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DEWAN BAHASA DAN PUSTAKA ACT 1959

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DEWAN BAHASA DAN PUSTAKA ACT 1959

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LAWS OF MALAYSIA

Act 213

DEWAN BAHASA DAN PUSTAKA ACT 1959

An Act to institute and establish a body to be known as the Board of Control of the Dewan Bahasa dan Pustaka to promote the development of language and literature in Malaysia.

*[Peninsular Malaysia—1 August 1959,
L.N. 270/1959;
Sabah, Sarawak and Federal Territory of Labuan—11 January 1996,
Act A930]*

PART I

PRELIMINARY

Short title and application

1. (1) This Act may be cited as the Dewan Bahasa dan Pustaka Act 1959.

(2) This Act shall apply throughout Malaysia.

Interpretation

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

“Board of Control” or “Board” means the Board of Control of the Dewan Bahasa dan Pustaka established under section 3;

“Chairman” means the Chairman of the Board and includes a Vice Chairman;

“Director General” means the Director General of the Board appointed under section 16;

“disciplinary committee” means the disciplinary committee of the Board referred to in subsection 18A(2);

“financial year” means a period of twelve months ending on the 31 December;

“Fund” means the Dewan Bahasa dan Pustaka Fund established under section 19;

“member” means any member of the Board appointed under section 4 and includes the Chairman and Vice Chairman;

“Minister” means the Minister for the time being charged with the responsibility for education.

PART II

THE BOARD

Establishment of the Board of Control of the Dewan Bahasa dan Pustaka

3. (1) There shall be established a Board to be called the “Board of Control of the Dewan Bahasa dan Pustaka” which shall have an office in Malaysia.

(2) The Board shall be a body corporate with perpetual succession and a common seal.

Constitution of the Board

4. (1) The Board shall consist of the following members—

- (a) a Chairman who shall be appointed by the Minister;
- (b) the Secretary General of the Ministry of Education or his representative;
- (c) the Director General of Education or his representative;
- (cc) the Attorney General or his representative;
- (d) the Secretary General of the Treasury or his representative;
- (dd) the Director General of Public Services or his representative;
- (e) one person appointed by the Conference of Rulers; and
- (f) not more than 10 persons appointed by the Minister who in his opinion possess wide knowledge or have gained extensive experience in any field of activities which can be beneficial to the Board.

(2) The Minister may appoint any member of the Board to be Vice Chairman of the Board.

(3) The Board may appoint a Secretary under section 16 who shall not be a member of the Board.

(4) Subject to the provisions of this Act, every member shall hold office for a term not exceeding three years from the date of his appointment and shall be eligible for reappointment.

(5) Any member who—

(a) without reasonable cause absents himself from three consecutive meetings of the Board and any of its committees of which he is a member;

(b) has been found or declared to be of unsound mind;

(c) has become bankrupt or made an arrangement with his creditors; or

(d) has been sentenced to imprisonment,

shall be deemed to have vacated office.

(6) The appointor concerned may at any time revoke the appointment of any member if he thinks it expedient so to do without assigning any reason therefor.

(7) The appointor concerned may at any time accept the resignation of any member.

(8) If any vacancy occurs by death, absence, insanity, bankruptcy, resignation or otherwise, the appointor concerned may appoint a person to fill such vacancy for the unexpired period of office of the member in respect of whom the vacancy occurred.

(9) The appointor may appoint any suitable person to act as a member of the Board during the continued illness, incapacity or absence from Malaysia of any member.

Objects

5. (1) The objects of the Board shall be—

(i) to develop and enrich the national language in all fields including science and technology;

(ii) to develop literary talent, particularly in the national language;

- (iii) to print or publish or assist in the printing or publication of books, magazines, pamphlets and other forms of literature in the national language and in other languages;
- (iv) to standardize spelling and pronunciation, and devise appropriate terminologies in the national language;
- (v) to encourage the proper usage of the national language; and
- (vi) to encourage the usage of the national language so that it will be extensively used for all purposes in accordance with the law for the time being in force.

(2) For the purpose of paragraphs (1)(v) and (vi), “to encourage” includes giving direction, commentary, advice, assistance, guidance, training or supervision.

Duties of the Board

6. (1) It shall be the duty of the Board to formulate and implement policies in the carrying out of its objects.

(2) *(Deleted by Act A930).*

Board to be sole co-ordinating authority

6A. The Board shall be the sole co-ordinating authority pertaining to composing, devising and standardizing of terminologies in the national language.

