



UNDANG-UNDANG NEGERI KEDAH DARUL AMAN

Enakmen 22

ENAKMEN PERBADANAN KEMAJUAN NEGERI KEDAH 1965

(Disemak — 2014)

**ENAKMEN PERBADANAN KEMAJUAN
NEGERI KEDAH 1965**

Tarikh Perkenan Diraja	...	...	...	...	25 Ogos 1965
Disemak sehingga	...	...	...	...	1 Oktober 2014
Tarikh penyiaran dalam <i>Warta</i> bagi versi semakan ini	...	...	...	...	23 Oktober 2014
Tarikh yang ditetapkan untuk mula berkuat kuasanya versi semakan ini menurut <i>perenggan 5(1)(x)</i> <i>Enakmen Penyemakan Undang-Undang</i> <i>(Kedah Darul Aman) 2005 [Enakmen 1]</i>	...	...	...	...	23 Oktober 2014

Pertama kali diperbuat dalam tahun 1965 sebagai Enakmen Bil. 5 Tahun 1965

Hakcipta Pencetak (H)

PERCETAKAN NASIONAL MALAYSIA BERHAD

Semua Hak Terpelihara. Tiada mana-mana bahagian jua daripada penerbitan ini boleh diterbitkan semula atau disimpan di dalam bentuk yang boleh diperolehi semula atau disiarkan dalam sebarang bentuk dengan apa jua cara elektronik, mekanikal, fotokopi, rakaman dan/atau sebaliknya tanpa mendapat izin daripada Percetakan Nasional Malaysia Berhad (Pencetak kepada Kerajaan Malaysia yang dilantik).

UNDANG-UNDANG NEGERI KEDAH DARUL AMAN

Enakmen 22

ENAKMEN PERBADANAN KEMAJUAN NEGERI KEDAH 1965

SUSUNAN SEKSYEN

BAHAGIAN I

PERMULAAN

Seksyen

1. Tajuk ringkas
2. Tafsiran

BAHAGIAN II

PERBADANAN

3. Penubuhan dan pemerbadanan Perbadanan Kemajuan Negeri Kedah
4. Pembentukan Perbadanan
5. Meterai perbadanan
6. Mesyuarat Perbadanan
7. Kuasa Perbadanan untuk mewakilkan
8. Kuorum mesyuarat Perbadanan
9. Anggota yang berkepentingan tidak boleh berurusan

BAHAGIAN III

PEGAWAI DAN PEKHIDMAT

10. Pelantikan pegawai dan pekhidmat Perbadanan
11. Tidak layak diambil bekerja sebagai pegawai Perbadanan
12. Akta Perlindungan Pihak Berkuasa Awam 1948

BAHAGIAN IV

TUGAS DAN KUASA PERBADANAN

Seksyen

13. Tugas Perbadanan
14. Kuasa am Perbadanan
15. Kuasa am untuk mengambil tanah melalui Pihak Berkuasa Negeri
16. Kuasa meminjam
17. Pinjaman boleh dicagar dengan gadai janji
18. Penguatkuasaan cagaran
19. Kuasa memberi pinjaman
20. Kuasa menjamin
21. Kesalahan berkenaan dengan pinjaman

BAHAGIAN V

KUMPULAN WANG DAN HASIL PERBADANAN

22. Kumpulan wang Perbadanan
23. Had menggunakan Kumpulan Wang Modal
24. Penggunaan Kumpulan Wang Hasil
25. Pelaburan
26. Akaun bank
27. Akaun dan audit
28. Laporan tahunan
29. Kuasa menggunakan ejen
30. Pengecualian

BAHAGIAN VI

PENGKULUNGAN PERBADANAN

31. Pengkulungan

BAHAGIAN VII

PELBAGAI PERKARA

Seksyen

32. Peraturan dan perintah tetap
33. Perbadanan boleh dianggap sebagai Melayu
34. Pemberian
35. Peruntukan bagi Incorporation (State Legislature Competency) Act 1962



UNDANG-UNDANG NEGERI KEDAH DARUL AMAN

Enakmen 22

ENAKMEN PERBADANAN KEMAJUAN NEGERI KEDAH 1965

Suatu Enakmen untuk mengadakan peruntukan bagi penubuhan Perbadanan Kemajuan Negeri Kedah dan bagi perkara-perkara yang berkaitan dengannya.

[9 September 1965]

BAHAGIAN I

PERMULAAN

Tajuk ringkas

1. Enakmen ini bolehlah dinamakan Enakmen Perbadanan Kemajuan Negeri Kedah 1965.

Tafsiran

2. Dalam Enakmen ini, melainkan jika konteksnya menghendaki makna yang lain—

“Pihak Berkuasa Melantik” ertinya pihak berkuasa yang mempunyai kuasa melantik anggota Perbadanan di bawah seksyen 4;

“Pengerusi” ertinya Pengerusi Perbadanan dan termasuklah Timbalan Pengerusi dan mana-mana Pengerusi sementara yang dilantik di bawah seksyen 4;

“Perbadanan” ertinya Perbadanan Kemajuan Negeri Kedah yang ditubuhkan bagi maksud pembangunan kemajuan bandar dan luar bandar di bawah seksyen 3;

“Dewan Negeri” ertinya Dewan Negeri Negeri Kedah;

“anggota” atau “anggota Perbadanan” ertinya seseorang anggota Perbadanan yang dilantik di bawah seksyen 4;

“Menteri Besar” ertinya Menteri Besar Negeri Kedah; dan

“Menteri” ertinya Perdana Menteri atau mana-mana Menteri sebagaimana yang dinamakan olehnya;

“Negeri” ertinya Negeri Kedah.

BAHAGIAN II

PERBADANAN

Penubuhan dan pemerbadanan Perbadanan Kemajuan Negeri Kedah

3. (1) Suatu pertubuhan perbadanan bernama “Perbadanan Kemajuan Negeri Kedah” ditubuhkan.

(2) Perbadanan hendaklah kekal turun-temurun.

(3) Perbadanan boleh membawa guaman dan dibawa guaman terhadapnya atas namanya.

(4) Perbadanan boleh—

(a) membuat kontrak;

(b) memperoleh, membeli, mengambil, memegang dan menikmati harta alih dan harta tak alih; dan

(c) memindahkan, menyerahkan, menyerahkan balik, memulangkan, menggadaikan, menggadaikan, mendemiskan, menyerahkan semula, memindahkan hakmilik atau dengan apa-apa cara lain melupuskan, atau menjalankan urusan mengenai apa-apa harta alih atau tak alih atau apa-apa kepentingan mengenai harta itu yang terletak hak kepada Perbadanan mengikut apa-apa syarat yang disifatkan patut oleh Perbadanan.

Pembentukan Perbadanan

4. (1) Tertakluk kepada subseksyen (2), Perbadanan hendaklah terdiri daripada—

- (a) seorang Pengerusi, iaitu Menteri Besar;
- (b) seorang Timbalan Pengerusi, yang hendaklah dilantik oleh Perbadanan daripada anggotanya sendiri. Timbalan Pengerusi hendaklah terus menyandang jawatan itu selagi ia menjadi anggota Perbadanan atau sehingga pelantikannya sebagai Timbalan Pengerusi dibatalkan oleh Perbadanan;
- (c) tidak lebih daripada dua orang anggota *ex officio* yang hendaklah dilantik oleh Menteri Besar dan dua orang anggota lain yang dilantik oleh Raja dalam Mesyuarat dari semasa ke semasa;
- (d) tiga orang wakil Kerajaan Persekutuan yang dilantik oleh Menteri;
- (e) tidak kurang daripada tiga orang anggota yang difikirkan patut dilantik oleh Raja dalam Mesyuarat;
- (f) Ketua Eksekutif Perbadanan yang dilantik di bawah subseksyen 10(1).

(2) Anggota yang dilantik menurut perenggan 1(a), (c), (e) dan (f) hendaklah tidak melebihi sembilan orang anggota.

(3) (a) Tiap-tiap anggota Perbadanan, selain daripada Pengerusi, anggota *ex officio* dan mereka yang dilantik di bawah perenggan 1(e) dan (f), hendaklah memegang jawatan bagi suatu tempoh tidak melebihi dua tahun dari tarikh pelantikannya melainkan jika ia telah meletak jawatan sebelumnya.

(b) Walau apa pun perenggan 3(a), Raja dalam Mesyuarat hendaklah pada mulanya apabila melantik anggota Perbadanan menurut perenggan (1)(e) melantik sekurang-kurangnya seorang anggota selama tempoh tiga tahun, seorang anggota

selama tempoh dua tahun dan seorang anggota selama tempoh setahun supaya tidak kurang daripada satu pertiga daripada anggota Perbadanan selain daripada anggota *ex officio* bersara tiap-tiap tahun.

(4) Anggota Perbadanan boleh dilantik semula apabila habis tempoh jawatannya.

(5) Mana-mana anggota Perbadanan boleh meletakkan jawatannya dengan memberikan notis bertulis yang ditandatangani kepada Pengerusi.

(6) Anggota Perbadanan boleh memilih mana-mana anggota Perbadanan menjadi Pengerusi sementara bagi Perbadanan semasa Pengerusi dan Timbalan Pengerusi Perbadanan tiada berdaya buat sementara kerana sakit atau semasa ketiadaan sementara daripada Persekutuan.

(7) (a) Pengerusi boleh mewakilkan secara bertulis kepada mana-mana anggota, pegawai atau pekhidmat Perbadanan kuasa dan kewibawaan untuk menjalankan bagi pihaknya tugas, kuasa atau fungsinya sebagaimana yang ditentukannya.

(b) Pengerusi boleh bagi maksud perenggan (a), memberikan arahan bagaimana kuasa yang diwakilkan atau kewibawaan itu dilaksanakan dan boleh membatalkan, mengubah suai atau menambah perwakilan itu.

(8) Perbadanan boleh dari semasa ke semasa memutuskan untuk memberi saran kepada Timbalan Pengerusi bagi tempoh tertentu dan atas apa-apa terma yang difikirkannya patut.

(9) Segala perbuatan yang dilakukan oleh anggota atau oleh mana-mana orang yang diguna khidmat oleh Perbadanan, walaupun selepas itu didapati bahawa terdapat kecacatan dalam pelantikan mana-mana anggota atau orang yang diguna khidmat itu seperti yang tersebut dahulu, adalah sah seolah-olah tiap-tiap anggota atau orang itu telah dilantik sewajarnya oleh Perbadanan.

(10) (a) Pihak Berkuasa Melantik boleh membatalkan pelantikan mana-mana anggota Perbadanan selain Pengerusi, jika Pihak Berkuasa Melantik fikir suai manfaat untuk berbuat demikian tanpa memberikan apa-apa sebab bagi pembatalan pelantikan itu —

(i) jika dia telah melakukan apa-apa salah laku, keingkaran atau pecah amanah dalam melaksanakan tugasnya sebagai anggota yang pada pendapat Pihak Berkuasa Melantik menjadikannya tidak layak untuk terus menjadi anggota;

(ii) jika dia telah disabitkan dan dijatuhi hukuman pemenjaraan selama tempoh tidak kurang dari satu tahun bagi kesalahan yang pada pendapat Pihak Berkuasa Melantik menjadikannya wajar bahawa dia hendaklah dipecat daripada jawatannya;

(iii) jika dia menghidap sesuatu keuzuran akal atau jasmani yang pada pendapat Pihak Berkuasa Melantik menjadikannya tidak layak atau selainnya tidak berupaya untuk melaksanakan tugasnya sebagai anggota; dan

(iv) jika dia telah diisytiharkan bankrap.

(b) Anggota Perbadanan hendaklah mengosongkan jawatannya jika dia hilang kelayakan di bawah subperenggan (a)(i) atau gagal menghadiri tiga kali mesyuarat Perbadanan berturut-turut tanpa keizinan atau kebenaran khas bertulis Pengerusi atau orang yang pada masa ini dipertanggungjawabkan dengan pentadbiran am Perbadanan.

(11) Jika mana-mana anggota Perbadanan, selain daripada Pengerusi, atau anggota *ex officio* tiada di Malaysia buat sementara atau tidak berupaya buat sementara untuk menjalankan tugasnya sebagai anggota Perbadanan, seorang lain boleh dilantik untuk menggantikannya oleh Raja dalam Mesyuarat tetapi hendaklah memegang jawatan hanya semasa ketiadaan atau ketidakupayaan anggota itu.

(12) Jika mana-mana anggota meninggal dunia, meletak jawatan atau dipecat di bawah subseksyen (10), kekosongan jawatan itu hendaklah diisi dengan pelantikan baru yang dibuat mengikut cara yang sama sebagaimana pelantikan anggota yang tempatnya hendak diisi itu.

Meterai perbadanan

5. (1) Perbadanan hendaklah mempunyai suatu meterai perbadanan yang mengandungi sesuatu reka bentuk yang diluluskan oleh Perbadanan, dan meterai itu boleh dari semasa ke semasa dipecahkan, ditukar, diubah dan dibuat baru oleh Perbadanan sebagaimana yang difikirkan patut oleh Perbadanan.

(2) Sehingga suatu meterai diadakan oleh Perbadanan di bawah seksyen ini, suatu cap yang mengandungi tulisan “Perbadanan Kemajuan Negeri Kedah” boleh digunakan sebagai meterai perbadanan.

