



# PARLIMEN MALAYSIA



## **RANG UNDANG-UNDANG**

**Talikom (Pindaan) 1971**

**DR.98/1971**



**RANG UNDANG<sup>2</sup>**

*bernama*

Suatu Akta bagi meminda Akta Talikom, 1950 untuk mengadakan peruntukan berkenaan dengan pengurusan kewangan dan pengendalian pengakaunan pehak-berkuasa talikom dan berkenaan dengan kuasa membuat peratoran<sup>2</sup> untuk mengawal apa<sup>2</sup> radas, alat kelengkapan atau perkakas perhubungan.

[ ]

MAKA INI-LAH DI-PERBUAT UNDANG<sup>2</sup> oleh Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong dengan nasihat dan persetujuan Dewan Negara dan Dewan Ra'ayat yang bersidang dalam Parlimen, dan dengan kuasa daripada-nya, saperti berikut :

1. Akta ini boleh-lah di-namakan Akta Talikom (Pindaan), 1971.

Tajok ringkas.

2. Sekshen 7 Akta Talikom, 1950 (kemudian daripada ini di-sebut "Akta ibu") ada-lah dengan ini di-pinda—

Pindaan bagi sekshen 7. Akta 20.

(a) dengan menambah perkataan yang berikut sa-lepas sahaja perkataan "Act" yang terdapat di-hujung sekshen-kecil (1)—

"or for the control of any telecommunication apparatus or equipment";

(b) dengan menambah perenggan-kecil (iv) baharu yang berikut kapada sekshen-kecil (2) (a)—

"(iv) regulating the working and use of any telecommunication apparatus or equipment or any appliances or attachment thereof;"  
dan

(c) dengan menomborkan sa-mula perenggan-kecil (iv) dan (v) sekshen-kecil (2) (a) masing<sup>2</sup> sa-bagai (v) dan (vi).



Bahagian  
IIA baharu.

3. Akta ibu ada-lah dengan ini di-pinda dengan memasokkan Bahagian IIA yang di-nyatakan dalam Jadual bersama ini.

Peman-  
sokhan.

4. Ordinan No. 86 (Kuasa<sup>2</sup> Perlu) Dharurat, 1971 ada-lah dengan ini di-mansokhkan.

#### JADUAL

(Sekshen 3)

#### "PART IIA

#### TELECOMMUNICATION FUND

Interpretation.

9A. In this Part, unless the context otherwise require—

‘appointed date’ means the 15th day of April, 1971;

62/57.

‘Development Fund’ means the Development Fund specified in the Second Schedule to the Financial Procedure Ordinance, 1957;

‘Director General’ means the Director General of Telecommunications, Malaysia.

Establishment  
of Telecom-  
munication  
Fund.

9B. (1) There is hereby established a fund to be known as the Telecommunication Fund (hereinafter referred to as the ‘Fund’) which shall be controlled and operated by the Director General in accordance with the provisions of this Part.

62/57.

(2) The monetary transactions of the telecommunication authority shall be processed through the Fund and for this purpose the following new item is hereby incorporated into the Second Schedule to the Financial Procedure Ordinance, 1957—

‘Telecommunication Fund’

62/57.

(3) On the establishment of the Fund and notwithstanding the provisions of subsection (6) of section 9 of the Financial Procedure Ordinance, 1957, the balances in the Trust Accounts in respect of the telecommunication authority except the Development Fund Trust Account shall be paid to the Fund.

Moneys  
required to  
be paid to  
the Fund.  
62/57.  
70/66.

9C. (1) Notwithstanding the relevant provisions of the Financial Procedure Ordinance, 1957 and the Development Funds Act, 1966 there shall be paid from time to time into the Fund—

(a) such sums as may be appropriated from the Consolidated Revenue Account for the purposes of the telecommunication services;

(b) such sums as may be appropriated from the Development Fund for expenditure on the development and expansion of the telecommunication services;

(c) all receipts in respect of any works or services performed by the telecommunication authority which were paid or will be paid out of—

(i) moneys standing to the credit of the Fund, or

(ii) moneys appropriated before the appointed date in respect of telecommunication services;



- (d) moneys received from the sale or lease or hire of any property controlled by the telecommunication authority or acquired or produced out of—
  - (i) moneys standing to the credit of the Fund, or
  - (ii) any moneys appropriated before the appointed date in respect of telecommunication services;
- (e) interest received from the investment of moneys standing to the credit of the Fund;
- (f) moneys received by the Federation in respect of any matter incidental to the performance of any functions or the exercise of any powers conferred upon the telecommunication authority by this Act; and
- (g) any other moneys received by the Federation in such circumstances as the Minister of Finance considers appropriate to be paid to the Fund:

Provided that any moneys received by the telecommunication authority between 1st January, 1971 and the date immediately preceding the appointed date which would have to be paid to the Fund under this subsection had the moneys been received on or after the appointed date, shall be accounted for in the Fund.