Delegation

6B. (1) The Board may, by an instrument in writing under its common seal and subject to such conditions or restrictions as may be prescribed therein, delegate any of its duties or powers imposed or conferred on it, except the powers under sections 18A, 18B, 19 and 27, to—

- (a) the Director General; or
- (b) any of the officers or servants of the Board.

(2) A delegation under subsection (1)—

- (a) may be revoked or varied at any time by the Board; and

- (b) shall not prevent the Board from itself performing the duty or exercising the power so delegated where it appears expedient to do so.

General powers of the Board to enter into contract, etc.

7. (1) The Board shall have the power to do anything and to enter into any contract or business transaction (whether or not involving expenditure, the acquisition, use and disposal of any movable, immovable, tangible or intangible property) which in its opinion is calculated to facilitate the performance of its duties or the exercise of its powers effectively:

Provided that this power shall not include the power to borrow other than as provided in subsection 19(2).

(2) Without prejudice to the generality of subsection (1), the Board shall have the power—

- (a) to carry out any commercial, industrial, research or training activity or any other activity the carrying out whereof appears to it to be requisite, advantageous or convenient for or in connection with the performance of its duties or the exercise of its powers;
- (b) to impose fees or any other charges it deems fit for services that the Board is requested to carry out, render or perform;
- (c) to receive in consideration of the services carried out, rendered or performed by it such commission or payment as may be agreed upon; and
- (d) to perform all duties and exercise all powers which, under any written law, are or may be, or may become, vested in the Board or are delegated to the Board.

(3) For the purpose of this section—

- (a) “acquisition”, in relation to property, includes the purchasing, taking on lease and hiring of such property; and
- (b) “disposal”, in relation to property, includes the conveying, selling, assigning, surrendering and yielding up, charging, mortgaging, demising, letting and subletting, reassigning and transferring of such property.

Powers of the Board to transfer or dispose of activity or duty

7A. (1) The Board may, in relation to the carrying out of its object under paragraph 5(1)(iii), transfer or dispose of any of its activity or duty to any person or body subject to such terms and conditions as it may impose.

(2) The Board may make rules to regulate the activities of such person or body and prescribe the rates and charges that may be fixed by such person or body in respect of the activity or duty of such person or body under subsection (1).

Common seal

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

(2) Until a seal is provided by the Board under this section, a stamp bearing the description “Board of Control: Dewan Bahasa dan Pustaka” may be used as and shall be deemed to be the common seal.

(3) The common seal shall be kept in the custody of the Chairman and all deeds, documents and other instruments requiring the seal of the Board shall be sealed with the seal of the Board in the presence of the Chairman or the Vice Chairman and of a member or an officer of the Board authorized by the Board to act in that behalf, who shall sign every such deed, document or other instrument to which such seal is affixed and such signing shall be sufficient evidence that such seal was duly and properly fixed and that the same is, or is used as, the lawful seal of the Board.

(4) The seal of the Board shall be officially and judicially noticed.

Quorum

9. (1) The quorum for a meeting of the Board shall be five members present in addition to the Chairman.

(2) In the event of the votes on any question being equal, the Chairman shall have a casting vote in addition to his original vote.

(3) The Board may invite any one or more persons to attend any particular meeting of the Board for the purpose of assisting or advising the Board, but such invited persons shall have no right to vote.

Procedure of the Board

10. (1) Subject to the provisions of this Act, the Board may make standing orders regulating its own procedure generally and in particular regarding the holding of meetings, the notice to be given of such meetings, the proceedings thereat, the custody, production and inspection of the minutes thereof and the opening, keeping, closing and audit of accounts.

(2) The Board shall meet at least once in the first and third quarter of each year for the purpose of considering, in addition to any other business of which due notice shall be given, a report of the work of the Board during the half year ending on the thirty-first day of December and the thirtieth day of June, as the case may be, immediately preceding such quarter.

Appointment and procedure of committees

11. (1) The Board may appoint one or more committees as it thinks fit to assist it in performing its duties and exercising its powers on any matter arising out of or connected with any of its duties and powers under this Act.

(2) Subject to this Act, and to any directions given by the Board, a committee may regulate its own procedure.

(3) A committee may, after consultation with the Board, invite any one or more persons to attend any particular meeting of the committee for the purpose of assisting or advising the committee, but such invited person shall have no right to vote.