(3) Meterai perbadanan, atau cap yang disebut dalam subseksyen (2), selagi digunakan sebagai meterai perbadanan hendaklah dalam jagaan Pengerusi dan segala surat ikatan, dokumen dan surat cara lain yang menghendaki meterai Perbadanan, hendaklah dimeteraikan dengan meterai atau cap Perbadanan di hadapan Pengerusi dan seorang anggota atau pegawai Perbadanan yang diberi kuasa oleh Perbadanan untuk bertindak bagi pihaknya, yang hendaklah menandatangani apa-apa surat ikatan, dokumen atau surat cara lain itu yang meterai atau cap itu dicapkan dan tandatangan itu hendaklah menjadi bukti yang mencukupi bahawa meterai atau cap itu telah dicapkan dengan sempurna dan sepatutnya dan meterai atau cap itu ialah atau digunakan sebagai meterai yang sah bagi Perbadanan.

(4) Meterai atau cap Perbadanan hendaklah diberi pengiktirafan rasmi dan kehakiman.

Mesyuarat Perbadanan

6. (1) Perbadanan hendaklah bermesyuarat sekurang-kurangnya sekali pada tiap-tiap sembilan puluh hari dari tarikh kuat kuasa Enakmen ini bagi maksud menimbangkan apa-apa urusan yang mengenainya notis hendaklah diberi dengan sempurna dan sekurang-kurangnya sekali dalam setiap tahun dalam mesyuarat itu bagi maksud menimbangkan perbelanjaan tahunan bagi tahun yang akan datang.

(2) Pengerusi boleh pada bila-bila masa memanggil mesyuarat Perbadanan dan hendaklah, apabila diminta secara bertulis oleh tidak kurang daripada tiga orang anggota Perbadanan, memanggil suatu mesyuarat khas dalam masa sepuluh hari dari tarikh permintaan itu.

(3) Minit dalam bentuk yang sepatutnya bagi setiap mesyuarat Perbadanan hendaklah disimpan dan hendaklah disahkan dan ditandatangani oleh Pengerusi secepat yang dapat dilaksanakan sesudah itu dalam mesyuarat yang kemudian.

(4) Perbadanan boleh menjemput mana-mana orang menghadiri mana-mana mesyuarat Perbadanan bagi maksud membantu atau menasihati Perbadanan tetapi orang yang dijemput itu tidak berhak mengundi.

Kuasa Perbadanan untuk mewakilkan

7. (1) Perbadanan boleh melalui ketetapan mewakilkan kepada mana-mana anggota, pegawai atau pekhidmat Perbadanan atau kepada mana-mana jawatankuasa yang mengandungi dua atau lebih anggota, pegawai atau pekhidmat Perbadanan kuasa dan kewibawaan untuk menjalankan bagi pihak mereka apa-apa tugas, kuasa atau fungsi yang ditentukan oleh Perbadanan.

(2) Perbadanan boleh bagi maksud subseksyen (1), memberi arahan bagaimana kuasa yang diwakilkan atau kewibawaan itu dilaksanakan dan boleh pada bila-bila masa membatalkan, mengubah suai atau menambah perwakilan itu.

(3) Tanpa menjejaskan keluasan makna subseksyen (1) dan tertakluk kepada subseksyen (2), Perbadanan boleh dengan ketetapan mewakilkan kepada mana-mana anggota, pegawai atau pekhidmat Perbadanan atau kepada mana-mana jawatankuasa yang mengandungi dua atau lebih anggota, pegawai atau pekhidmat Perbadanan, kuasa untuk membenarkan perbelanjaan, hingga ke suatu had yang hendaklah ditetapkan oleh Perbadanan bagi setiap kes, daripada kumpulan wang atau apa-apa wang lain di bawah kawalan Perbadanan.

(4) Ketetapan untuk mewakilkan apa-apa tugas, kuasa atau fungsi di bawah seksyen ini adalah tidak sah melainkan jika sekurang-kurangnya lima orang anggota Perbadanan mengundi memihak ketetapan itu.

Kuorum mesyuarat Perbadanan

8. (1) Tertakluk kepada subseksyen (2), kuorum Perbadanan di mana-mana mesyuarat hendaklah sekurang-kurangnya setengah daripada anggota-anggota Perbadanan dengan sekurang-kurangnya seorang anggota daripada wakil Kerajaan Persekutuan yang hadir.

(2) Kuorum itu hendaklah sekurang-kurangnya dua pertiga dengan sekurang-kurangnya seorang anggota daripada wakil Kerajaan Persekutuan yang hadir jika mesyuarat menimbang teliti atau memutuskan perkara yang berikut:

- (a) untuk menubuhkan atau menggalakkan penubuhan atau pembesaran syarikat-syarikat atau badan-badan lain untuk menjalankan kegiatan sama ada di bawah kawalan atau kawalan separa Perbadanan atau secara bebas;
- (b) untuk memberi bantuan kewangan kepada mana-mana syarikat, pihak berkuasa berkanun yang lain, apa-apa badan atau orang dengan memiliki syer atau debentur atau dengan cara apa-apa peminjaman, pendahuluan, geran atau sebaliknya;
- (c) untuk membeli, menanggung atau selainnya memperoleh apa-apa saham dan syer dalam mana-mana syarikat awam atau persendirian; atau
- (d) untuk meminjam wang atau membuat jaminan melibatkan liabiliti kewangan.

(3) Jika atas apa-apa persoalan yang hendak ditentukan oleh Perbadanan terdapatnya persamaan undi, orang yang mempengerusikan mesyuarat itu mempunyai undi pemutus.

(4) Tertakluk kepada subseksyen (1), (2) dan (3), Perbadanan boleh menentukan tata caranya sendiri.

Anggota yang berkepentingan tidak boleh berurusan

9. (1) Mana-mana anggota yang mempunyai atau memperoleh, secara langsung atau tidak langsung dengan sendirinya, melalui rakan kongsinya atau ejennya—

- (a) apa-apa syer atau kepentingan dalam apa-apa kontrak yang dibuat dengan atau kerja yang dibuat bagi Perbadanan atau dalam mana-mana syarikat atau dengan mana-mana orang atau berkenaan dengan apa-apa usaha yang dengannya Perbadanan bercadang hendak membuat; atau

- (b) apa-apa kepentingan benefisial dalam tanah yang dicadang hendak diperoleh, dibeli, dipajak atau diuruskan secara lain oleh Perbadanan atau yang ia tahu akan terlibat atau mungkin akan terlibat dengan apa-apa projek, skim atau perusahaan yang diluluskan atau dicadang untuk diluluskan oleh Perbadanan; atau
- (c) apa-apa kepentingan dalam apa-apa perkara yang dalam perbincangan Perbadanan;

hendaklah dengan segera mendedahkan kepada Perbadanan fakta syernya atau kepentingannya dan jenisnya, dan pendedahan itu hendaklah direkodkan dalam minit Perbadanan dan melainkan jika dibenarkan secara khusus oleh Pengerusi, pada mesyuarat itu, anggota itu tidak boleh mengambil bahagian dalam apa-apa prosiding, ketetapan, soalan atau keputusan, atau dalam apa-apa pertimbangan atau perbincangan oleh Perbadanan yang berhubungan dengan kontrak, pemerolehan, pembelian, pajakan, urusan, atau mengambil bahagian dalam apa-apa keputusan, atau apa-apa pertimbangan atau perbincangan oleh Perbadanan mengenai perkara-perkara yang berkaitan dengannya.

(2) Tiada seorang pun boleh dianggap mempunyai atau memperoleh apa-apa syer atau kepentingan dalam sesuatu kontrak dengan Perbadanan hanya oleh sebab dia mempunyai atau memperoleh syer dalam apa-apa pinjaman yang dikeluarkan oleh Perbadanan atau dalam apa-apa cagaran baginya.

BAHAGIAN III

PEGAWAI DAN PEKHIDMAT

Pelantikan pegawai dan pekhidmat Perbadanan

10. (1) Perbadanan hendaklah, dengan kelulusan Raja dalam Mesyuarat, melantik mana-mana orang yang difikirkan sesuai menjadi Ketua Eksekutif Perbadanan yang hendaklah melaksanakan apa-apa tugas sebagaimana yang diamanahkan atau diwakilkan oleh Perbadanan dan mana-mana orang lain untuk berkhidmat kepada Perbadanan dalam kapasiti sebagaimana yang difikirkan patut oleh Perbadanan.

(2) Perbadanan boleh melantik atau mengguna khidmat seorang atau lebih Setiausaha dan mana-mana pegawai dan pekhidmat lain sebagaimana yang semunasabahnya perlu bagi maksud Enakmen ini.

(3) Pegawai dan pekhidmat Perbadanan hendaklah berada di bawah kawalan pentadbiran Ketua Eksekutif.

(4) Semua anggota, pegawai dan pekhidmat Perbadanan hendaklah disifatkan sebagai pekhidmat awam mengikut pengertian Kanun Keseksaan [*Akta 574*].

(5) Orang yang dilantik sebagai Ketua Eksekutif Perbadanan di bawah subseksyen (1) hendaklah sepanjang jangka masa pelantikannya sebagai Ketua Eksekutif Perbadanan menjadi anggota Perbadanan.

(6) Jika Ketua Eksekutif Perbadanan tiada di Malaysia buat sementara atau tidak berupaya buat sementara oleh sebab sakit atau apa-apa sebab lain yang memadai, daripada melaksanakan tugasnya, seorang lain boleh dilantik mengikut cara yang diperuntukkan oleh subseksyen (1) menjadi Ketua Eksekutif Perbadanan semasa ketiadaan atau ketidakupayaan sementara itu.

(7) Saraan, terma dan syarat perkhidmatan Ketua Eksekutif Perbadanan hendaklah ditentukan oleh Raja dalam Mesyuarat.

(8) Pegawai atau pekhidmat Perbadanan tidak boleh menggunakan apa-apa maklumat yang diperolehi oleh sebab kedudukannya sebagai seorang pegawai atau pekhidmat Perbadanan untuk mendapat secara langsung atau tidak langsung kelebihan yang tidak wajar bagi dirinya atau bagi mana-mana orang lain atau untuk menyebabkan kemudaratan kepada Perbadanan.

Tidak layak diambil bekerja sebagai pegawai Perbadanan

11. (1) Tiada seorang pun layak diambil bekerja sebagai Ketua Eksekutif, Setiausaha, pegawai atau pekhidmat Perbadanan yang mempunyai secara langsung atau tidak langsung, oleh dirinya sendiri atau rakan kongsinya atau pasangannya, apa-apa syer atau kepentingan dalam apa-apa kontrak dengan atau bagi pihak Perbadanan.

(2) Ketua Eksekutif, Setiausaha, mana-mana pegawai lain atau pekhidmat Perbadanan yang mempunyai atau memperoleh apa-apa syer atau kepentingan sedemikian boleh mengikut budi bicara Perbadanan dibuang kerja secara terus tanpa notis.

(3) Ketua Eksekutif, Setiausaha, atau mana-mana pegawai lain atau pekhidmat tidak boleh dianggap sebagai memiliki atau memperoleh apa-apa syer atau kepentingan sedemikian hanya oleh sebab—

(a) dia ialah anggota bagi apa-apa syarikat yang diperbadankan yang mempunyai tanah yang terletak di Malaysia atau mempunyai kontrak dengan atau melaksanakan kerja bagi Perbadanan, melainkan jika dia mempunyai kepentingan benefisial dalam syer syarikat itu dan jumlah nilai nominal syer itu melebihi sepuluh ribu ringgit atau satu per sepuluh daripada jumlah nilai nominal modal syer terbitan syarikat itu mengikut mana-mana yang kurang; atau

(b) dia mempunyai atau memperoleh bahagian dalam mana-mana pinjaman yang dikeluarkan oleh Perbadanan atau dalam mana-mana cagaran bagi pinjaman itu.

Akta Perlindungan Pihak Berkuasa Awam 1948

12. Akta Perlindungan Pihak Berkuasa Awam 1948 [*Akta 198*] hendaklah terpakai bagi apa-apa tindakan, guaman, pendakwaan atau prosiding terhadap Perbadanan atau terhadap mana-mana anggota, pegawai, pekhidmat atau ejen Perbadanan berkenaan dengan apa-apa perbuatan, pengabaian atau keingkaran yang dibuat atau yang dilakukan oleh Perbadanan atau mana-mana orang atas sifat sedemikian.

BAHAGIAN IV

TUGAS DAN KUASA PERBADANAN

Tugas Perbadanan

13. Tugas Perbadanan adalah—

(a) untuk menggalakkan atau mengusahakan pembangunan mana-mana kawasan kediaman, perindustrian, pertanian dan perdagangan dalam Negeri yang ditetapkan bagi maksud itu;

- (b) untuk menggalakkan atau mengusahakan apa-apa jenis perniagaan, perdagangan dan perusahaan komersial termasuk perusahaan pertanian, perindustrian, perumahan dan perlombongan dalam Negeri atau di mana saja dalam Malaysia sebagaimana yang fikirkan patut oleh Perbadanan;
- (c) untuk menggalakkan, bilamana perlu, mana-mana syarikat atau syarikat-syarikat bagi apa-apa maksud yang dinyatakan dalam perenggan (b);
- (d) untuk bertindak sebagai pihak berkuasa tempatan di dalam kawasan yang di luar kawasan pihak berkuasa tempatan jika dibenarkan sedemikian mengikut mana-mana undang-undang bertulis; dan
- (e) untuk menjalankan segala apa-apa tindakan dan perkara lain yang perlu bagi pelaksanaan kesemua atau mana-mana fungsi atau tugas Perbadanan di bawah Enakmen ini atau menjalankan apa-apa fungsi lain sebagai suatu badan atau pihak berkuasa jika dilantik sedemikian oleh Kerajaan Negeri atau Kerajaan Persekutuan mengikut mana-mana undang-undang bertulis.

