



PARLIMEN MALAYSIA



RANG UNDANG-UNDANG
Pejabat Pos (Pindaan) 1984
DR.38/1984

Naskhah Sahih—Bahasa Inggeris

RANG UNDANG-UNDANG

bernama

Suatu Akta untuk meminda Akta Pejabat Pos 1947.

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 Pejabat Pos (Pindaan) 1984.

Tajuk ringkas.

2. Akta Pejabat Pos 1947 adalah dipinda dengan memasukkan selepas sahaja Bahagian II, Bahagian IIA baharu yang berikut:

Bahagian IIA baharu. Akta 211.

PART IIA

POSTAL FUND

Commence-ment. 11A. This Part shall come into force on such date as the Minister may, by notification in the *Gazette*, appoint.

Inter-pretation. 11B. In this Part, unless the context otherwise requires—

“appointed date” means the date appointed under section 11A;

“Development Fund” means the Development Fund specified in the Second Schedule to the Financial Procedure Act 1957;

Act 61.

“Director General” means the Director General of Posts, Malaysia.

RANG UNDANG-UNDANG

Establishment of Postal Fund.

11c. (1) There is hereby established a fund to be known as the Postal 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.

(2) The monetary transaction of the Postal Department 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 Act 1957:

"POSTAL FUND".

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

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

11D. (1) Notwithstanding the relevant provision of the Financial Procedure Act 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 postal services;
- (b) such sums as may be appropriated from the Development Fund for expenditure on the development and expansion of the postal services;
- (c) all receipts in respect of any works or services performed by the Postal Department 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 postal services;

- (d) moneys received from the sale or lease or hire of any property controlled by the Postal Department 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 postal services;
- (e) interest received from 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 Postal Department 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, in all cases, any moneys received by the Postal Department between the 1st January of the year of the appointed date 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 time as the Minister of Finance directs.

Application
of the
moneys of
the Fund.

11E. (1) Notwithstanding the relevant provisions of the Financial Procedure Act 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 :

- (a) payment of the remuneration of all officers and employees of the Government in the Postal 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 postal 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 ways of reimbursement in respect of—
 - (i) pensions, gratuities and other allowances granted under the pensions laws to all officers and employees of the Government in the Postal 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 postal 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 postal services;
- (d) payment in discharge of any liabilities incurred by the Federation on the postal services; and

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

Provided that, in all cases, any payment by the Postal Department between the 1st January of the year of the appointed date 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 Act 1957.

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

11F. 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 postal services.

Surplus money in Fund.

11G. 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.

11H. 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 11D;

(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 postal services.

11I. In the administration of this Act in relation to the postal 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.

11J. (1) Notwithstanding the relevant provision of the Financial Procedure Act 1957 and any regulations made and instructions issued thereunder the books and accounts of the Postal Department shall be kept in accordance with generally accepted commercial accounting principles and practices.

(2) All the assets and liabilities of the Postal Department as on the 1st January of the year of the appointed date 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 Postal Department 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.

Application of profits.

11K. The net profit arising from the postal 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.

Funding.

11L. Each year the Director General shall submit through the Minister to the Treasury the estimated income and expense statement

on the operations of postal 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 postal services as the Treasury considers appropriate.

Minister's
report to
Parliament.

11M. 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.

Audit.

11N. (1) The commercial accounts of the Postal Department shall be audited annually by the Auditor General and the provisions of the Audit Act 1957 shall apply.

Act 62.

(2) The Director General shall, not later than the 31st July of the following year, 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 statement shall be submitted to the Minister of Finance, who shall cause them to be laid before both Houses of Parliament.

Savings.

11O. Save as otherwise provided in this Part, the provisions of the Financial Procedure Act 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 Postal Department.”.

HURAIAN

Rang Undang-Undang ini bertujuan meminda Akta Pejabat Pos 1947 dengan memasukkan Bahagian IIA baharu bagi memperuntukkan Sistem Perakaunan Perdagangan yang akan diterimapakai oleh Jabatan Pos. Untuk tujuan ini Kumpulan Wang Pos adalah ditubuhkan, yang mana wang yang ditetapkan dalam *fasal 11D (1)* akan dibayar masuk ke dalam Kumpulan Wang itu dan pembayaran yang ditetapkan dalam *fasal 11E (1)* akan dibuat daripadanya.

2. Menteri Kewangan akan memutuskan bagi sesuatu tahun kewangan amaun yang akan dibayar daripada Kumpulan Wang itu bagi maksud pembangunan (*fasal 11F*) dan dia juga boleh memutuskan selepas berunding dengan Menteri, supaya apa-apa jumlah wang yang lebih daripada yang diperlukan oleh Kumpulan Wang itu, hendaklah dibayar dari Kumpulan Wang ke dalam Akaun Hasil Disatukan (*fasal 11G*).

3. Ketua Pengarah Pos, Malaysia hendaklah mengikuti dasar yang boleh mendatangkan apa-apa hasil kewangan sebagaimana yang diarahkan oleh Menteri selepas berunding dengan Menteri Kewangan (*fasal 11i*).

4. Apa-apa keuntungan bersih yang diperolehi dari penjalanan perkhidmatan pos bagi sesuatu tahun kewangan hendaklah digunakan mengikut cara yang diputuskan oleh Menteri dengan persetujuan Menteri Kewangan (*fasal 11k*).

5. *Fasal-fasal 11L, 11M dan 11N* memperuntukkan supaya penyata anggaran pendapatan dan perbelanjaan bagi sesuatu tahun kewangan dihantar kepada Perbendaharaan, dan supaya sesuatu penyata anggaran hasil kewangan bagi sesuatu tahun kewangan dikemukakan dalam kedua-dua Majlis Parlimen dan supaya akaun perdagangan diaudit oleh Juruaudit Negara.

6. *Fasal 11o* ialah suatu fasal pengecualian yang memperuntukkan supaya peruntukan-peruntukan lain dalam Akta Prosedur Kewangan 1957 dan Akta Kumpulan Wang Pembangunan 1966 dan apa-apa peraturan yang dibuat dan apa-apa arahan yang dikeluarkan di bawahnya, dipakai bagi kakitangan Jabatan Pos.

IMPLIKASI KEWANGAN

Rang Undang-Undang ini akan melibatkan Kerajaan dalam perbelanjaan wang tambahan yang amaunnya tidak dapat ditentukan sekarang ini. [PN. (U²) 1283.]