(4) A committee shall conform to any instructions from time to time given to it by the Board and the Board may, at any time, discontinue or alter the constitution of the committee so appointed.

Appointment and procedure of subcommittees

11A. (1) Subject to such limitations, restrictions or conditions as may be prescribed by the Board, a committee may appoint one or more subcommittees to assist it in performing its duties and exercising its powers.

(2) Subject to this Act, and to any directions given by the committee, a subcommittee may regulate its own procedure.

(3) A subcommittee may, after consultation with the committee and with the approval of the Board, invite any one or more persons to attend any particular meeting of the subcommittees for the purpose of assisting or advising the subcommittee, but such invited person shall have no right to vote.

(4) A subcommittee shall conform to any instructions from time to time given to it by the committee and the committee may, at any time, discontinue or alter the constitution of the subcommittee so appointed.

Remuneration or allowance

11B. Where any person not being a member, officer or servant of the Board is invited to attend a meeting of the Board, any committee or subcommittee for the purpose of giving assistance or advice under subsection 9(3), 11(1) or 11A(1) the Board may by resolution declare the remuneration or allowance of such person, and such sums shall be payable out of the Fund.

Expenses payable to members of the Board

12. There may be paid to each member of the Board out of the Fund such travelling, lodging or other out of pocket expenses as may be incurred by him on the business of the Board as the Board may from time to time determine subject to such limits and conditions as the Minister may prescribe.

Disclosure by member of the Board of interest in transaction with the Board and disqualification of such a member from voting

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

(a) any share or interest—

(i) in any contract made with, or work done for, the Board; or

- (ii) in any company or firm with which, or with any person with whom, or in respect of any undertaking with which, the Board proposes to enter into any contract; or
- (b) any beneficial interest in land proposed to be acquired, purchased, leased or otherwise dealt in by the Board or which he knows to be affected, or is likely to be affected by any project, scheme or enterprise approved or proposed to be approved by the Board,

shall declare the nature and extent of his share or interest to the Board.

(2) The declaration required to be made by a member by subsection (1) shall be made at a meeting of the Board at which any question relating to such contract, acquisition, purchase, lease, dealing, project or scheme is first taken into consideration, or if such member had not at the date of such meeting any such share or interest, at the next such meeting held after he acquired such share or interest, and in a case where such member acquires any such share or interest in any contract with the Board after it has been made, the said declaration shall be made at the first such meeting held after such member acquires such share or becomes so interested.

(3) For the purposes of this section, a general notice given to the other members by a member to the effect that he is a member of any specified company or firm and is to be regarded as interested in any contract which may, after the date of the notice, be made with or by that company or firm, shall be deemed to be a sufficient declaration of interest in relation to any contract so made:

Provided that such notice shall be of no effect unless either it is given at a meeting of the Board or the member concerned takes reasonable steps to secure that it is brought up and read at the next meeting of the Board after it is given.

(4) Every declaration made in pursuance of this section shall be recorded in the minutes of the meeting at which it was made or read.

(5) A member shall not vote upon any resolution or question relating to any contract, acquisition, purchase, lease, dealing, project or scheme in which he has any share or interest, whether or not he has declared the same, nor shall he take part in any deliberation

(except by the invitation of the Board) or decision relating thereto or to any matter incidental thereto, and if he shall do so his vote shall not be counted nor shall he be counted in the quorum present at the meeting.

(6) The provisions of this section shall apply, with such adaptations and modifications as may be necessary to make it applicable and effective, to a member of a committee or sub-committee appointed by the Board in respect of any contract or any acquisition, purchase, lease or dealing in land or any project or scheme with which such committee or sub-committee is concerned in the same manner as it applies to a member in respect of the like matters in relation to the Board.

Powers of the Minister in relation to the Board

14. (1) The Minister may give to the Board directions of a general character not inconsistent with the provisions of this Act as to the exercise and performance of its duties and functions in relation to matters which appear to him to affect the interests of Malaysia and the Board shall give effect to all such directions.

(2) The Board shall furnish the Minister with such returns, accounts and other information with respect to the property and activities of the Board as he may from time to time require.

(3) The Minister may at his discretion at any time appoint a committee of enquiry to investigate the affairs of the Board and such committee shall submit its report to the Minister.

