasukkan selepas subseksyen (2), subseksyen baru (2A) yang berikut :

Pindaan seksyen 3.
Akta 21/63.

"(2A) The authority with the approval of the Minister and the concurrence of the Minister of Finance, may—

(a) enter into any arrangement for sharing profits, union of interests, cooperation or joint adventure with any person or body of persons; or

(b) establish or promote the establishment and expansion of companies under the Companies Act 1965."

Seksyen
baru 5A.

3. Akta ibu adalah dipinda dengan memasukkan selepas seksyen 5, seksyen baru 5A yang berikut:

"Disposal
of land to
the Federa-
tion, and the
Federation's
power to
grant leases
of same.

5A. (1) Where the authority disposes of any land to the Federation, it shall be lawful for the Federation to grant a lease of such land for a period not exceeding ninety-nine years or, in the case of land held under a State lease or a Mukim lease, for a period not exceeding the residue of the term of such lease, to any person or body of persons for use by such person or body of persons for any federal purposes including the purpose of the port to be specified in the terms of the lease.

(2) For the purpose of this section "lease" shall have the meaning assigned thereto in the National Land Code."

Seksyen
baru 16A.

4. Akta ibu adalah dipinda dengan memasukkan selepas seksyen 16, seksyen baru 16A yang berikut:

"Submis-
sion of
memo-
randum for
any change
in existing
structure
of charges.

16A. (1) Any person or body of persons licensed under this Act shall prepare and submit to the authority a memorandum for any change in the existing structure of charges prescribed under any by-laws made under section 29.

(2) Where no reply is received from the authority as regards the memorandum submitted under subsection (1) within six months of its submission, the change in the existing structure of charges as contained in the memorandum shall take effect on the expiration of such period.

(3) The person or body of persons licensed under this Act shall as soon as practicable publish the change in the existing structure of charges in the local newspapers, at least one in the Malay language and one in the English or Chinese language.

(4) The authority shall as soon as practicable make by-laws under section 29 in respect of the change in the existing structure of charges.”.

5. Akta ibu adalah dipinda dengan memasukkan selepas BAHAGIAN VIIA, BAHAGIAN baru VIIb yang berikut:

Bahagian
baru VIIb.

“PART VIIb

SPECIAL POWERS

Special
powers in
emergency.

47D. (1) On the occurrence of any public emergency or in the interest of public safety, the Prime Minister or any officer specially authorised by him in that behalf may—

(a) take temporary possession of any port service or facility established, maintained or worked by any person licensed under this Act; or

(b) withdraw either partially or totally the use of any port service or facility from any person or class of persons or from the public at large.

(2) If any doubt arises as to the existence of a public emergency or whether any act done under subsection (1) was in the interest of public safety, a certificate signed by the Prime Minister and exhibited at such places as the Minister deems fit shall be conclusive proof on the point.”.

HURAIAN

Rang Undang-Undang ini bertujuan meminda Akta Lembaga Pelabuhan 1963.

2. Fasal 2 memasukkan subseksyen baru (2A) dalam seksyen 3 untuk memberi kuasa kepada lembaga, dengan kelulusan Menteri dan persetujuan Menteri Kewangan untuk menceburi dalam apa-apa usahaniaga bersama, dll. dengan mana-mana orang atau untuk menubuhkan atau menggalakkan penubuhan dan pengembangan mana-mana syarikat.

3. *Fasal 3* memperuntukkan bahawa jika lembaga melupakan mana-mana tanah kepada Persekutuan, maka Persekutuan boleh kemudiannya memajakkan tanah tersebut kepada mana-mana orang bagi apa-apa jua maksud persekutuan, termasuk maksud-maksud pelabuan itu.

4. *Fasal 4* bertujuan memperuntukkan bahawa mana-mana orang yang diberi lesen di bawah Akta boleh mengemukakan suatu memorandum kepada lembaga mengubah skala bayaran yang sedia ada.

5. *Fasal 5* memasukkan Bahagian baru VIIb untuk memberi kuasa-kuasa khas kepada Perdana Menteri atau mana-mana pegawai yang diberi kuasa dengan khasnya oleh Perdana Menteri dalam hal berlakunya darurat awam atau bagi kepentingan menjaga keselamatan orang awam.

IMPLIKASI KEWANGAN

Rang Undang-Undang ini tidak akan melibatkan Kerajaan dalam apa-apa perbelanjaan wang tambahan. [PN. (U²) 1331.]