(2) Payments into the Fund of moneys referred to in paragraphs (a) and (b) of subsection (1) shall be made in such sums and at such times as the Minister of Finance directs.

9D. (1) Notwithstanding the relevant provisions of the Financial Procedure Ordinance, 1957 and the Development Funds Act, 1966 moneys standing to the credit of the Fund may be applied by the Director General for the following purposes:

Application  
of the moneys  
of the Fund.  
62/57.  
70/66.

- (a) payment of the remuneration of the Director General and other persons employed by the Government in the Telecommunication Department including contributions to the Employees Provident Fund or other schemes approved by the Government in respect of such persons;
- (b) payment for the cost of goods and services acquired for the purposes of the telecommunication services and for the acquisition of movable and immovable property incidental to the carrying out of works and services pursuant to the provisions of this Act;
- (c) payment to the appropriate Consolidated Accounts by way of reimbursement in respect of—
  - (i) pensions, gratuities and other allowances granted under the pensions laws to the Director General and other persons employed by the Government in the Telecommunication Department or their dependants;
  - (ii) interest and other charges and the principal repayments on loans raised and appropriated after the appointed date for the purposes of the telecommunication services; and



(iii) any moneys required to satisfy any judgement, decision or award against the Federation by any court or tribunal in connection with the operation of telecommunication services;

(d) payment in discharge of any liabilities incurred by the Federation on the telecommunication services; and

(e) payment of any other expenditure properly incurred or accepted by the telecommunication authority in the exercise of its powers and functions under this Act:

Provided that any payment by the telecommunication authority between 1st January, 1971 and the date immediately preceding the appointed date which would have to be made out of the Fund under this subsection had the payment been made on or after the appointed date, shall be accounted for in the Fund.

(2) Moneys standing to the credit of the Fund may be invested in accordance with the provisions of section 8 (3) of the Financial Procedure Ordinance, 1957.

62/57.

Power of the Minister of Finance to determine development expenditure from Fund.

9E. The Minister of Finance after consultation with the Minister may before or during a financial year determine the maximum amount to be paid out of the Fund during that financial year in respect of development expenditure for telecommunication services.

Surplus money in Fund.

9F. There shall be paid out of the Fund into the Consolidated Revenue Account such sums as may be determined by the Minister of Finance after consultation with the Minister to be surplus to the requirements of the Fund in any financial year.

Repayment of appropriation and payment of interest.

9G. The Minister of Finance may if he considers it appropriate to do so—

(a) direct payment out of the Fund in such amounts and at such times as he specifies to the Consolidated Revenue Account or the Development Fund of sums paid into the Fund under paragraphs (a) and (b) of subsection (1) of section 9c;

(b) direct the payment out of the Fund at such times as he specifies to the Consolidated Revenue Account of amounts representing interest at such rates as he determines upon so much of any amount to which the last preceding paragraph applies that has not been repaid.

Financial policy in respect of telecommunication services.

9H. In the administration of this Act in relation to the telecommunication services the Director General shall pursue a policy directed towards achieving in respect of each financial year, such financial results as determined by the Minister in consultation with the Minister of Finance.

Commercial Accounts.  
62/57.

9I. (1) Notwithstanding the relevant provisions of the Financial Procedure Ordinance, 1957 and any regulations made and instructions issued thereunder the books and accounts of the telecommunication authority shall be kept in accordance with generally accepted commercial accounting principles and practices.



(2) All the assets and liabilities of the telecommunication authority as on 1st January, 1971 which are not reflected in the financial accounts of the Federation shall be incorporated into the commercial accounts and the net worth thereof shall be treated as capital of the Federation invested in the telecommunication authority on that date.

(3) The Director General with the concurrence of the Treasury shall issue directions and instructions as to the manner in which the books and accounts shall be kept and the form in which statements of accounts shall be submitted for audit.

9J. The net profit arising from the telecommunication services in respect of a financial year shall be applied in such manner as the Minister with the concurrence of the Minister of Finance determines.

Application  
of Profits.

9K. Each year the Director General shall submit through the Minister to the Treasury the estimated income and expense statement on the operations of the telecommunication services in respect of the next succeeding financial year, the total cash requirement for operating and development expenditure to be incurred in respect of those services during that year and the sources from which the moneys to be expended are proposed to be obtained. In support of this statement the Director General shall submit details of the development programme which he proposes to undertake in the next succeeding financial year and other matters relating to telecommunication services as the Treasury considers appropriate.