Disposal of capital assets

15. The power conferred on the Minister by section 14 to give directions to the Board shall extend to the giving of directions—

- (a) as to the disposal of capital assets; or
- (b) as to the application of the proceeds of such disposal notwithstanding that the directions may be of a specific character:

Provided that no such direction shall, so long as any sum borrowed by the Board in accordance with the provisions of this Act remains outstanding, be given except with the concurrence of the Minister of Finance.

PART III

ADMINISTRATION, DISCIPLINE AND FINANCE

Administration

Appointment of officers and servants

16. The Board may—

- (a) with the approval of the Minister, appoint on such terms and conditions as the Board and the Minister may think fit an executive officer who shall be called the Director General; and
- (b) appoint on such terms and conditions as it may think fit such other officers and servants as may be necessary for the purposes of this Act.

Duties of the Director General

16A. The Director General shall, subject to the direction and control of the Board, be responsible for—

- (a) the day to day administration and management of the affairs of the Board;
- (b) the preparation of programmes, schemes, projects and activities of the Board;
- (c) the execution of all programmes, schemes, projects and activities of the Board;
- (d) keeping the Board fully informed of the progress of the programmes, schemes, projects and activities of the Board;
- (e) the issue of policy guidance or elucidation of the decisions of the Board to officers and servants of the Board;
- (f) implementing the policy decisions of the Board; and
- (g) the supervision and control over the implementation of the decisions of the Board.

Control of officers and servants

17. The officers and servants of the Board shall be under the administrative control of the Director General and, subject to any regulations made under section 27, the power of appointing,

promoting, reducing or granting leave to the officers and servants of the Board shall be exercised by the Board after consultation with the Director General.

Power to employ agents

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

Discipline

Disciplinary committees

18A. (1) The Board shall have disciplinary authority over all its officers and servants and shall exercise disciplinary control in respect of all such persons in accordance with this Act and any regulations made under section 18B.

(2) For the purposes of this section—

(a) there shall be established a disciplinary committee of the Board in respect of the Director General consisting of—

(i) the Chairman, who shall be the chairman of the committee; and

(ii) two members of the Board to be appointed by the Board; and

(b) the Board may, by notification in the *Gazette*, establish different disciplinary committees for different categories of officers or servants of the Board.

(3) The following shall apply to any disciplinary committee established pursuant to paragraph (2)(b):

(a) such committee shall consist of any number of members of the Board or officers of the Board or any combination of such members and officers; and

(b) an officer who is a member of a disciplinary committee shall not be lower in rank than any officer or servant over whom the committee of which he is a member has disciplinary authority.

(4) A committee established under paragraph (2)(b) shall exercise its powers in all matters relating to the discipline of officers and servants placed under its jurisdiction.

(5) In the exercise of its disciplinary functions and powers, a disciplinary committee referred to under subsection (2) shall have the power to take disciplinary action and impose disciplinary punishment as may be provided for under any regulations that may be made under section 18B.

(6) A decision of—

(a) the disciplinary committee referred to under paragraph (2)(a); and

(b) any disciplinary committee referred to under paragraph (2)(b),

shall be appealable to—

(i) the Minister; or

(ii) the Board,

respectively, and the Minister or the Board, as the case may be, may confirm, reverse or vary such decision.

(7) When the Board considers an appeal under subsection (6), a member of the disciplinary committee against whose decision the appeal is made who is also a member of the Board shall not be present or in any way participate in any proceedings relating to that appeal.

(8) A decision of the Minister or the Board under subsection (6) shall be final and conclusive.

Power to make disciplinary regulations

18B. (1) The Board may, with the approval of the Minister, make such regulations as it deems necessary or expedient to provide for the discipline of the Director General, officers and servants of the Board.

- (2) The disciplinary regulations made under this section—
- (a) may create disciplinary offences;
 - (b) may provide for disciplinary punishments as the Board may deem appropriate, and the punishments may extend to forfeiture of emoluments, deferment of salary movement, reduction of salary, reduction in rank and dismissal; and
 - (c) shall provide for an opportunity to the person against whom disciplinary proceedings are taken to make representations against the disciplinary charge laid against him before a decision is arrived at by the disciplinary committee except in the following cases—
 - (i) where an officer or servant of the Board is dismissed or reduced in rank on the ground of conduct in respect of which a criminal charge has been proved against him;
 - (ii) where the Board, on the recommendations of the Minister charged with home affairs, is satisfied that in the interest of the security of the Federation or any part thereof it is not expedient to carry out the requirements of this paragraph; or
 - (iii) where there has been made against an officer or servant of the Board any order of detention, supervision, restricted residence, banishment or deportation, or where there has been imposed on such officer or servant of the Board any form of restriction or supervision by bond or otherwise, under any law relating to the security of the Federation or any part thereof, prevention of crime, preventive detention, restricted residence, banishment, immigration, or protection of women and girls;
 - (d) may provide provisions for the interdiction with reduced emoluments of an officer or servant of the Board during the pendency of a criminal proceedings against him or disciplinary proceedings against him with the view to his dismissal or reduction in rank; and
 - (e) may provide provisions for the suspension without emoluments of an officer or servant of the Board where the officer or servant has been convicted by any criminal court or where an order of detention or restriction has been made in respect of or imposed on the officer or servant.