Kuasa am Perbadanan

14. Perbadanan boleh—

- (a) membeli, menukarkan, memajak dan memegang milik tanah, bangunan dan harta tak alih lain;
- (b) membina rumah, rumah pangsa, tenemen, kedai dan rumah kedai, mengubah mana-mana rumah, kedai atau rumah kedai menjadi rumah pangsa atau tenemen;
- (c) membeli, menukarkan, memajak dan memegang milik tanah bagi maksud pemajuan dan penjualan semula kepada orang ramai sebagai lot bangunan dan bagi maksud mengadakan tempat lapang dan padang permainan;
- (d) membuat apa-apa kerja di atas tanah yang perlu bagi maksud memajukannya sebagai tanah bangunan;

- (e) membeli, menukarkan, memajak dan memegang milik tanah lombong, tanah pertanian dan tanah balak bagi maksud perlombongan, pembangunan pertanian dan pembalakan mengikut susunannya masing-masing;
- (f) menjual tanah, bangunan atau harta tak alih lain;
- (g) memajak kepada orang lain mengikut peruntukan mana-mana undang-undang yang berkuat kuasa dalam Negeri yang berhubungan dengan tanah atau urusan berkenaan dengan tanah, dari sebulan ke sebulan atau selainnya, mana-mana tanah atau bangunan atau harta tak alih lain pada apa-apa kadar sewa dan tertakluk kepada apa-apa terma dan syarat yang difikirkan patut oleh Perbadanan;
- (h) membuat kontrak dengan orang lain bahawa orang itu mestilah membina atau membuat apa-apa kerja bagi pihak Perbadanan;
- (i) membuat apa-apa kontrak atau membuat apa-apa perbuatan atau perkara lain yang perlu dan wajar bagi menguatkuasakan maksud Enakmen ini; dan
- (j) membuat perkongsian atau apa-apa perkiraan bagi pembahagian keuntungan, gabungan kepentingan, kerjasama, usaha sama, konsesi bersaling atau selainnya dengan mana-mana orang, badan, pihak berkuasa atau syarikat yang menjalankan atau melibatkan diri dalam apa-apa perniagaan atau transaksi yang boleh dijalankan supaya boleh memanfaatkan secara langsung atau tak langsung dan mengambil atau selainnya memperoleh saham dan sekuriti mana-mana syarikat itu, dan menjual, memegang milik, mengeluarkan semula, dengan atau tanpa jaminan, atau selainnya membuat urusan mengenai saham dan sekuriti itu.

Kuasa am untuk mengambil tanah melalui Pihak Berkuasa Negeri

15. (1) Jika mana-mana harta tak alih yang bukan tanah Kerajaan Negeri atau tanah rizab diperlukan bagi maksud Perbadanan dan tidak boleh diambil melalui perjanjian, Pihak Berkuasa Negeri boleh, jika difikirkannya perlu, mengarahkan pengambilan harta tak alih itu, dan

harta tak alih itu boleh diambil mengikut mana-mana undang-undang bertulis yang berhubungan dengan pengambilan tanah bagi maksud awam yang pada masa itu berkuat kuasa dalam Negeri di mana harta tak alih itu terletak, dan apa-apa pengisytiharan yang dikehendaki di bawah mana-mana undang-undang bertulis itu bahawa tanah itu diperlukan sedemikian boleh dibuat walaupun pampasan akan dibayar daripada kumpulan wang Perbadanan, dan pengisytiharan tersebut hendaklah berkuat kuasa seolah-olah ia ialah pengisytiharan bahawa tanah itu diperlukan bagi maksud awam yang dibuat mengikut undang-undang bertulis itu.

(2) Perbelanjaan dan pampasan berkenaan dengan apa-apa harta tak alih yang diambil di bawah subseksyen (1) hendaklah dibayar oleh Perbadanan.

(3) Jika apa-apa harta tak alih telah diambil di bawah subseksyen (1), Perbadanan hendaklah mengambil dokumen hakmilik yang perlu berkenaan dengan harta tak alih itu dan hendaklah membayar sewa yang dikenakan ke atas harta tak alih itu.

Kuasa meminjam

16. (1) Perbadanan boleh dari semasa ke semasa meminjam, pada apa-apa kadar bunga dan bagi apa-apa tempoh, dan atas apa-apa terma mengenai masa dan cara pembayaran balik dan memperoleh pembayaran balik dan selainnya dengan kelulusan Menteri Kewangan, apa-apa jumlah wang yang diperlukan bagi maksud membayar apa-apa perbelanjaan modal yang ditanggung atau akan ditanggung di bawah peruntukan Enakmen ini atau membayar balik apa-apa wang yang dipinjam dahulu.

(2) Bagi maksud seksyen ini, “perbelanjaan modal” ertinya—

- (a) pampasan yang kena dibayar oleh Perbadanan bagi pengambilan tanah;
- (b) kos mengambil tanah, bangunan atau harta tak alih lain bagi maksud Enakmen ini;
- (c) kos bagi membina atau mengubah suai bangunan atau membuat kerja yang perlu bagi pembangunan mana-mana tanah sebagai tanah bangunan bagi maksud Enakmen ini;

- (d) pinjaman yang diberikan oleh Perbadanan kepada mana-mana orang di bawah seksyen 19; dan
- (e) apa-apa perbelanjaan lain yang dipertanggungjawabkan dengan sepatutnya pada akaun modal.

Pinjaman boleh dicagar dengan gadai janji

17. Perbadanan boleh menjamin pembayaran balik apa-apa jumlah wang yang dipinjam melalui gadai janji atau gadaian, di sisi undang-undang atau ekuiti, apa-apa harta yang terletak hak kepada Perbadanan, atau apa-apa hasil yang akan diterima oleh Perbadanan di bawah Enakmen ini atau mana-mana undang-undang bertulis lain.

Penguatkuasaan cagaran

18. Jika apa-apa harta digadai atau digadaijanjikan kepada Perbadanan sebagai cagaran bagi suatu pinjaman di bawah peruntukan Enakmen ini dijual bagi maksud penguatkuasaan cagaran itu, Perbadanan boleh semasa penjualan melalui lelongan awam membeli harta itu dan boleh sama ada mengurus dan memegang milik harta itu atau menjual atau selainnya melupuskannya sebagaimana yang difikirkannya patut.

Kuasa memberi pinjaman

19. (1) (a) Perbadanan boleh memberi pinjaman atau pendahuluan daripada kumpulan wang Perbadanan kepada mana-mana orang bagi maksud membolehkan atau menolong orang itu membeli harta tak alih bagi maksud membina rumah atau membina atau mengubah suai bangunan atau membuat apa-apa kerja yang perlu bagi memajukan mana-mana tanah sebagai tanah bangunan bagi maksud perusahaan perumahan dan/atau perdagangan atau perindustrian.
- (b) Perbadanan boleh memberi pendahuluan atau meminjamkan wang atas apa-apa syarat yang difikirkan patut oleh Perbadanan, kepada pelanggan atau orang lain atau perbadanan yang mempunyai urusan dengan Perbadanan, dan memberi apa-apa jaminan yang disifatkan perlu.

(2) Tiap-tiap pinjaman atau pendahuluan di bawah subseksyen (1) hendaklah dibuat atas cagaran hakmilik untuk selama-lamanya bagi tanah atau pajakan tanah (selain daripada pajakan lombong) bagi tempoh sekurang-kurangnya lima puluh tahun sebelum luput pada masa pinjaman atau pendahuluan itu dan cagaran itu hendaklah secara gadaian.

(3) Tiada pinjaman atau pendahuluan boleh diberikan di bawah seksyen ini ke atas cagaran harta yang telah tertakluk kepada gadaian terdahulu.

(4) Amaun apa-apa pinjaman atau pendahuluan yang diberikan di bawah seksyen ini tidak boleh melebihi tujuh puluh lima peratus daripada nilai harta itu pada masa itu.

Kuasa menjamin

20. Perbadanan boleh dari semasa ke semasa, dengan kelulusan Menteri Kewangan, menjamin atau menjadi bertanggung atas apa-apa pembayaran wang atau pembayaran semula pinjaman bagi apa-apa obligasi atau kontrak yang diusahakan oleh mana-mana orang atau syarikat yang dijalankan oleh sebab dan dengan kuasa nyata Perbadanan.

Kesalahan berkenaan dengan pinjaman

21. Mana-mana orang yang —

- (a) memperoleh pinjaman daripada Perbadanan di bawah peruntukan Enakmen ini dengan cara apa-apa representasi palsu;
- (b) sengaja menggunakan apa-apa pinjaman yang diberikan kepadanya oleh Perbadanan di bawah peruntukan Enakmen ini bagi apa-apa maksud selain daripada maksud yang baginya pinjaman itu diberikan; dan
- (c) setelah memperoleh pinjaman daripada Perbadanan, dengan sengaja memusnahkan apa-apa cagaran yang diberikan berhubung dengan apa-apa pinjaman itu,

boleh didenda dua ribu ringgit.

BAHAGIAN V

KUMPULAN WANG DAN HASIL PERBADANAN

Kumpulan wang Perbadanan

22. (1) Maka hendaklah ditubuhkan dua kumpulan wang yang dinamakan Kumpulan Wang Modal dan Kumpulan Wang Hasil.

(2) Kumpulan Wang Modal hendaklah mengandungi—

- (a) apa-apa jumlah wang yang dari semasa ke semasa dibayar kepada Perbadanan daripada hasil am Negeri Kedah, atau disumbangkan oleh Kerajaan Negeri Kedah atau mana-mana Kerajaan di dalam Persekutuan atau oleh mana-mana orang lain atau apa-apa pemberian daripada Kerajaan Persekutuan bagi maksud Perbadanan;
- (b) apa-apa jumlah wang yang dari semasa ke semasa diperolehi Perbadanan melalui pinjaman;
- (c) segala wang lain termasuklah pindahan daripada Kumpulan Wang Hasil yang boleh dibayar ke dalam Kumpulan Wang Modal melalui ketetapan Perbadanan atau melalui apa-apa cara lain yang diperuntukkan bagi maksud itu;
- (d) segala harta lain bagi Perbadanan yang bukan sebahagian daripada Kumpulan Wang Hasil.

(3) Kumpulan Wang Hasil hendaklah mengandungi apa-apa wang permulaan yang dibayarkan ke dalam Kumpulan Wang Hasil dan segala wang yang diperolehi melalui pendapatan, keuntungan atau faedah atas penggunaan Kumpulan Wang Modal atau Kumpulan Wang Hasil.

Had menggunakan Kumpulan Wang Modal

23. (1) Kumpulan Wang Modal boleh digunakan atau dibelanjakan bagi apa-apa tujuan yang diluluskan di bawah seksyen 13 dan bagi menjalankan kuasa di bawah seksyen 14 dan 19.

(2) Kumpulan Wang Modal hendaklah hanya digunakan atau dibelanjakan pada syarat yang direka bagi memastikan pulangan kepada Kumpulan Wang itu apa-apa jumlah wang yang digunakan atau dibelanjakan.

Penggunaan Kumpulan Wang Hasil

24. (1) Tertakluk kepada subseksyen (2), Kumpulan Wang Hasil Perbadanan itu bolehlah digunakan bagi membayar perbelanjaan yang berikut:

- (a) belanja dan elaun anggota;
 - (b) gaji, fi atau saraan bagi pegawai, agen dan pekhidmat, dan teknikal atau lain-lain penasihat bagi Perbadanan;
 - (c) semua kos, bayaran dan perbelanjaan bagi dan berkenaan dengan hal menjalankan kuasa Perbadanan menurut Enakmen ini;
 - (d) bunga di atas apa-apa wang yang dipinjam oleh Perbadanan;
 - (e) wang yang dikehendaki bagi membayar wang yang dipinjam;
 - (f) wang yang difikir patut diasingkan berkenaan dengan kesusutan di atas harta-benda Perbadanan;
 - (g) apa-apa bayaran lain bagi arkitek, pengurusan dan bayaran agensi;
 - (h) apa-apa perbelanjaan lain yang dibenarkan oleh Perbadanan dan boleh dibayar daripada kira-kira hasil dengan betulnya;
 - (i) apa-apa sumbangan atau bantuan kewangan atau kedua-duanya yang dibenar oleh Perbadanan kepada Kerajaan Negeri Kedah atau terhadap apa-apa projek atau usaha-usaha yang dijalankan oleh Kerajaan Negeri Kedah;
- (2) (a) Perbadanan hendaklah menanggung bayaran-bayaran dan/atau perbelanjaannya daripada wang dalam Kumpulan Wang menurut anggaran-anggaran yang akan dibenarkan di perenggan (b).

- (b) sebelum permulaan bulan September tiap-tiap tahun, Perbadanan hendaklah menyerahkan kepada Menteri Besar satu anggaran perbelanjaan tahun berikutnya dalam borang-borang tertentu dan dengan butiran tertentu seperti yang dikehendaki oleh Menteri Besar, dan sebelum permulaan bulan November tiap-tiap tahun, Menteri Besar akan memberitahu Perbadanan jumlah anggaran yang dibenarkan bagi perbelanjaan am atau jumlah anggaran yang dibenarkan bagi tiap-tiap butiran perbelanjaan.
- (c) Perbadanan boleh pada bila-bila masa menyerahkan kepada Menteri Besar satu anggaran tambahan bagi mana-mana satu tahun dan Menteri Besar boleh membenarkan kesemua atau mana-mana bahagian di dalam perbelanjaan tambahan itu.