Funding.

9L. The Minister shall cause to be laid before both Houses of Parliament before the commencement of each financial year a statement of the estimated financial results which he expects to achieve in the next succeeding financial year together with the details of the proposed development programme and the sources from which the programme will be financed.

Minister's  
report to  
Parliament.

9M. (1) The commercial accounts of the telecommunication authority shall be audited annually by the Auditor General and the provisions of the Audit Ordinance, 1957 shall apply.

Audit.

60/57.

(2) The Director General shall, not later than 31st March of the following year or such later date as the Minister of Finance may determine transmit to the Auditor General the financial statements of the commercial accounts referred to in subsection (1) which shall consist of the balance sheet, profit and loss statement and such other supporting statements as may be required by the Treasury.

(3) The audited statements shall be submitted to the Minister of Finance, who shall cause them to be laid before both Houses of Parliament.

9N. Save as otherwise provided in this Part the provisions of the Financial Procedure Ordinance, 1957 and the Development Funds Act, 1966 and any regulations made and instructions issued thereunder shall apply to the Director General and other persons employed by the Government in the Telecommunication Department.”.

Saving.  
62/57.  
70/66.



## HURAIAN

Rang Undang<sup>2</sup> ini bertujuan untuk memasokkan dalam suatu undang<sup>2</sup> yang kekal peruntokan<sup>2</sup> Ordinan No. 86 (Kuasa<sup>2</sup> Perlu) Dharurat, 1971, yang telah di-ishtiharkan oleh Yang di-Pertuan Agong di-bawah kuasa<sup>2</sup> dharurat. Ordinan Dharurat itu meminda Akta Talikom, 1950 dengan memasokkan Bahagian IIA baharu sa-bagaimana yang di-nyatakan dalam Jadual kapada Rang Undang<sup>2</sup> ini.

2. Bahagian IIA baharu mengadakan peruntokan supaya sistem meng-akaun chara perdagangan di-pakai oleh Jabatan Talikom. Bagi maksud ini Kumpulanwang Talikom ada-lah di-tubuhkan; wang yang di-tetapkan dalam sekshen 9C (1) akan di-masokkan dalam Kumpulanwang itu dan pembayaran yang di-tetapkan dalam sekshen 9D (1) akan di-buat daripada-nya.

3. Menteri Kewangan akan memutuskan bagi sa-suatu tahun kewangan jumlah wang yang akan di-bayar daripada Kumpulanwang itu bagi maksud kemajuan (sekshen 9E) dan ia juga boleh memutuskan, sa-lepas berunding dengan Menteri, supaya apa<sup>2</sup> jumlah wang yang lebeh daripada yang di-perlukan oleh Kumpulanwang itu, di-masokkan dalam Akaun Hasil Disatukan (sekshen 9F).

4. Ketua Pengarah Talikom, Malaysia hendak-lah mentadbirkan Akta ini berpandukan sa-suatu dasar yang boleh mendatangkan apa<sup>2</sup> hasil kewangan sa-bagaimana yang di-arahkan oleh Menteri sa-lepas berunding dengan Menteri Kewangan (sekshen 9H).

5. Apa<sup>2</sup> keuntongan berseh yang di-perolehi dari perkhidmatan talikom bagi sa-suatu tahun kewangan hendak-lah di-gunakan mengikut chara yang di-putusan oleh Menteri dengan persetujuan Menteri Kewangan (sekshen 9J).

6. Sekshen 9K, 9L dan 9M mengadakan peruntokan supaya penyata anggaran pendapatan dan perbelanjaan bagi sa-suatu tahun kewangan di-hantar kapada Perbendaharaan, dan supaya suatu penyata anggaran hasil kewangan bagi sa-suatu tahun kewangan di-kemukakan dalam kedua<sup>2</sup> Majlis Parlimen dan supaya akaun perdagangan di-odit oleh Juru Odit Negara.

7. Sekshen 9N ia-lah suatu fasal perkechualian yang memperuntokkan supaya peruntokan<sup>2</sup> lain dalam Ordinan Achara Kewangan, 1957 dan Akta Kumpulanwang Kemajuan, 1966, apa<sup>2</sup> peratoran yang di-buat dan apa<sup>2</sup> arahan yang di-keluarkan di-bawah-nya di-pakai bagi kakitangan Jabatan Talikom.

8. Rang Undang<sup>2</sup> ini juga bertujuan untuk meminda sekshen 7 Akta itu supaya Menteri di-beri kuasa membuat peratoran<sup>2</sup> untuk mengawal apa<sup>2</sup> radas, alat kelengkapan atau perkakas perhubungan (*Fasal 2*).

[PN. (U<sup>2</sup>) 163.]