(3) For the purpose of subsection (2), “officer” includes the Director General.

Finance

Establishment of Fund

19. (1) For the purposes of this Act there is hereby established a Fund to be known as the Dewan Bahasa dan Pustaka Fund which shall be administered and controlled by the Board.

(2) The Fund shall consist of—

- (a) such sums as may be provided as a grant from time to time by Parliament;
- (b) such sums as may from time to time be lent to the Board by the Government of Malaysia;
- (c) moneys earned by the operation of any project, scheme or enterprise financed from the Fund;
- (d) all sums or property which may in any manner become payable to or vested in the Board in respect of any matter incidental to its powers and duties;
- (e) any voluntary gift to the Board or to the Dewan Bahasa dan Pustaka.

(3) The charges on any amount which may be allocated to the Board from loan funds shall be met by the Board.

Duty of Board to conserve the Fund

20. It shall be the duty of the Board to conserve the Fund by so exercising and performing its functions and duties under this Act as to secure that the total revenues of the Board are sufficient to meet all sums properly chargeable to its revenue account including, without prejudice to the generality of that expression, provisions in respect of its obligations under subsection 19(3), depreciation and interest on capital taking one year with another.

Fund to be deposited with a bank

21. The Fund may be placed on deposit with a bank in Malaysia holding a valid licence under the provisions of the

*Banking Act 1958 [Act 102], or invested in the securities of the Government of Malaysia or such other securities as may be approved in writing by the Minister of Finance.

Expenses to be paid from the Fund

22. In addition to sections 11B, 12, 18 and subsection 19(3), the Board may apply the Fund—

- (a) for the payment of any expenses lawfully incurred by it and the remuneration of any officer or servant employed by the Board, including superannuation allowances, pensions or gratuities;
- (b) for the payment of any other expense, cost or expenditure properly incurred or accepted by it in the exercise of the powers conferred on the Board by this Act;
- (c) for the making of loans to officers and servants of the Board for the purpose of acquiring means of conveyance for their personal use;
- (d) for the making of loans to officers and servants of the Board for the purpose of acquiring, building or purchasing houses for their accommodation or that of their families or for the purpose of repairing their houses; and in every case where the Board is making loans to its officers and servants under this paragraph the houses including the lands on which they stand shall be mortgaged to the Board as security for such loans;
- (e) for the making of loans to officers and servants of the Board for any other purpose approved by the Board.

Annual estimates

23. (1) The Chairman shall, not later than one month before the commencement of each financial year, lay before the Board an estimate of the Board's revenue and expenditure, including capital expenditure, for the ensuing year in such detail and form as the Board may require.

(2) A copy of such estimate shall be sent to each member of the Board not less than fourteen days prior to the meeting before which the estimate is to be laid.

*NOTE—This Act has been repealed by the Banking and Financial Institutions Act 1989 [Act 372]—see subsection 128(1) Act 372.

(3) The Board shall consider the estimate so submitted and shall sanction the same either unaltered or subject to such alterations as it thinks fit.

(4) Such estimate as sanctioned by the Board shall be submitted to the Minister who may, at any time within one month after receipt of the same, disallow such estimate, or any portion thereof, and return the same for amendment.

(5) The Board shall, if the estimate is so returned by the Minister, forthwith proceed to amend the same, and shall resubmit the estimate so amended to the Minister.

(6) The Board may, at any time during the year for which such estimate has been sanctioned, cause a supplementary estimate to be prepared and submitted to it.

(7) Every such supplementary estimate shall be considered and sanctioned by the Board, and submitted to the Minister, and, if necessary, amended and resubmitted as if it were an original estimate.

(8) The Board shall not incur expenditure otherwise than in accordance with estimates or supplementary estimates approved by the Minister.