Pelaburan

25. Harta Perbadanan boleh, setakat mana yang ianya tidak dikehendaki untuk perbelanjaan oleh Perbadanan di bawah Enakmen ini, dilaburkan menurut cara-cara yang dibenarkan oleh Menteri Kewangan.

Akaun bank

26. (1) Semua wang yang dibayar kepada Perbadanan hendaklah dengan serta-merta dibayarkan ke dalam akaun di dalam bank tertentu atau bank-bank yang dibenarkan oleh Perbadanan.

(2) Semua perintah atau cek terhadap akaun yang tersebut hendaklah ditandatangani oleh Pengerusi dan seorang anggota atau seorang pegawai Perbadanan yang diberi kuasa oleh Perbadanan.

Akaun dan audit

27. (1) Perbadanan hendaklah menyimpan akaun yang betul dan lain-lain rekod berkenaan dengan perjalanannya, dan menyebabkan diadakan penyata kira-kira berkenaan dengan tiap-tiap tahun kewangan.

(2) Akaun Perbadanan itu hendaklah diauditkan tiap-tiap tahun oleh juru audit yang dilantik oleh Perbadanan dengan kebenaran Menteri Kewangan.

(3) Pada penghujung tiap-tiap tahun kewangan, selepas sahaja akaun Perbadanan diauditkan, Perbadanan hendaklah menghantar satu salinan penyata akaun kepada Menteri, bersama-sama satu salinan mana-mana laporan atau mana-mana penyata perjalanan Perbadanan atau apa-apa pemerhatian yang dibuat oleh Ketua Audit Negara atau juru audit yang dilantik di bawah subseksyen (2) di atas apa-apa penyata atau perjalanan Perbadanan.

(4) Menteri Besar hendaklah mengarah atau memerintahkan satu salinan tiap-tiap penyata tersebut dibentangkan di Dewan Negeri.

Laporan tahunan

28. (1) Perbadanan hendaklah, tidak lewat daripada 30 Jun tiap-tiap tahun, membuat dan menghantarkan satu laporan mengenai aktiviti-aktiviti Perbadanan sepanjang masa tahun terdahulu kepada Menteri dan Menteri Besar.

(2) Menteri Besar hendaklah mengarah atau memerintahkan satu salinan tiap-tiap laporan tersebut dibentangkan di Dewan Negeri.

Kuasa menggunakan ejen

29. Perbadanan boleh menggunakan dan membayar gaji ejen dan penasihat teknik sama ada peguam cara, banker, broker saham, juruukur atau penilai atau lain-lain orang bagi menjalankan apa-apa pekerjaan atau membuat apa-apa perbuatan yang dikehendaki menjalankan atau menyempurnakan bagi menjalankan tanggungan Perbadanan atau bagi menjalankan dengan lebih sempurna maksud Enakmen ini dan boleh membayar semua belanja dan bayaran yang ditanggung itu.

Pengecualian

30. Tidak tertakluk kepada apa-apa yang terkandung di dalam mana-mana undang-undang bertulis, Raja dalam Mesyuarat boleh, dengan perintah, mengecualikan Perbadanan daripada pembayaran duti setem di bawah Akta Setem 1949 [*Akta 378*], atas apa-apa kadar, cukai, bayaran yang boleh dilevikan atau dikutipkan oleh mana-mana Penguasa Tempatan dalam Negeri ini berhubung dengan apa-apa harta yang dipunyai oleh Perbadanan di atas dan tertakluk kepada sekian-sekian syarat yang akan dipertetapkan oleh Raja dalam Mesyuarat.

BAHAGIAN VI

PENGGULUNGAN PERBADANAN

Penggulungan

31. (1) Raja dalam Mesyuarat boleh, setelah ada keterangan yang menunjukkan bahawa Perbadanan itu tidak berjaya menjalankan tugas-tugasnya menurut seksyen 13, dengan perintah yang diwartakan dalam *Warta*, mengarahkan Perbadanan digulungkan dan dibubarkan.

(2) Perbadanan boleh pada bila-bila masa dengan keputusan anggotanya digulungkan secara sukarela.

(3) Setelah Perbadanan dibubarkan apa-apa harta berlebihan yang timbul daripada pembubaran Perbadanan hendaklah, setelah dibayar kesemua tanggungan diselesaikan dengan cara yang akan ditetapkan oleh Menteri selepas berunding dengan Raja dalam Mesyuarat dan apa-apa kekurangan hendak ditanggungkan dengan wang yang diperuntukkan oleh Dewan Negeri.

(4) Penggulungan Perbadanan itu hendaklah dijalankan dengan cara yang dipertetapkan oleh Raja dalam Mesyuarat.

BAHAGIAN VII

PELBAGAI PERKARA

Peraturan dan perintah tetap

32. (1) Perbadanan boleh membuat peraturan-peraturan dan perintah tetap berkenaan dengan mana-mana perkara yang tersebut di bawah ini:

- (a) mengaturkan pembelinya;
- (b) membuka, menyimpan, menutup dan mengaudit akaun;
- (c) menyelenggarakan perjanjian, dan cara dan orang-orang yang boleh membuat perjanjian itu bagi pihaknya;

- (d) memberi pinjaman menurut syarat di bawah seksyen 19 di dalam Enakmen ini;
- (e) apa-apa perkara yang lain yang mustahak atau patut diperbuatkan perintah tetap bagi menjalankan dengan lebih sempurna maksud Enakmen ini;
- (f) gaji yang akan dibayar kepada pegawai dan pekhidmat Perbadanan itu;
- (g) pada amnya menjalankan kuasa dan tugas Perbadanan di bawah peruntukan Enakmen ini.

(2) Tidak ada apa-apa di dalam Enakmen ini akan menyekat Perbadanan dengan kebenaran Menteri daripada membuat peraturan bagi menjalankan peruntukan Enakmen ini dengan lebih licin.

Perbadanan boleh dianggap sebagai Melayu

33. Untuk tujuan Enakmen Rezab-rezab Melayu Kedah No. 63, Perbadanan hendaklah dianggap sebagai Melayu.

Pemberian

34. Perbadanan boleh menerima mana-mana pemberian yang dibuat kepada Perbadanan untuk semua atau mana-mana tujuan yang ditetapkan di dalam seksyen 13 dan 14 dan tertakluk kepada terma mana-mana pemberian, menggunakan pemberian bagi tujuan tersebut di dalam Enakmen ini.

Peruntukan bagi Incorporation (State Legislatures Competency) Act 1962

35. Peruntukan bagi Incorporation (State Legislatures Competency) Act 1962 [*Act 380*] hendaklah terpakai dengan ubah suaian yang perlu kepada Enakmen ini seolah-olah ia dimasukkan ke dalam Enakmen ini.

UNDANG-UNDANG NEGERI KEDAH DARUL AMAN

Enakmen 22

ENAKMEN PERBADANAN KEMAJUAN NEGERI KEDAH 1965

(Disemak – 2014)

*Butir-butir di bawah perenggan 5(b) dan (c) Enakmen Penyemakan
Undang-Undang (Kedah Darul Aman) 2005 [Enakmen I]*

SENARAI PINDAAN

Undang-undang yang meminda	Tajuk ringkas	Berkuat kuasa dari
Enakmen 8/1972	Enakmen Perbadanan Kemajuan Negeri Kedah (Pindaan) 1972	23-06-1972
Enakmen 3/1976	Enakmen Perbadanan Kemajuan Negeri Kedah (Pindaan) 1976	22-04-1976
Enakmen 7/1988	Undang-undang Perbadanan Kemajuan Negeri Kedah (Pindaan Ketiga) 1988	01-10-1988
Enakmen 3/1995	Undang-undang Kemajuan Negeri Kedah (Pindaan) 1994	01-01-1995
Enakmen A33/2017	UUKNK (Pindaan) 2017	25-05-2017

SENARAI UNDANG-UNDANG ATAU BAHAGIAN-BAHAGIANNYA YANG DIGANTIKAN ATAU DIMANSUHKAN

No. Tajuk

- TIADA -

UNDANG-UNDANG NEGERI KEDAH DARUL AMAN

Enakmen 22

ENAKMEN PERBADANAN KEMAJUAN NEGERI KEDAH 1965

(Disemak – 2014)

SENARAI SEKSYEN YANG DIPINDA

Seksyen	Kuasa meminda	Berkuat kuasa dari
2	Enakmen 3/1976	22-04-1976
4	Enakmen 8/1972 Enakmen 3/1976 Enakmen 7/1988	23-06-1972 22-04-1976 01-10-1988
7	Enakmen 3/1976 Enakmen 7/1988	22-04-1976 01-10-1988
6A	Enakmen 7/1988	01-10-1988
8	Enakmen 3/1976	22-04-1976
9	Enakmen 7/1988	01-10-1988
9A 10(1)	Enakmen 7/1988	01-10-1988
11	Enakmen 3/1976	22-04-1976
12	Enakmen 3/1976	22-04-1976
12A	Enakmen 7/1988	01-10-1988
13	Enakmen 3/1976	22-04-1976
14A	Enakmen 7/1988	01-10-1988
15	Enakmen 3/1976	22-04-1976
15A	Enakmen 3/1976	22-04-1976



LAWS OF THE STATE OF KEDAH DARUL AMAN

Enactment 22

KEDAH STATE DEVELOPMENT CORPORATION ENACTMENT 1965

(Revised – 2014)

REVISED BY
THE COMMISSIONER OF LAW REVISION, KEDAH
UNDER THE AUTHORITY OF THE REVISION OF LAWS
(KEDAH DARUL AMAN) ENACTMENT 2005
2014

**KEDAH STATE DEVELOPMENT CORPORATION
ENACTMENT 1965**

Date of Royal Assent	...	...	...	...	25 August 1965
Revised up to	...	...	...	...	1 October 2014
Date of publication in the <i>Gazette</i> of this revised version	...	...	...	...	23 October 2014
Date appointed for coming into force of this revised version pursuant to <i>paragraph</i> <i>5(1)(x) of the Revision of Laws</i> <i>(Kedah Darul Aman) Enactment 2005</i> [<i>Enactment 1</i>]	...	...	...	...	23 October 2014

First enacted in 1965 as Enactment No. 5 of 1965

Hakcipta Pencetak (H)

PERCETAKAN NASIONAL MALAYSIA BERHAD

Semua Hak Terpelihara. Tiada mana-mana bahagian jua daripada penerbitan ini boleh diterbitkan semula atau disimpan di dalam bentuk yang boleh diperolehi semula atau disiarkan dalam sebarang bentuk dengan apa jua cara elektronik, mekanikal, fotokopi, rakaman dan/atau sebaliknya tanpa mendapat izin daripada Percetakan Nasional Malaysia Berhad (Pencetak kepada Kerajaan Malaysia yang dilantik).

LAWS OF THE STATE OF KEDAH DARUL AMAN

Enactment 22

**KEDAH STATE DEVELOPMENT CORPORATION
ENACTMENT 1965**

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title
2. Interpretation

PART II

THE CORPORATION

3. Establishment and incorporation of the Kedah State Development Corporation
4. Constitution of the Corporation
5. Common seal
6. Meetings of the Corporation
7. Power of the Corporation to delegate
8. Quorum of the meeting of the Corporation
9. Member interested not to act

PART III

OFFICERS AND SERVANTS

10. Appointment of officers and servants of the Corporation
11. Ineligibility for employment as officer of the Corporation
12. Public Authorities Protection Act 1948

PART IV

DUTIES AND POWERS OF THE CORPORATION

Section

13. Duty of the Corporation
14. General powers of the Corporation
15. General power to acquire land through the State Authority
16. Power of borrowing
17. Loans may be secured by mortgage
18. Enforcement of securities
19. Power to make loans
20. Power to guarantee
21. Offences in respect of loans

PART V

FUNDS AND REVENUES OF THE CORPORATION

22. Funds of the Corporation
23. Limitation upon use of Capital Fund
24. Use of Revenue Fund
25. Investment
26. Bank account
27. Accounts and audit
28. Annual report
29. Power to employ agents
30. Exemptions

PART VI

WINDING UP OF THE CORPORATION

31. Winding up

PART VII

MISCELLANEOUS

Section

32. Standing rules and orders
33. The Corporation considered to be a Malay
34. Gifts
35. Provisions of the Incorporation (State Legislatures Competency) Act 1962



LAWS OF THE STATE OF KEDAH DARUL AMAN**Enactment 22****KEDAH STATE DEVELOPMENT CORPORATION
ENACTMENT 1965**

An Enactment to provide for the constitution of the Kedah State Development Corporation and for matters incidental thereto.

[9 September 1965]

PART I**PRELIMINARY****Short title**

1. This Enactment may be cited as the Kedah State Development Corporation Enactment 1965.

Interpretation

2. In this Enactment unless the context otherwise requires—

“Appointing Authority” means the authority having the power to appoint the members of the Corporation under section 4;

“Chairman” means the Chairman of the Corporation and includes the Deputy Chairman and any temporary Chairman appointed under section 4;

“Corporation” means the Kedah State Development Corporation established for the purpose of the development of urban and rural development under section 3;

“Legislative Assembly” means the Legislative Assembly of the State of Kedah;

“member” or “member of the Corporation” means a member of the Corporation appointed under section 4;

“Menteri Besar” means the Menteri Besar of the State of Kedah; and

“Minister” means the Prime Minister or such Minister as may be nominated by him;

“State” means the State of Kedah.

PART II

THE CORPORATION

Establishment and incorporation of the Kedah State Development Corporation

3. (1) A body corporate by the name of “Kedah State Development Corporation” is established.

(2) The Corporation shall have perpetual succession.

