

SOCIAL AND WELFARE SERVICES
LOTTERIES BOARD (DISSOLUTION)
BILL 1991

ARRANGEMENT OF CLAUSES

Clause

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A BILL

intituled

An Act to repeal the Social and Welfare Services Lotteries Board Act 1950-1962, to dissolve the Social and Welfare Services Lotteries Board established under the Act, to transfer all its properties to the Government and to provide for other matters connected therewith.

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BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Social and Welfare Services Lotteries Board (Dissolution) Act 1991 and shall come into force on such date as the Minister may, by notification in the *Gazette*, appoint. Short title and commencement.

2. In this Act, unless the context otherwise requires— Interpretation.

"appointed date" means the date appointed by the Minister under section 1;

"Board" means the Social and Welfare Services Lotteries Board established under the Social and Welfare Services Lotteries Board Act 1950-1962; Act 252.

"Federal Lands Commissioner" means the Federal Lands Commissioner appointed under the Federal Lands Commissioner Act 1957; Act 349,

"Minister" means the Minister for the time being charged with the responsibility for social welfare.

3. The Social and Welfare Services Lotteries Board Act 1950-1962 is repealed and the Board established thereunder is dissolved. Repeal and dissolution.

Transfer of powers, rights, etc.

4. All powers, rights, privileges, duties, liabilities and obligations which immediately before the appointed date were those of the Board shall, as from that date, devolve on the Government.

Transfer of property.

5. (1) All lands which immediately before the appointed date were vested in the Board shall, on the appointed date, vest in the Federal Lands Commissioner for the purposes of the Government.

(2) All property and assets other than land which immediately before the appointed date were vested in the Board or in any person on its behalf shall, on that date, vest in the Government,

Transfer of fund.

6. All moneys standing in, or due to be paid to, the Board shall, on the appointed date, be transferred to, and be vested with, the Government.

Existing contracts.

7. All deeds, bonds, agreements, instruments and working arrangements subsisting immediately before the appointed date- and affecting any of the property transferred under section 5 shall be of full force and effect against or in favour of the Government and enforceable as fully and effectually as if, instead of the Board or any person acting on its behalf, the Government had been named therein or had been a party thereto.

Continuance of criminal and civil proceedings.

8. (1) The repeal of the Social and Welfare Services Lotteries Board Act 1950-1962 shall not affect any person's liability to be prosecuted or punished for offences committed under the repealed Act before the appointed date, or any proceedings brought or sentence imposed before that date in respect of such offence.

(2) Any proceedings (whether civil or criminal), or cause of action pending or existing immediately before the appointed date by or against the Board or any person acting on its behalf may be continued or instituted by or against the Government as it might have been by or against the Board or such person as if this Act had not been passed.

(3) Any appeal brought, or any leave to appeal applied for, on or after the appointed date, against a decision given

before the appointed date in any legal proceedings to which the Board was a party thereto may be brought by or against the Government as it might have been by or against the Board as if this Act had not been passed.

9. Subject to the provisions of this Act, all written laws, orders, rules and regulations affecting or for the protection of the Board and in force immediately before the appointed date shall, until amended or revoked by the appropriate authority having power so to do, continue in force and be construed as if this Act had not been passed: Continuance of laws, etc.

Provided that any references therein to the Board, unless the context otherwise requires, shall be construed as references to the Government and expressions importing such a reference shall be construed accordingly.

10. (1) If any difficulty or anomaly arises in connection with the implementation of the provisions of this Act, the Minister may by order make such modifications therein as may appear to him necessary for removing or preventing such difficulty or anomaly; Prevention of difficulties or anomalies.

Provided that the Minister shall not exercise the powers conferred by this section after the expiration of three years from the appointed date.

(2) In this section "modifications" includes amendments, additions, deletions, substitutions, adaptations, variations, alterations and non-application of any provision of this Act.

EXPLANATORY STATEMENT

This Bill seeks to repeal the Social and Welfare Services Lotteries Board Act 1950-1962 and to dissolve the Social and Welfare Services Lotteries Board established under that Act.

2. *Clauses 3 and 4* provide for the dissolution of the Board and for the devolution of powers, rights, privileges, duties, liabilities and obligations of the Board to the Government of Malaysia.

3. *Clause 5* provides for the transfer of all movable and immovable property and other assets of the Board to the Government.

4. *Clause 6* provides for the transfer of all moneys standing in, or due to be paid to, the Board, to the Government.
5. *Clause 7* provides for the enforcement of all existing contracts by or against the Government in substitution for the Board.
6. *Clause 8* provides for the continuance of legal proceedings by or against the Government in substitution for the Board.
7. *Clause 9* provides for the continuance of all written laws, orders, rules and regulations which affect or protect the Board with references to the Board being construed as references to the Government.
8. *Clause 10* provides for the conferment of powers to the Minister to make orders for the purpose of removing any difficulties that may arise in connection with the implementation of this Bill.

FINANCIAL IMPLICATIONS

This Bill will not involve the Government in any extra financial expenditure. [PN. (U²) 1659.]