Accounts and audit

24. (1) The Board shall keep or shall cause to be kept proper accounts and other records in respect of its operations and shall cause to be prepared statements of accounts in respect of each financial year.

(2) The accounts of the Board shall be audited annually by the Auditor General or other auditor appointed by the Board with the approval of the Minister.

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

(4) The Minister shall cause a copy of every such statement and comments to be laid on the table of the Dewan Rakyat.

Imposition of surcharge

24A. (1) A person who is or was in the employment of the Board may be surcharged if it appears to the Board that the person—

- (a) has failed to collect any moneys owing to the Board for the collection of which he is responsible;
- (b) is or was responsible for any improper payment of moneys from the Fund or for any payment of moneys which is not duly approved;
- (c) is or was responsible, directly or indirectly, for any deficiency in, or for the destruction of, any moneys, stamps, securities, stores or other property of the Board;
- (d) being or having been an accounting officer, fails or has failed to keep proper accounts or records; or
- (e) has failed to make any payment, or is or was responsible for any delay in the payment, of moneys from the Fund to any person to whom the payment is due under any contract, agreement or arrangement entered into between that person and the Board.

(2) The Board shall, before such person is surcharged, serve on him a written notice calling on him to show cause why he should not be surcharged.

(3) If a satisfactory explanation is not received within fourteen days from the date of service of the aforesaid notice, the Board may—

- (a) in the case of paragraphs (1)(a), (b) and (c), surcharge against such person a sum not exceeding the amount of any such amount not collected, or of the improper payment made, or of the deficiency in or loss, or the destruction of the property;
- (b) in the case of paragraphs (1)(d) and (e), surcharge against such person such sum as the Board may think fit.

Notification of surcharge

24B. The Board shall notify the person surcharged in respect of any surcharge made under subsection 24A(3).

Withdrawal of surcharge

24c. Notwithstanding subsection 24A(3) and section 24B, the Board may at any time withdraw any surcharge in respect of which a satisfactory explanation has been received or if it otherwise appears that no surcharge should have been made, and the Board shall at once notify the person of such withdrawal.

Recovery of surcharge

24d. The amount of surcharge made under subsection 24A(3) and not withdrawn under section 24C shall be a debt due to the Board from the person against whom the surcharge is made and may be sued for and recovered in any court at the suit of the Board and may also if the Board directs be recovered by deduction—

- (a) from the salary of the person surcharged; or
- (b) from the pension of the person surcharged,

by equal monthly instalments not exceeding one fourth of the total monthly salary or pension, as the case may be, of that person.

PART IV

GENERAL

Annual report

25. (1) The Board shall, not later than thirtieth day of April in each financial year, cause to be made and transmitted to the Minister a report dealing with the activities of the Board, during the preceding financial year and containing such information relating to the proceedings and policy of the Board as the Minister may from time to time direct.

(2) The Minister shall cause a copy of every such report to be laid on the table of the Dewan Rakyat.

Public servants

25A. In the performance of their duties and the exercise of their powers, all members, the Director General, officers and servants of the Board shall be deemed to be public servants within the meaning of the Penal Code [*Act 574*].

Public Authorities Protection

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

Power to make regulations

27. The Board may, with the approval of the Minister, make regulations for the carrying into effect the provisions of this Act, and in particular, but without prejudice to the generality of the foregoing, with respect to the following matters—

- (a) regulating the manner in which documents, cheques and instruments of any description shall be signed or executed on behalf of the Board or any corporation;
- (b) regulating the responsibilities and control of officers and servants of the Board;
- (c) regulating the circumstances in which members of the Board and the officers and servants of the Board may receive travelling and subsistence allowances and fixing the rates of such allowances;
- (d) imposing fees in such cases as may be determined by the Board;
- (e) providing procedure for the control and management of the Fund;
- (f) generally for the exercise of their powers and duties under the provisions of this Act.

Power to make rules

28. (1) The Board may, with the approval of the Minister, make rules for or in respect of salaries, allowances (except those subject to any regulations made under section 27) and conditions of service of its officers and servants or a pension, gratuity, superannuation or provident fund scheme for such officers and servants.

(2) Rules made under this section may provide—

- (a) for the establishment and management of such pension, gratuity, superannuation or provident fund scheme; and

- (b) for the transfer into that fund or scheme of contributions or parts of such contributions paid into any other provident fund or fund in anticipation of the establishment of the fund under this section.

