



PARLIMEN MALAYSIA



RANG UNDANG-UNDANG

**(Perbadanan) Lembaga Kemajuan Perusahaan Persekutuan
(Pindaan) 1971**

DR.99/1971

RANG UNDANG²

bernama

Suatu Akta untuk meminda Akta (Perbadanan) Lembaga Kemajuan Perusahaan Persekutuan, 1965.

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MAKA INI-LAH DI-PERBUAT UNDANG² 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, seperti berikut:

1. Akta ini boleh-lah di-namakan Akta (Perbadanan) Lembaga Kemajuan Perusahaan Persekutuan (Pindaan), 1971. Tajok ringkas.

2. Akta (Perbadanan) Lembaga Kemajuan Perusahaan Persekutuan, 1965 (kemudian daripada ini di-sebut "Akta ibu") ada-lah dengan ini di-pinda dengan memasokkan sal-epas sahaja sekshen 5, sekshen² baharu 5A, 5B dan 5C yang berikut— Pindaan bagi 13/65.

"Additional functions of the Authority.

5A. Without prejudice to section 5, it shall also be the functions of the Authority to advise the Federal Government, either on its own motion or on being referred to it by the Minister or the Minister of Finance on measures for the protection and promotion of industries including the imposition and alteration of, and exemption from, customs and other duties, and import and export licensing.

Special Advisory Committee on Tariffs and Tariff Advisory Committee.

5B. (1) The functions of the Authority under section 5A shall be discharged by the Special Advisory Committee on Tariffs and the Tariff Advisory Committee as hereinafter provided.

(2) The Special Advisory Committee on Tariffs shall consist of a Deputy Secretary to the Ministry of Commerce and Industry who shall be the Chairman and three members representing the Treasury, the Ministry of Commerce and Industry and the Authority respectively.

(3) The Special Advisory Committee on Tariffs shall advise the Federal Government on any request considered urgent by the Government for measures for the protection and promotion of industries referred to the Authority under section 5A.

(4) The Tariff Advisory Committee shall consist of the Chairman of the Special Advisory Committee on Tariffs who shall be the Chairman, three official members comprising the three members of the Special Advisory Committee on Tariffs and not more than two unofficial members selected by the Chairman from a panel appointed by the Minister after consultation with the Minister of Finance.

Powers of
Tariff
Advisory
Committee.

5c. (1) The Tariff Advisory Committee may appoint one or more sub-committees to inquire into and report on any matter before the Committee or arising in the course of its proceedings.

(2) At a meeting of the Tariff Advisory Committee the quorum shall be two official members and one unofficial member of the Committee; and at a meeting of a sub-committee appointed under subsection (1) the quorum shall be not less than half the members of the sub-committee, including at least one official member of the Tariff Advisory Committee.

(3) At a meeting of the Tariff Advisory Committee or a sub-committee appointed under subsection (1) the Chairman of the Tariff Advisory Committee, if present, shall preside and in his absence an official member nominated by him.

(4) No member of the Tariff Advisory Committee shall take any part in the proceedings of this Committee or sub-committee on any matter in which he has to his knowledge any direct or indirect pecuniary interest, unless he has declared that interest to the Committee or sub-committee, as the case may be.

(5) Subject to this Act and any regulations made thereunder, the Tariff Advisory Committee may make rules to regulate its proceedings or proceedings of its sub-committee, and in any matter not governed by the rules of a sub-committee shall comply with any general directions given at the time of its appointment by the Tariff Advisory Committee.

Conduct
of inquiries.

(6) (a) The Tariff Advisory Committee may hold any inquiry into the matter before it on any review, reference or application or, if it sees fit, separate inquiries into the several matters so before it.

(b) In every inquiry under this subsection the following provisions shall have effect, that is to say—

- (i) notice of any inquiry to be held by the Tariff Advisory Committee shall be given not less than three weeks beforehand by notification in the *Gazette* and in such other manner as it may think appropriate;
- (ii) the Tariff Advisory Committee may receive evidence orally or in writing, and may require oral evidence to be given on oath and written evidence to be verified on oath or by statutory declaration;
- (iii) for the summoning and examination of witnesses, for the administration of oaths and for compelling the production of documents, the Tariff Advisory Committee shall have the powers of a Sessions Court; and

(iv) the Tariff Advisory Committee may retain any document produced before it on an inquiry for such period as may be reasonable to allow it to examine the document and take copies or extracts.

(c) For the purposes of this subsection, a public inquiry shall be held only where the Tariff Advisory Committee considers it desirable in the public interest so to do or if the Minister or the Minister of Finance so directs; and in every case where a public inquiry is held the following provisions shall, in addition to the provisions of paragraph (b), have effect, that is to say—

- (i) the Committee shall sit in public to receive oral evidence; and
- (ii) the Committee may, during the course of its proceedings, make any written evidence available for inspection to any person desiring or required to give evidence.

(d) No person shall be compellable to give any evidence or to produce any document under this subsection which would disclose any secret process of manufacture.”.

3. Sekshen 9 Akta ibu ada-lah dengan ini di-pinda dengan memasukkan sekshen-kecil (3) yang berikut—

“(3) In this section, ‘members of the Authority’ includes members of the Special Advisory Committee on Tariffs and the Tariff Advisory Committee constituted under section 5B.”.

4. (1) Akta Lembaga Penasihat Tarif, 1963 ada-lah dengan ini di-mansokhkan.

(2) Ordinan No. 43 (Kuasa² Perlu) Dharurat, 1970 ada-lah dengan ini di-mansokhkan.

HURAIAN

Yang di-Pertuan Agong telah mengisahkan Ordinan No. 43 (Kuasa² Perlu) Dharurat, 1970 menurut Perkara 150 Perlembagaan untuk meminda Akta (Perbadanan) Lembaga Kemajuan Perusahaan Persekutuan, 1965, bagi maksud² yang berikut—

- (a) untuk memansokhkan Akta Lembaga Penasihat Tarif, 1963, yang menubohkan Lembaga Penasihat Tarif;
- (b) untuk memberi tugas² tambahan kepada Lembaga Kemajuan Perusahaan Persekutuan ia itu, untuk menasihatkan Kerajaan Persekutuan tentang langkah² bagaimana dapat di-lindong dan di-majukan perusahaan² termasuk langkah² bagi mengenakan dan mengubah duti kastam dan lain² duti atau bagi mengechualikan daripada-nya, dan mengeluarkan lesen impot dan ekspot (sekshen baharu 5A);
- (c) untuk mengadakan peruntukan bagi membolehkan Jawatankuasa Khas Penasihat mengenai Tarif dan Jawatankuasa Penasihat Tarif menjalankan tugas² tambahan dan untuk membuat peruntukan mengenai kuasa² Jawatankuasa² itu (sekshen baharu 5B dan 5C);
- (d) Pindaan kapada sekshen 9 Akta itu ada-lah pindaan yang berbangkit.

2. Rang Undang² ini ada-lah sa-mata² bertujuan untuk memasokkan peruntukan² Ordinan Dharurat yang tersebut di-atas itu ka-dalam undang² yang kekal. [PN. (U²) 232.]