(3) The Corporation may sue and be sued in its name.

(4) The Corporation may—

(a) enter into contracts;

(b) acquire, purchase, take, hold and enjoy movable and immovable property; and

(c) convey, assign, surrender, yield up, charge, mortgage, demise, reassign, transfer, or otherwise dispose of, or deal with, any movable or immovable property or any interest in the property vested in the Corporation upon such terms as the Corporation considers fit.

Constitution of the Corporation

4. (1) Subject to subsection (2), the Corporation shall consist of—

(a) a Chairman, who is the Menteri Besar;

(b) a Deputy Chairman, who shall be appointed by the Corporation from amongst its own members. The Deputy Chairman shall continue as such for as long as he continues to be a member of the Corporation or until his appointment as a Deputy Chairman is cancelled by the Corporation;

- (c) not more than two *ex-officio* members who shall be appointed by the Menteri Besar and two other members to be appointed by the Ruler in Council from time to time;
 - (d) three representatives of the Federal Government to be appointed by the Minister;
 - (e) not less than three members who may be considered fit to be appointed by the Ruler in Council;
 - (f) the Chief Executive of the Corporation appointed under subsection 10(1).
- (2) Members appointed pursuant to paragraphs (1)(a), (c), (e) and (f) shall not exceed nine members.
- (3) (a) Every member of the Corporation, other than the Chairman, the *ex-officio* members and those appointed under paragraphs 1(e) and (f), shall hold office for a term not exceeding two years from the date of his appointment unless he has previously resigned from his office.
- (b) Notwithstanding paragraph (3)(a), the Ruler in Council shall in the first instance in appointing members of the Corporation pursuant to paragraph (1)(e) appoint at least one member for a period of three years, one member for a period of two years and one member for a period of one year so that not less than one third of the members of the Corporation other than the *ex-officio* members shall retire every year.
- (4) A member of the Corporation may be reappointed upon the expiry of his term of office.
- (5) Any member of the Corporation may resign his office by notice in writing signed by him given to the Chairman.
- (6) The members of the Corporation may elect any member of the Corporation to be temporary Chairman of the Corporation during the temporary incapacity through illness or during the temporary absence from the Federation, of the Chairman and Deputy Chairman of the Corporation.

(7) (a) The Chairman may delegate in writing to any member, officer or servant of the Corporation the power and authority to carry out on his behalf his duties, powers or functions as he may determine.

(b) The Chairman may, for the purpose of paragraph (a), give directions as to the manner in which such delegated power or authority is to be exercised and may revoke, modify or increase such delegation.

(8) The Corporation may from time to time decide upon remunerating the Deputy Chairman for such period and upon such terms as it thinks fit.

(9) All acts done by the members or by any person employed by the Corporation may, notwithstanding that it is afterwards discovered that there was some defect in the appointment of any such member or person so employed as aforesaid, be as valid as if every such member or person had been duly appointed by the Corporation.

(10) (a) The Appointing Authority may revoke the appointment of any member of the Corporation other than the Chairman, if the Appointing Authority thinks it is expedient so to do without assigning any reason for the revocation of appointment—

- (i) if he has committed any misconduct, default or breach of trust in the discharge of his duties as a member which in the opinion of the Appointing Authority renders him unfit to continue to be a member;
- (ii) if he has been convicted and sentenced to imprisonment for a term of not less than one year for an offence of such nature as in the opinion of the Appointing Authority renders it desirable that he should be removed from office;
- (iii) if he is suffering from some mental or physical infirmity as in the opinion of the Appointing Authority renders him unfit or is otherwise incapable of performing his duties as a member; and

(iv) if he has been declared a bankrupt.

(b) A member of the Corporation shall vacate his office if he becomes disqualified under subparagraph (a)(i) or fails to attend three consecutive meetings of the Corporation without special leave or permission in writing of the Chairman or the person for the time being charged with the responsibility of the general administration of the Corporation.

(11) If any member of the Corporation, other than the Chairman, or an *ex-officio* member, is temporarily absent from Malaysia or temporarily incapacitated to carry out his duties as a member of the Corporation, another person may be appointed in his place by the Ruler in Council but shall hold office only during such absence or incapacity of such member.

(12) If any member dies, resigns or is removed from office under subsection (10), the vacancy caused shall be filled by a fresh appointment made in the same manner as that in which the member, whose place it is intended to fill thereby, was appointed.

Common seal

5. (1) The Corporation shall have a common seal which shall bear such device as the Corporation may approve and such seal may from time to time be broken, changed, altered and made anew by the Corporation, as the Corporation may think fit.

(2) Until a seal is provided by the Corporation under this section, a stamp bearing the inscription “Kedah State Development Corporation”, may be used as the common seal.

(3) The common seal, or stamp referred to in subsection (2) so long as it is used as the common seal, shall be in the custody of the Chairman and all deeds, documents and other instruments requiring the seal of the Corporation shall be sealed with the seal or stamp of the Corporation in the presence of the Chairman and of a member or an officer of the Corporation authorized by the Corporation to act in that behalf, who

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

(4) The seal or stamp of the Corporation shall be officially and judicially noticed.

Meetings of the Corporation

6. (1) The Corporation shall meet at least once in every ninety days from the date of the coming into force of this Enactment for the purpose of considering any business of which due notice shall have been given and at least once in each year at such meetings for the purpose of considering the annual budget for the next ensuing year.

(2) The Chairman may at any time call a meeting of the Corporation and shall, upon the written request of not less than three members of the Corporation, call a special meeting within ten days of the date of such request.

(3) Minutes in proper form of each meeting of the Corporation shall be kept and shall be confirmed and signed by the Chairman as soon as practicable thereafter at a subsequent meeting.

(4) The Corporation may invite any persons to attend any particular meeting of the Corporation for the purpose of assisting or advising the Corporation but the invited persons shall have no right to vote.

Power of the Corporation to delegate

7. (1) The Corporation may by resolution delegate to any member, officer or servant of the Corporation or to any committee consisting of two or more such members, officers or servants of the Corporation the power and authority to carry out on their behalf such duties, powers or functions as the Corporation may determine.

(2) The Corporation may, for the purpose of subsection (1) give directions as to the manner in which such delegated power or authority is to be exercised and may at anytime revoke, modify or increase such delegation.

(3) Without prejudice to the generality of subsection (1) and subject to subsection (2), the Corporation may by resolution delegate to any member, officer or servant of the Corporation or to any committee consisting of two or more such members, officers or servants of the Corporation, the authority to sanction expenditure, up to such limit as the Corporation shall in each case prescribe, from the fund or any other money under the control of the Corporation.

(4) No resolution to delegate any duty, power or function under this section shall be valid unless at least five members of the Corporation vote in favour of the resolution.

Quorum of the meeting of the Corporation

8. (1) Subject to subsection (2), the quorum of the Corporation at any meeting shall be at least half of the members of the Corporation with at least one member being a representative of the Federal Government being present.

(2) The quorum shall be at least two-third with at least one member being a representative of the Federal Government being present where the meeting deliberates or decides on the following matters:

- (a) to establish or promote the establishment or expansion of companies or other bodies to carry on activities either under the control or partial control of the Corporation or independently;
- (b) to give financial assistance to any company, other statutory authority, any body or person by the taking up of shares or debentures or by way of any loan, advance, grant or otherwise;
- (c) to purchase, underwrite, or otherwise acquire any stock and shares in any public or private company; or
- (d) to borrow money or enter into any guarantee involving financial liability.

(3) If on any question to be determined by the Corporation there is an equality of votes, the person presiding at such meeting shall have a casting vote.

(4) Subject to subsections (1), (2) and (3), the Corporation may determine its own procedure.

Member interested not to act

9. (1) Any member who has or acquires, directly or indirectly by himself, his partner or agent—

- (a) any share or interest in any contract made with or work done for the Corporation or in any company or with any person or in respect of any undertaking with which the Corporation proposes to contract; or
- (b) any beneficial interest in land proposed to be acquired, purchased, leased or otherwise dealt in by the Corporation or which he knows to be affected or to be likely to be affected by any project, scheme or enterprise approved or proposed to be approved by the Corporation; or
- (c) any interest in any matter under discussion by the Corporation,

shall forthwith disclose to the Corporation the fact of his share or interest and its nature, and the disclosure shall be recorded in the minutes of the Corporation and unless specifically authorized by the Chairman, at such meeting, such member shall take no part in any proceeding, resolution, question or decision of, or in any deliberation or discussion by, the Corporation relating to such contract, acquisition, purchase, lease, dealing, or take part in any decision of, or any deliberation or discussion by, the Corporation on matters incidental thereto.

(2) No person shall be considered to have or acquire any share or interest in a contract with the Corporation by reason only that he has or acquires a share in any loan issued by the Corporation or in any security for the same.

PART III

OFFICERS AND SERVANTS

Appointment of officers and servants of the Corporation

10. (1) The Corporation shall, with the approval of the Ruler in Council, appoint a public officer to be the Chief Executive of the

Corporation who shall perform such duties as the Corporation may entrust or delegate to him and such other public officers to serve the Corporation in such capacities as the Corporation may think fit.

(2) The Corporation may appoint or employ a Secretary or Secretaries and such other officers and servants as may be reasonably necessary for the purposes of this Enactment.

(3) The officers and servants of the Corporation shall be under the administrative control of the Chief Executive.

(4) All members, officers and servants of the Corporation shall be deemed to be public servants within the meaning of the Penal Code [*Act 574*].

(5) The person appointed as Chief Executive of the Corporation under subsection (1) shall for the duration of his appointment as the Chief Executive of the Corporation be a member of the Corporation.

(6) If the Chief Executive of the Corporation is temporarily absent from Malaysia or temporarily incapacitated through illness or for any other sufficient reason from the performance of his duties, another person may be appointed in the manner provided by subsection (1) to be the Chief Executive of the Corporation during the temporary absence or incapacity.

(7) The remuneration, terms and conditions of service of the Chief Executive of the Corporation shall be determined by the Ruler in Council.

(8) An officer or servant of the Corporation shall not make use of any information acquired by virtue of his position as an officer or servant of the Corporation to gain directly or indirectly an improper advantage for himself or for any other person or to cause detriment to the Corporation.

Ineligibility for employment as officer of the Corporation

11. (1) No person shall be eligible for employment as the Chief Executive, Secretary, an officer or servant of the Corporation who has, directly or indirectly, by himself or his partner or his spouse, any share or interest in any contract with, for or on behalf of the Corporation.

(2) The Chief Executive, Secretary, any other officer or servant of the Corporation who has or acquire any such share or interest shall be liable in the discretion of the Corporation to summary dismissal without notice.

(3) The Chief Executive, Secretary or any other officer or servant shall not be considered to have or acquire any such share or interest by reason only that—

- (a) he is a member of any incorporated company which owns land situated in Malaysia or has a contract with or executes work for the Corporation, unless he has a beneficial interest in the shares of that company and the total nominal value of these shares exceeds ten thousand ringgit or one tenth of the total nominal value of the issued share capital of the company whichever is the less; or
- (b) he has or acquires a share in any loan issued by the Corporation or in any security for the same.

Public Authorities Protection Act 1948

12. The Public Authorities Protection Act 1948 [*Act 198*], shall apply to any action, suit, prosecution or proceeding against the Corporation or against any member, officer, servant or agent of the Corporation in respect of any act, neglect or default done or committed by the Corporation or such person in such capacity.

PART IV

DUTIES AND POWERS OF THE CORPORATION

Duty of the Corporation

13. The duties of the Corporation are—

- (a) to promote or undertake any residential, industrial, agricultural and commercial development of areas in the State designated for such purpose;

- (b) to promote or undertake any kind of business, trading and commercial enterprises including agricultural, industrial, housing and mining enterprises in the State or elsewhere in Malaysia as the Corporation may think fit;
- (c) to promote, whenever necessary, any company or companies for any of the purposes specified in paragraph (b);
- (d) to act as local authority in areas outside local authorities if so authorized in accordance with any written law; and
- (e) to do all such other acts and things as are necessary for the performance of all or any of the functions and duties of the Corporation under this Enactment or to perform such other functions as a body or authority if appointed as such by the State or Federal Government in accordance with any written law.

General powers of the Corporation

14. The Corporation may—

- (a) purchase, exchange, lease and hold land, buildings and other immovable property;
- (b) build houses, flats, tenements, shops and shop-houses, convert any house, shop or shop-house into flats or tenements;
- (c) purchase, exchange, lease and hold land for the purpose of development and resale to the public as building lots, and for the purpose of providing open spaces and recreation grounds;
- (d) do any work on land necessary for the purpose of its development, as building land;
- (e) purchase, exchange, lease and hold mining, agricultural and timber land for purposes of mining, agricultural development and logging respectively;
- (f) sell land, buildings or other immovable property;

- (g) lease to other persons in accordance with the provisions of any law in force in the State relating to land or dealings in land, from month to month or otherwise, any land or buildings or other immovable property at such rent and subject to such terms and conditions as the Corporation shall think fit;
- (h) enter into contracts with other persons that such persons should build or do any work on behalf of the Corporation;
- (i) enter into any contract or do any other act or matter necessary and proper for carrying into effect the purposes of this Enactment; and
- (j) enter into partnership or into any arrangements for sharing profits, union of interest, co-operation, joint venture, reciprocal concession or otherwise with any person, body, authority or company carrying on or engage in any business or transaction capable of being conducted so as to directly or indirectly benefit the Corporation, and to take or otherwise acquire shares and securities of any such company, and to sell, hold, reissue, with or without guarantee, or otherwise deal with the same.