(3) The following provisions shall apply to any rules made under this section—

- (a) no donation, contribution, gratuity, allowance or other payment payable under such rules, nor any right or interest acquired by any person to any gratuity, allowance or other payment thereunder, shall be assignable or transferable or liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatsoever, other than a debt due to the Government;
- (b) any moneys paid under any such rules on the death of any person shall be deemed to be impressed with a trust in favour of the persons entitled thereto under the will or intestacy of such deceased person, but shall not be deemed to form part of his estate or be subject to his debts;
- (c) any person may by his will or by a memorandum under his hand appoint a trustee or trustees of the moneys payable on his death under any such rules, and may provide for the appointment of a new trustee or trustees of such moneys and for the investment thereof;
- (d) if at the time of the death of any person or at any time afterwards there is no trustee of such moneys or it is expedient to appoint a new trustee or trustees, then in any such case a trustee or trustees or a new trustee or trustees may be appointed by the High Court or a Judge thereof;
- (e) the receipt of a trustee or trustees duly appointed or in default of any such appointment the receipt of the legal personal representative of a deceased person, shall be a discharge for any moneys payable on his death under any such rules;
- (f) no donation, contribution or interest paid under any such rules shall be subject to the debts of the contributor, nor shall such donation, contribution or interest be paid to the Director General of Insolvency on the bankruptcy of a contributor under any such rules, but if such contributor is adjudicated a bankrupt or is declared insolvent by judgment of the court, such donation, contribution or

interest shall, subject to the provisions of such rules, be deemed to be impressed with a trust in favour of the persons entitled thereto on the death of the contributor;

- (g) the bankruptcy of a contributor shall not affect the making of deductions from the salary of the contributor in accordance with such rules, but such deductions shall continue to be made notwithstanding the provisions of any written law, and the portion of salary so deducted shall be deemed not to form part of his after-acquired property;
 - (h) any person who is a contributor under any such rules shall, if he is dismissed from service for fraud, dishonesty or misconduct which involves pecuniary loss to the Board, or retires from or resigns his office with intent to escape discharge or dismissal in consequence of such fraud, dishonesty or misconduct, forfeit, subject to such conditions as may be provided by the rules, all or any part of the contributions made by the Board and the interest accrued thereon as the Board may think fit; an appeal shall lie to the Minister against any such forfeiture.
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LAWS OF MALAYSIA**Act 213****DEWAN BAHASA DAN PUSTAKA ACT 1959**

LIST OF AMENDMENTS

Amending law	Short title	In force from
Act 53/1966	Dewan Bahasa dan Pustaka (Amendment) Act 1966	28-07-1966
Act A47	Dewan Bahasa dan Pustaka (Amendment) Act 1971	30-04-1971
Act A79	Dewan Bahasa dan Pustaka (Amendment) (No. 2) Act 1971	17-09-1971
Act A930	Dewan Bahasa dan Pustaka (Amendment and Extension) Act 1995	11-01-1996
P.U. (A) 71/2003	Revision of Laws (Rectification of Dewan Bahasa dan Pustaka Act 1959) Order 2003	07-03-2003

LAWS OF MALAYSIA

Act 213

DEWAN BAHASA DAN PUSTAKA ACT 1959

LIST OF SECTIONS AMENDED

Section	Amending Authority	In force from
1	Act A930	11-01-1996
2	Act A79 Act A930	17-09-1971 11-01-1996
4	Act A79 Act A930	17-09-1971 11-01-1996
5	Act A79 Act A930	17-09-1971 11-01-1996
6	Act A930	11-01-1996
6A	Act A930	11-01-1996
6B	Act A930	11-01-1996
7	Act A930	11-01-1996
7A	Act A930	11-01-1996
11	Act A930	11-01-1996
11A	Act A930	11-01-1996
11B	Act A930	11-01-1996
Heading to Part III	Act A930	11-01-1996
16A	Act A930	11-01-1996
17	Act A930	11-01-1996
18A	Act A930	11-01-1996
18B	Act A930	11-01-1996
22	Act A930	11-01-1996

Section	Amending Authority	In force from
24A	Act A930	11-01-1996
24B	Act A930	11-01-1996
24C	Act A930	11-01-1996
24D	Act A930	11-01-1996
25A	Act A930	11-01-1996
27	Act A930	11-01-1996
Throughout the Act	Act A47	30-04-1971