General power to acquire land through the State Authority

15. (1) Where any immovable property, not being State land or reserved land, is needed for the purposes of the Corporation and cannot be acquired by agreement, the State Authority may, if it thinks fit, direct the acquisition of the immovable property, and the immovable property may be acquired in accordance with any written law relating to the acquisition of land for a public purpose for the time being in force in the State in which the immovable property is situated, and any declaration required under any such written law that the land is so needed may be made notwithstanding the compensation is to be paid out of the funds of the Corporation, and the said declaration shall have effect as if it were a declaration that the land is needed for a public purpose made in accordance with the written law.

(2) Expenses and compensation in respect of any immovable property acquired under subsection (1) shall be paid by the Corporation.

(3) Where any immovable property has been acquired under subsection (1), the Corporation shall take out the necessary documents of title in respect of the immovable property and shall pay the rent to which the immovable property is subject.

Power of borrowing

16. (1) The Corporation may from time to time borrow, at such rate of interest and for such period and upon such terms as to the time and method or repayment and securing the repayment and otherwise with the approval of the Minister of Finance, any sum necessary for the purpose of meeting any capital expenditure incurred or to be incurred under the provisions of this Enactment or repaying any sum previously borrowed.

(2) For the purposes of this section “capital expenditure” means —

- (a) compensation payable by the Corporation for acquisition of land;
- (b) the cost of acquiring land, buildings or other immovable property for the purposes of this Enactment;
- (c) the cost of constructing or altering buildings or doing work necessary for the development of any land as building land for the purposes of this Enactment;
- (d) loans made by the Corporation to any person under section 19; and
- (e) any other expenditure properly chargeable to capital account.

Loans may be secured by mortgage

17. The Corporation may secure the repayment of any sum borrowed, by the mortgage or charge, legal or equitable, of any property vested in the Corporation, or of any revenue receivable by the Corporation under this Enactment or any other written law.

Enforcement of securities

18. Where any property charged or mortgaged to the Corporation as security for a loan under the provision of this Enactment is sold for the purpose of the enforcement of the security, the Corporation may on a sale by public auction buy such property and may either manage and hold such property or sell or otherwise dispose of it as it may deem fit.

Power to make loans

19. (1) (a) The Corporation may make loans or advance out of the funds of the Corporation to any person for the purpose of enabling or assisting such person to purchase immovable property for the purpose of building houses or to construct or alter buildings or to do any work necessary for the development of any land as building land for the purpose of housing and/or commercial or industrial undertakings.

(b) The Corporation may advance or lend money on any terms as the Corporation thinks fit, to customers or other persons or corporations having dealing with the Corporation, and to give any guarantee that may be considered expedient.

(2) Every loan or advance under subsection (1) shall be made upon the security of titles in perpetuity of land or leases of land (other than mining leases) for a term of which fifty years at least is unexpired at the time of such loans or advance and such security shall be by way of a charge.

(3) No loan or advance shall be made under this section upon the security of property subject to a prior charge.

(4) The amount of any loan or advance made under this section shall not exceed seventy-five per cent of the then value of the property.

Power to guarantee

20. The Corporation may from time to time with the approval of the Minister of Finance, guarantee or become liable to any payment of money or repayment of loans for any obligation or contract undertaken by any person or company carried out on account of and with the express authority of the Corporation.

Offences in respect of loans

21. Any person who—

- (a) obtains a loan from the Corporation under the provisions of this Enactment by means of any false representation;
- (b) wilfully applies any loan made to him by the Corporation under the provisions of this Enactment to any purpose other than the purpose for which the loan was made; and
- (c) having obtained a loan from the Corporation, wilfully destroys any security given in relation to any such loan,

shall be liable to a fine of two thousand ringgit.

PART V

FUNDS AND REVENUES OF THE CORPORATION

Funds of the Corporation

22. (1) There shall be established two funds to be called the Capital Fund and the Revenue Fund.

(2) The Capital Fund shall consist of—

- (a) such sums as may from time to time be paid to the Corporation out of the general revenues of the State of Kedah, or donated by the Government of Kedah or any Government in the Federation or by any other person or any grant from the Government of the Federation for the purposes of the Corporation;
- (b) such sums as may from time to time be raised by the Corporation by loan;
- (c) all other moneys including transfers from the Revenue Fund, which may be paid into the Capital Fund by resolution of the Corporation or by any other way as may be provided for such purpose;

(d) all other assets of the Corporation not forming part of the Revenue Fund.

(3) The Revenue Fund shall consist of such initial sum as may be paid into Revenue Fund and all sums obtained by way of income, profit or interest upon the use of the Capital Fund or Revenue Fund.

Limitation upon use of Capital Fund

23. (1) The Capital Fund may be used or expended for any of the objects approved under section 13 and in exercise of the powers under section 14 and 19.

(2) The Capital Fund shall only be used or expended on conditions which are designed to ensure the return to the Fund of any sums so used or expended.

Use of Revenue Fund

24. (1) Subject to subsection (2), the Revenue Fund of the Corporation may be applied in defraying the following charges:

- (a) the expenses and allowances of the members;
- (b) the salaries, fee or remuneration of the officers, agents and servants, and technical or other advisers of the Corporation;
- (c) all costs, charges and expenses of and incidental to the exercise of the powers of the Corporation under this Enactment;
- (d) interest on any loan raised by the Corporation;
- (e) sums required for the repayment of moneys borrowed;
- (f) such sums as it may be considered appropriate to set aside in respect of depreciation on the property of the Corporation;
- (g) any other architect, management and agency fees;
- (h) any other expenditure authorized by the Corporation and properly chargeable to revenue account;

- (i) any contribution or financial assistance or both authorized by the Corporation to the State Government of Kedah or towards any project or venture carried out by the State Government of Kedah.
- (2) (a) The Corporation shall defray the charges and/or its expenses out of moneys in the Revenue Fund in accordance with such estimates as may be authorized in paragraph (b).
- (b) Before the beginning of September each year the Corporation shall submit to the Menteri Besar an estimate of the expenses for the following year in such forms and with such particulars as the Menteri Besar may require; and the Menteri Besar shall before the beginning of November of each year, notify the Corporation the amount authorized for expenses generally or of the amounts authorized for each description of expenditure.
- (c) The Corporation may at any time submit to the Menteri Besar a supplementary estimate for any one year and the Menteri Besar may allow the whole or any part of the additional expenditure included therein.

Investment

25. The assets of the Corporation may, in so far as they are not required to be expended by the Corporation under this Enactment, be vested in such manner as may be approved by the Minister of Finance.

Bank account

26. (1) All moneys paid to the Corporation shall forthwith be paid into an account in such bank or banks as may be approved by the Corporation.

(2) All orders or cheques against the account shall be signed by the Chairman and a member or an officer of the Corporation authorized by the Corporation.

Accounts and audit

27. (1) The Corporation shall keep proper accounts and other records in respect of its operations, and shall cause to be prepared a statement of account in respect of each financial year.

(2) The accounts of the Corporation shall be audited annually by auditors to be appointed by the Corporation with the approval of the Minister of Finance.

(3) After the end of each financial year and as soon as the accounts of the Corporation have been audited, the Corporation shall cause a copy of the statement of accounts to be transmitted to the Minister, together with a copy of any report or any statement on the accounts of the Corporation or any observations made by the Auditor-General or the auditor appointed under subsection (2) on any statement or on the accounts of the Corporation.

(4) The Menteri Besar shall cause a copy of every such statement to be laid on the table of the Legislative Assembly.

Annual report

28. (1) The Corporation shall not later than the 30 June each year, cause to be made and transmitted to the Minister and the Menteri Besar, a report dealing with the activities of the Corporation during the preceding year.

(2) The Menteri Besar shall cause a copy of every such report to be laid on the table of the Legislative Assembly.

Power to employ agents

29. The Corporation may employ and pay agents and technical advisers whether solicitors, bankers, stockbrokers, surveyors or valuers or other persons, to transact any business or do any act required to be transacted or done in execution of the duties of the Corporation or for the better carrying into effect the purposes of this Enactment and may pay all charges and expenses so incurred.

Exemptions

30. Notwithstanding anything contained in any written law, the Ruler in Council may by order exempt the Corporation from the payment of stamp duty under the Stamp Act 1949 [*Act 378*] on any rate, tax, charge or fee leviable or recoverable by any Local Authority in the State in respect of any property owned by the Corporation on such terms and subject to such conditions as the Ruler in Council may prescribe.

PART VI

WINDING UP OF THE CORPORATION

Winding up

31. (1) The Ruler in Council may upon proof that the Corporation has failed to carry out its duties under section 13 by order published in the *Gazette* direct that the Corporation shall be wound up and dissolved.

(2) The Corporation may at any time by a decision of its members be voluntarily wound up.

(3) Upon the dissolution of the Corporation any surplus assets arising from the winding up of the Corporation shall after payment of all liabilities be disposed of in such manner as the Minister may after consultation with the Ruler in Council determine and any deficit shall be defrayed out of moneys provided by the Legislative Assembly.

(4) The winding up of the Corporation shall be conducted in such manner as may be prescribed by the Ruler in Council.

PART VII

MISCELLANEOUS

Standing rules and orders

32. (1) The Corporation may make standing rules and orders relating to any of the following matters:

(a) the regulation of its procedure;

(b) the opening, keeping, closing and audit of accounts;

(c) the placing of contracts, and the manner in which and the persons by whom such contracts may be entered into on its behalf;

- (d) the making of loans under section 19;
- (e) any other matters as to which it is necessary or expedient to make standing orders for the more effective carrying out of the purpose of this Enactment;
- (f) the remuneration payable to the officers and servants of the Corporation;
- (g) generally for the exercise of the powers and duties of the Corporation under the provisions of this Enactment.

(2) Nothing in this Enactment shall prevent the Corporation with the approval of the Minister from making regulations for the better carrying out of the provisions of this Enactment.

The Corporation considered to be a Malay

33. For the purposes of the Kedah Malay Reservations Enactment No. 63, the Corporation shall be considered to be a Malay.

Gifts

34. The Corporation may accept any gifts made to the Corporation for all or any of the purposes specified in sections 13 and 14 and subject to the terms of any gift, apply them for those purposes in accordance with the provisions of this Enactment.

Provisions of the Incorporation (State Legislatures Competency) Act 1962

35. The provisions of the Incorporation (State Legislatures Competency) Act 1962 [Act 380] shall apply with the necessary modifications, to this Enactment as if the Act were incorporated in this Enactment.

LAWS OF THE STATE OF KEDAH DARUL AMAN

Enactment 22

KEDAH STATE DEVELOPMENT CORPORATION ENACTMENT 1965

(Revised – 2014)

*Particulars under paragraphs 6(b) and (c) of the Revision of Laws
(Kedah Darul Aman) Enactment 2005 [Enactment 1]*

LIST OF AMENDMENTS

Amending Law from	Short title	In force
Enactment 8/1972	Kedah State Development Corporation (Amendment) Enactment 1972	23-06-1972
Enactment 3/1976	Kedah State Development Corporation (Amendment) Enactment 1976	22-04-1976
Enactment 7/1988	Kedah State Development Corporation (Third Amendment) Enactment 1988	01-10-1988
Enactment 3/1995	Kedah State Development Corporation (Amendment) Enactment 1994	01-01-1995

LIST OF LAWS OR PARTS THEREOF SUPERSEDED OR REPEALED

No.	Title
-----	-------

- NIL -

LAWS OF THE STATE OF KEDAH DARUL AMAN

Enactment 22

KEDAH STATE DEVELOPMENT CORPORATION ENACTMENT 1965

(Revised – 2014)

LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
2	Enactment 3/1976	22-04-1976
4	Enactment 8/1972 Enactment 3/1976 Enactment 7/1988	23-06-1972 22-04-1976 01-10-1988
6A	Enactment 7/1988	01-10-1988
7	Enactment 3/1976 Enactment 7/1988	22-04-1976 01-10-1988
8	Enactment 3/1976	22-04-1976
9	Enactment 7/1988	01-10-1988
9A	Enactment 7/1988	01-10-1988
11	Enactment 3/1976	22-04-1976
12	Enactment 3/1976	22-04-1976
12A	Enactment 7/1988	01-10-1988
13	Enactment 3/1976	22-04-1976
14A	Enactment 7/1988	01-10-1988
15	Enactment 3/1976	22-04-1976
15A	Enactment 3/1976	22-04-1976
17	Enactment 3/1976	22-04-1976
19	Enactment 3/1976 Enactment 3/1995	22-04-1976 01-01-1995

Section	Amending authority	In force from
19A	Enactment 3/1976	22-04-1976
21	Enactment 3/1976	22-04-1976
22	Enactment 3/1976	22-04-1976
23A	Enactment 3/1976	22-04-1976
24	Enactment 3/1976	22-04-1976
25	Enactment 3/1976	22-04-1976
26	Enactment 7/1988	01-10-1988
27	Enactment 7/1988	01-10-1988
28	Enactment 7/1988	01-10-1988

LAWS OF THE STATE OF KEDAH DARUL AMAN

Enactment 22

KEDAH STATE DEVELOPMENT CORPORATION ENACTMENT 1965

(Revised – 2014)

LIST OF AMENDMENTS MADE BY THE COMMISSIONER OF LAW REVISION UNDER SECTION 5 OF THE REVISION OF LAWS (KEDAH DARUL AMAN) ENACTMENT 2005 [*ENACTMENT 1*]

Provisions	Particulars of amendments	Authority of amendment
Table of contents	Table of contents under the heading ‘ARRANGEMENT OF SECTIONS’ inserted	paragraph 5(1)(f)
Form of assent	Omitted	paragraph 5(1)(y)
Commencement date	Words “9 September 1965” inserted in square brackets	paragraph 5(1)(y)
Enacting clause	Omitted	paragraph 5(1)(y)
section 1	Comma after the word “Enactment” omitted	paragraph 5(1)(o)
section 2 Interpretation–	Word “and” inserted after the word “Kedah;”	paragraph 5(1)(y)
section 3	Section 3 divided, redrafted and renumbered as new subsection 3(1), (2), (3) and paragraph 3(4)(a), (b) and (c) as follows: “(1) A body corporate by the name of “Kedah State Development Corporation” is established. (2) The Corporation shall have perpetual succession. (3) The Corporation may sue and be sued in its name.	paragraph 5(1)(k)(l)(o) & (v)

Provisions	Particulars of amendments	Authority of amendment
(4) The Corporation may—	<p>(a) enter into contracts;</p> <p>(b) acquire, purchase, take, hold and enjoy movable and immovable property; and</p> <p>(c) convey, assign, surrender, yield up, charge, mortgage, demise, reassign, transfer, or otherwise dispose of, or deal with, any movable or immovable property or any interest in the property vested in the Corporation upon such terms as the Corporation considers fit.”</p>	
	<p>substituted for “There is hereby established a body, which shall be a body corporate by the name of “the Kedah State Development Corporation”, and shall have perpetual succession and may sue and be sued in its said name, and subject to and for the purposes of this Enactment, may enter into contracts and may acquire, purchase, take, hold and enjoy movable and immovable property of every description and may convey, assign, surrender, yield up, charge, mortgage, demise, re-assign, transfer or otherwise dispose of, or deal with, any movable and immovable property or any interest therein vested in the Corporation upon such terms as the Corporation deems fit.”</p>	
subsection 4(1)	<p>1. Words “Subject to subsection (2), the” substituted for the word “The”</p> <p>2. Dash substituted for colon</p>	<p>paragraph 5(1)(y)</p> <p>paragraph 5(1)(o)</p>
paragraph 4(1)(a)	<p>Words “a Chairman, who is the Menteri Besar” substituted for “a Chairman, who shall be a person for the time being holding the office of Menteri Besar, Kedah”</p>	<p>paragraph 5(1)(v)</p>

Provisions	Particulars of amendments	Authority of amendment
paragraph 4(1)(e)	1. Word “considered” substituted for “deemed”	paragraph 5(1)(v)
(o)	2. Semi colon substituted for full stop	paragraph 5(1)
paragraph 4(1)(f)	Word “subsection 10(1)” substituted for “section 9(1)”	paragraph 5(1)(k)
subsection 4(2)	1. Proviso renumbered as subsection 4(2)	paragraph 5(1)(k)
	2. Words “Members appointed pursuant to paragraphs (1)(a), (c), (e) and (f) shall not exceed nine members” substituted for the words “PROVIDED ALWAYS that members appointed pursuant to sections 4(1)(a), 4(1)(c), 4(1)(e) and 4(1)(f) shall not exceed nine members”	paragraph 5(1)(y)
subsection 4(3)	Subsection 4(2) renumbered as subsection 4(3)	paragraph 5(1)(k)
paragraph 4(3)(a)	Word “Every” substituted for “Subject to the provisions of this Enactment, every”, words “paragraphs 1(e) and (f)” substituted for “paragraphs (e) and (f) of sub-section (1)”	paragraph 5(1)(v)
paragraph 4(3)(b)	1. Words “the provisions of the preceding sub-section (2)(a) of this section” substituted for “paragraph (3)(a)”	paragraph 5(1)(v)
	2. Word “pursuant” substituted for “per-suant”	paragraph 5(1)(n)
	3. Words “paragraph (1)(e)” substituted for “sub-sections (1)(d)”	paragraph 5(1)(y)
	4. Comma substituted for semi colon	paragraph 5(1)(o)
subsection 4(4)	1. Subsection 4(3) renumbered as subsection 4(4)	paragraph 5(1)(k)
	2. Words “reappointed” substituted for “re-appointed”	paragraph 5(1)(n)
subsection 4(5)	1. Subsection 4(4) renumbered as subsection 4(5)	paragraph 5(1)(k)
	2. Words “signed by him” substituted for “under his hand”	paragraph 5(1)(v)
subsection 4(6)	Subsection 4(5) renumbered as subsection 4(6)	paragraph 5(1)(k)

Provisions	Particulars of amendments	Authority of amendment
subsection 4(7)	Subsection 4(6) renumbered as subsection 4(7)	paragraph 5(1)(k)
paragraph 4(7)(a)	Word “The” substituted for “Subject to the provisions of this Enactment and of any Rules made thereunder, the”	paragraph 5(1)(v)
paragraph 4(7)(b)	<ol style="list-style-type: none"> 1. Words “,for the purpose of paragraph (a),” substituted for “at the time of delegating any power or authority under sub-section (a) to any member, officer or servant or at anytime thereafter” 2. Words “at anytime” omitted after the word “and may” 	paragraph 5(1)(o) & (v)
subsection 4(8)	Subsection 4(7) renumbered as subsection 4(8)	paragraph 5(1)(k)
subsection 4(9)	Subsection 4(8) renumbered as subsection 4(9)	paragraph 5(1)(k)
subsection 4(10)	Subsection 4(9) renumbered as subsection 4(10)	paragraph 5(1)(k)
paragraph 4(10)(a)	<ol style="list-style-type: none"> 1. Words “any time” omitted, words “the Appointing Authority” substituted for “he”, words “for the revocation of appointment” substituted for “therefor” 2. Dash substituted for semi colon 	paragraph 5(1)(v)
subparagraph 4(10)(a)(i)	Words “under this Enactment or otherwise” omitted	paragraph 5(1)(v)
subparagraph 4(10)(a)(iii)	Word “and” inserted after the word “member;”	paragraph 5(1)(y)
paragraph 4(10)(b)	Words “A member of the Corporation shall vacate his office if he becomes disqualified under subparagraph (a)(i) or fails to attend three consecutive meetings of the Corporation without special leave or permission in writing of the Chairman or the person for the time being charged with the responsibility of the general administration	paragraph 5(1)(l),(o) & (y)

Provisions	Particulars of amendments	Authority of amendment
	of the Corporation.” substituted for “A member of the Corporation shall vacate his office if he fails to attend three consecutive meetings of the Corporation without special leave or permission in writing of the Chairman or the person for the time being charged with the responsibility of the general administration of the Corporation or he becomes disqualified under paragraph (a)(i)”.	
subsection 4(11)	1. Subsection 4(10) renumbered as subsection 4(11) 2. Words “Malaysia” substituted for “the Federation”	paragraph 5(1)(k) paragraph 5(1)(p)
subsection 4(12)	1. Subsection 4(11) renumbered as subsection 4(12) 2. Words “subsection (10)” substituted for “the provisions of sub-section (9)”	paragraph 5(1)(k) paragraph 5(1)(k) & (v)
section 5 (shoulder notes)	Words “Common seal” substituted for “Common Seal of the Corporation”	paragraph 5(1)(v) & (y)
subsection 5(2)	Comma inserted after the word “section”	paragraph 5(1)(o)
subsection 6(2)	Word “thereof” omitted	paragraph 5(1)(v)
subsection 6(4)	Word “one or more” omitted, word “the” substituted for “such”	paragraph 5(1)(v)
section 7 (k)	Section 6A renumbered as section 7	paragraph 5(1)
subsection 7(1)	Word “The” substituted for “Subject to the provisions of this Enactment and of any Rules made thereunder, the”	paragraph 5(1)(v)
subsection 7(2)	Words “,for the purpose of subsection (1),” substituted for “at the time of delegating any power or authority under sub-section (1) to any member, officer, servant or committee or at anytime thereafter”	paragraph 5(1)(v)

Provisions	Particulars of amendments	Authority of amendment
subsection 7(3)	<ol style="list-style-type: none"> 1. Words “the provisions of” omitted 2. Word “fund” substituted for “Fund” 	<p>paragraph 5(1)(v) paragraph 5(1)(y)</p>
subsection 7(4)	Words “of the resolution” substituted for “thereof”	paragraph 5(1)(v)
subsection 8(1)	<ol style="list-style-type: none"> 1. Subsection 7(1) divided, redrafted and renumbered as new subsection 8(1) and (2) 2. Words “Subject to subsection (2), the” substituted for “The” 3. Full stop inserted after the word “present” 	<p>paragraph 5(1)(k) and (l) paragraph 5(1)(y) paragraph 5(1)(o)</p>
subsection 8(2)	<ol style="list-style-type: none"> 1. Words “except that” omitted 2. Word “The” substituted for “the” before the word “quorum” 3. Semi colon substituted for dash 	<p>paragraph 5(1)(v) paragraph 5(1)(y) paragraph 5(1)(o)</p>
paragraph 8(2)(a)	<ol style="list-style-type: none"> 1. Word “to” inserted before the word “establish” 2. Word “itself” omitted 	<p>paragraph 5(1)(n) paragraph 5(1)(v)</p>
paragraph 8(2)(b)	Word “to” inserted before the word “give”	paragraph 5(1)(n)
paragraph 8(2)(c)	Word “to” inserted before the word “purchase”	paragraph 5(1)(n)
paragraph 8(2)(d)	Word “to” inserted before the word “borrow”	paragraph 5(1)(n)
subsection 8(3)	Subsection 7(2) renumbered as subsection 8(3)	paragraph 5(1)(k)
subsection 8(4)	Subsection 7(3) renumbered as subsection 8(4), words “subsections (1), (2) and (3)” substituted for “sub-sections (1) and (2)”	paragraph 5(1)(k)
section 9	Section 8 divided, redrafted and renumbered as new subsection 9(1) and (2)	paragraph 5(1)(k)
paragraph 9(1)(v)	<p>Paragraph 9(1)(c) divided and simplified as follows:</p> <p>“(c) any interest in any matter under discussion by the Corporation,</p>	paragraph 5(1)(l) & (v)

Provisions	Particulars of amendments	Authority of amendment
	shall forthwith disclose to the Corporation the fact of his share or interest and the its nature, and the disclosure shall be recorded in the minutes of the Corporation and unless specifically authorized by the Chairman, at such meeting, such member shall take no part in any proceeding, resolution, question or decision of, or in any deliberation or discussion by, the Corporation relating to such contract, acquisition, purchase, lease, dealing, or take part in any decision of, or any deliberation or discussion by, the Corporation on matters incidental thereto.”	
subsection 9(2)	1. Word “Provided that” omitted, word “considered” substituted for “deemed” 2. Word “No” substituted for “no”	paragraph 5(1)(v) paragraph 5(1)(y)
section 10 (k)	Section 9 renumbered as section 10	paragraph 5(1)
subsection 10(4)	Words “[Act 574]” inserted after words “Penal Code”	paragraph 5(1)(y)
subsection 10(5)	Word “under” substituted for “pursuant to”	paragraph 5(1)(v)
subsection 10(6)	Words “of this section” omitted, word “the” substituted for “such”, word “other” omitted	paragraph 5(1)(v)
section 11	Section 9A renumbered as section 11	paragraph 5(1)(k)
subsection 11(3)	Word “considered” substituted for “deemed”	paragraph 5(1)(v)
paragraph 11(3)(a)	1. paragraph 11(3)(i) renumbered as paragraph 11(3)(a) 2. Words “or becomes” omitted 3. Words “Malaysia” substituted for “the Federation”	paragraph 5(1)(k) paragraph 5(1)(v) paragraph 5(1)(p)
paragraph 11(3)(b)	paragraph 11(3)(ii) renumbered as paragraph 11(3)(b)	paragraph 5(1)(k)

Provisions	Particulars of amendments	Authority of amendment
section 12 (shoulder notes)	<ol style="list-style-type: none"> 1. Words “Public Authorities Protection Act 1948” substituted for “Public Authorities Protection Ordinance, 1948” 2. Words “to apply to the Corporation” omitted 	<p>paragraph 5(1)(p) & (o)</p> <p>paragraph 5(1)(v)</p>
section 12	<ol style="list-style-type: none"> 1. Section 10 renumbered as section 12 2. Words “Public Authorities Protection Act 1948 [<i>Act 1948</i>]” substituted for “Public Authorities Protection Ordinance, 1948” 	<p>paragraph 5(1)(k)</p> <p>paragraph 5(1)(p)</p>
PART IV	PART IIIA renumbered as PART IV	paragraph 5(1)(k)
section 13	<ol style="list-style-type: none"> 1. Section 11 renumbered as section 13 2. Words “The duties of the Corporation are” substituted for “It shall be the duty of the Corporation” 	<p>paragraph 5(1)(k)</p> <p>paragraph 5(1)(y)</p>
subsection 13(b)	Word “Malaysia” substituted for “the Federation”	paragraph 5(1)(p)
subsection 13(d)	Word “and” inserted after the word “law;”	paragraph 5(1)(y)
subsection 13(e)	Word “exercise or” omitted	paragraph 5(1)(v)
section 14	<ol style="list-style-type: none"> 1. Section 12 renumbered as section 14 2. Words “The” substituted for “Subject to the provisions of this Enactment, the” 	<p>paragraph 5(1)(k)</p> <p>paragraph 5(1)(v)</p>
subsection 14(e)	semi colon inserted after the word “respectively”	paragraph 5(1)(o)
subsection 14(i)	Word “and” inserted after the word “Enactment;”	paragraph 5(1)(y)
subsection 14(j)	<ol style="list-style-type: none"> 1. Words “joint venture” substituted for “joint-venture”, words “reissue” substituted for “re-issue”, word “of” substituted for “or” after the word “capable” 	paragraph 5(1)(n)

Provisions	Particulars of amendments	Authority of amendment
	2. Words “engage in any business” substituted for “engage in, or any business”	paragraph 5(1)(o) & (n)
section 15	Section 12A renumbered as section 15	paragraph 5(1)(k)
subsection 15(1)	Word “said” omitted after the word “with the”	paragraph 5(1)(y)
section 16	Section 13 renumbered as section 16	paragraph 5(1)(k)
paragraph 16(2)(d)	1. Words “the provisions of” omitted, words “of this Enactment” omitted 2. Word “and” inserted after the word “19;” 3. Words “section 15” renumbered as “section 19”	paragraph 5(1)(v) paragraph 5(1)(y) paragraph 5(1)(k)
section 17	Section 14 renumbered as section 17	paragraph 5(1)(k)
section 18	1. Section 14A renumbered as section 18 2. Words “this” substituted for “the” before the word “Enactment”	paragraph 5(1)(k) paragraph 5(1)(y)
section 19	Section 15 renumbered as section 19	paragraph 5(1)(k)
paragraph 19(1)(a)	Slash inserted after the word “and”	paragraph 5(1)(o)
paragraph 19(1)(b)	1. Word “considered” substituted for “deemed” 2. Words “expedient” substituted for “expediant”	paragraph 5(1)(v) paragraph 5(1)(n)
subsection 19(2)	Words “of this section” omitted, words “of which” substituted for “whereof”	paragraph 5(1)(v)
subsection 19(4)	Words “at any time” omitted	paragraph 5(1)(v)
section 20	Section 15A renumbered as section 20	paragraph 5(1)(k)
section 21	1. Section 16 renumbered as section 21 2. Words “ringgit” substituted for “dollars”	paragraph 5(1)(k) paragraph 5(1)(i)

Provisions	Particulars of amendments	Authority of amendment
subsection 21(b)	Word “and” inserted after the word “made;”	paragraph 5(1)(y)
PART V	PART IV renumbered as PART V	paragraph 5(1)(k)
section 22	Section 17 renumbered as section 22	paragraph 5(1)(k)
paragraph 22(2)(c)	Words “by any other way as may be provided” substituted for “may in any other way be provided for such purpose”	paragraph 5(1)(y)
section 23	Section 18 divided, redrafted and renumbered as new subsection 23(1) and (2)	paragraph 5(1)(k) and (l)
subsection 23(1)	1. Words “The” substituted for “Subject to the provisions of this Enactment the” 2. Words “section 13”, “section 14 and 19” substituted for “section 11”, “section 12 and section 15” respectively 3. Full stop substituted for colon	paragraph 5(1)(v) paragraph 5(1)(k) & (v) paragraph 5(1)
(o) subsection 23(2)	Words “The Capital Fund shall only be used” substituted for “Provided that the Fund shall be only so used”	paragraph 5(1)(v)
section 24	Section 19 divided, redrafted and renumbered as new subsection 24(1) and (2)	paragraph 5(1)(k) and (l)
subsection 24(1)	1. Words “Subject to subsection (2), the” substituted for “The” 2. Words “following” substituted for “follwing” 3. Colon substituted for dash	paragraph 5(1)(y) paragraph 5(1)(n) paragraph 5(1)
(o) paragraph 24(1)(f)	Word “considered” substituted for “deemed”	paragraph 5(1)(v)
paragraph 24(1)(h)	Semi colon substituted for comma	paragraph 5(1)(o)
subsection 24(2)	Words “Provided that –” omitted	paragraph 5(1)(v)

Provisions	Particulars of amendments	Authority of amendment
paragraph 24(2)(a)	1. Word “The” substituted for “the” before the word “Corporation”, word “Revenue” inserted before the word “Fund”	paragraph 5(1)(y)
	2. Full stop substituted for semi colon	paragraph 5(1)(o)
paragraph 24(2)(b)	1. Word “Before” substituted for “before” before the words “the beginning of September”	paragraph 5(1)(y)
	2. Full stop substituted for semi colon	paragraph 5(1)(o)
Paragraph 24(2)(c)	Word “The” substituted for “the” before the word “Corporation”	Paragraph 5(1)(y)
section 25	1. Section 19A renumbered as section 25	paragraph 5(1)(k)
	2. Words “in so far” substituted for “insofar”	paragraph 5(1)(n)
section 26	Section 20 renumbered as section 26	paragraph 5(1)(k)
subsection 26(2)	Word “said” omitted	paragraph 5(1)(v)
section 27	Section 21 renumbered as section 27	paragraph 5(1)(k)
subsection 27(3)	Comma inserted after the word “audited”	paragraph 5(1)(o)
section 28	1. Section 22 renumbered as section 28	paragraph 5(1)(k)
	2. Words “30 June” substituted for “30 th day of June”	paragraph 5(1)(y)
	3. Full stop substituted for semi colon	paragraph 5(1)(o)
section 29	Section 23 renumbered as section 29	paragraph 5(1)(k)
section 30	1. Section 23A renumbered as section 30	paragraph 5(1)(k)
	2. Word “contained” substituted for “continued”	paragraph 5(1)(n)
	3. Comma inserted after the word “law”, full stop inserted after the word “prescribe”	paragraph 5(1)(o)
	4. Words “Stamp Act 1949 [Act 378]” substituted for “Stamp Ordinance, 1949”	paragraph 5(1)(p)

Provisions	Particulars of amendments	Authority of amendment
PART VI	PART V renumbered as PART VI	paragraph 5(1)(k)
section 31	Section 24 renumbered as section 31	paragraph 5(1)(k)
subsection 31(1)	Words “section 13” substituted for “section 11”	paragraph 5(1)(k)
subsection 31(3)	Full stop inserted after the words “Assembly”	paragraph 5(1)(o)
PART VII	PART VI renumbered as PART VII	paragraph 5(1)(k)
section 32 (shoulder notes)	Word “Standing rules and orders” substituted for “Standing Rules and Orders”	paragraph 5(1)(y)
section 32	1. Section 25 divided, redrafted and renumbered as new subsection 32(1) and (2)	paragraph 5(1)(k) and (l)
subsection 32(1)	1. Word “standing rules and orders” substituted for “Standing Rules and Orders”	paragraph 5(1)(y)
	2. Colon substituted for dash	paragraph 5(1)(o)
paragraph 32(1)(d)	1. Words “section 19” substituted for “the provisions of section 15 of this Enactment”	paragraphs 5(1)(k) & (v)
paragraph 32(1)(e)	1. Word “standing orders” substituted for “Standing Orders”	paragraph 5(1)(y)
	2. Semi colon substituted for full stop	paragraph 5(1)(o)
subsection 32(2)	1. Words “Provided that” omitted	paragraph 5(1)(v)
	2. Word “Nothing” substituted for “nothing”	paragraph 5(1)(y)
section 33 (shoulder notes)	Word “considered” substituted for “deemed”	paragraph 5(1)(v)
section 33	1. Section 26 renumbered as section 33	paragraph 5(1)(k)
	2. Word “considered” substituted for “deemed”	paragraph 5(1)(v)

Provisions	Particulars of amendments	Authority of amendment
section 34	1. Section 27 renumbered as section 34, words “sections 13 and 14” substituted for “sections 11 and 12”	paragraph 5(1)(k)
	2. Word “this” substituted for “the” after the word “provisions of”	paragraph 5(1)(y)
section 35 (shoulder notes)	Comma omitted after words “Act”	paragraph 5(1)(o)
section 35	1. Section 28 renumbered as section 35	paragraph 5(1)(k)
	2. Comma omitted after words “Act”	paragraph 5(1)(o)
	3. Words “[Act 380]” inserted after the word “1962”	paragraph 5(1)(y)
	4. Words “apply with the necessary modifications,” substituted for “ <i>mutatis mutandis</i> apply”, word “Act” substituted for “same”	paragraph 5(1)(v)
Throughout the Enactment	1. Shoulder notes substituted for marginal notes	paragraph 5(1)(f)
	2. Full stop at the end of shoulder notes omitted	paragraph 5(1)(o)
	3. Word “subsection” substituted for “sub-section”	paragraph 5(1)(y)
	4. Word “authorized” substituted for “authorised”	paragraph 5(1)(n)
	5. Words “Ruler in Council” substituted for “Ruler-in-Council”	paragraph 5(1)(n)
	6. Word “willfully” substituted for “wilfully”	paragraph 5(1)(n)
	7. Word “moneys” substituted for “monies”	paragraph 5(1)(y)



UNDANG-UNDANG NEGERI KEDAH DARUL AMAN

Enakmen A33

**ENAKMEN PERBADANAN KEMAJUAN NEGERI KEDAH
(PINDAAN) 2017**

Tarikh Persetujuan DiRaja 12 April 2017

Tarikh diterbitkan dalam *Warta* 25 Mei 2017

Hakcipta Pencetak 

PERCETAKAN NASIONAL MALAYSIA BERHAD

Semua Hak Terpelihara. Tiada mana-mana bahagian jua daripada penerbitan ini boleh diterbitkan semula atau disimpan di dalam bentuk yang boleh diperolehi semula atau disiarkan dalam sebarang bentuk dengan apa jua cara elektronik, mekanikal, fotokopi, rakaman dan/atau sebaliknya tanpa mendapat izin daripada **Percetakan Nasional Malaysia Berhad (Pencetak kepada Kerajaan Malaysia yang dilantik)**.

UNDANG-UNDANG NEGERI KEDAH DARUL AMAN**Enakmen A33****ENAKMEN PERBADANAN KEMAJUAN NEGERI KEDAH
(PINDAAN) 2017**

BETA SETUJU,

(MOHOR KERAJAAN)

TUANKU AL-HAJ
ABDUL HALIM
*Sultan Negeri Kedah Darul Aman*16 Rejab 1438
12 April 2017

Suatu Enakmen untuk meminda Enakmen Perbadanan Kemajuan Negeri Kedah 1965.

[]

MAKA DIPERBUAT UNDANG-UNDANG INI oleh Majlis Undangan Negeri Kedah seperti yang berikut:

Tajuk ringkas dan permulaan kuat kuasa

1. Enakmen ini bolehlah dinamakan Enakmen Perbadanan Kemajuan Negeri Kedah (Pindaan) 2016 dan hendaklah mula berkuat kuasa pada tarikh disiarkan dalam *Warta*.

Pindaan seksyen 10

2. Seksyen 10 Enakmen Perbadanan Kemajuan Negeri Kedah 1965 [*Enakmen Bil. 5 Tahun 1965*] yang disebut sebagai “Enakmen ibu” dalam Enakmen ini, dipinda dengan menggantikan subseksyen (1) dengan subseksyen yang berikut:

“(1) Perbadanan hendaklah, dengan kelulusan Raja dalam Mesyuarat, melantik mana-mana orang yang difikirkan sesuai menjadi Ketua Eksekutif Perbadanan yang hendaklah melaksanakan apa-apa tugas sebagaimana yang diamanahkan atau diwakilkan oleh Perbadanan dan mana-mana orang lain untuk berkhidmat kepada Perbadanan dalam kapasiti sebagaimana yang difikirkan patut oleh Perbadanan.”.

Diluluskan dalam Dewan Undangan Negeri pada 17 November 2016 bersamaan 17 Safar 1438.

[PSU(K) 219-1411 Jld. 4]

Haji Iqbal Bin Ahmad
*Setiausaha Dewan Undangan Negeri
Kedah Darul Aman*



LAWS OF THE STATE OF KEDAH DARUL AMAN

Enactment A33

**KEDAH STATE DEVELOPMENT CORPORATION
(AMENDMENT) ENACTMENT 2017**

Date of Royal Assent 12 April 2017

Date of publication in the *Gazette* 25 May 2017

Publisher's Copyright ©

PERCETAKAN NASIONAL MALAYSIA BERHAD

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means electronic, mechanical, photocopying, recording and/or otherwise without the prior permission of **Percetakan Nasional Malaysia Berhad (Appointed Printer to the Government of Malaysia)**.

LAWS OF THE STATE OF KEDAH DARUL AMAN**Enactment A33****KEDAH STATE DEVELOPMENT CORPORATION
(AMENDMENT) ENACTMENT 2017**

I ASSENT,

(STATE SEAL)

TUANKU AL-HAJ
ABDUL HALIM
*Sultan of Kedah Darul Aman*12 April 2017
16 Rejab 1438

An Enactment to amend the Kedah State Development Corporation Enactment 1965.

[]

ENACTED by the State Legislative Assembly as follows:**Short title and commencement**

1. This Enactment may be cited as the Kedah State Development Corporation (Amendment) Enactment 2016 and shall come into force on the date it is published in the *Gazette*.

Amendment section 10

2. Section 10 of the Kedah State Development Corporation Enactment 1965 [*Enactment No. 5 of 1965*] referred to as the “principal Enactment” in this Enactment, is amended by substituting for subsection (1) the following subsection:

“(1) The Corporation shall, with the approval of the Ruler in Council, appoint any person as it thinks fit to be Chief Executive of the Corporation who shall perform such duties as the Corporation may entrusted or delegate to him and such any other persons to serve the Corporation in such capacities as the Corporation may think fit.”.

Passed in the State Legislative Assembly this 17 November 2016 corresponding to the 17 Safar 1438.

[PSU(K) 219-1411 Jld. 4]

HAJI IQBAL BIN AHMAD
*Secretary of the State Legislative Assembly
Kedah Darul Aman*