



LAWS OF MALAYSIA

REPRINT

Act 284

RAJA-RAJA AND THE YANG DI-PERTUA-YANG DI-PERTUA NEGERI HIGHER STUDIES SCHOLARSHIP FUND ACT 1983

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**RAJA-RAJA AND THE YANG DI-PERTUA-
YANG DI-PERTUA NEGERI HIGHER STUDIES
SCHOLARSHIP FUND ACT 1983**

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LAWS OF MALAYSIA**Act 284****RAJA-RAJA AND THE YANG DI-PERTUA-
YANG DI-PERTUA NEGERI HIGHER STUDIES
SCHOLARSHIP FUND ACT 1983**

An Act to establish the Raja-Raja and the Yang di-Pertua-Yang di-Pertua Negeri Higher Studies Scholarship Fund and to provide for the management of that Fund and other matters incidental thereto.

[13 May 1983]

BE IT ENACTED by the 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:

PART I**PRELIMINARY****Short title and application**

1. This Act may be cited as the Raja-Raja and the Yang di-Pertua-Yang di-Pertua Negeri Higher Studies Scholarship Fund Act 1983 and shall apply throughout Malaysia.

Interpretation

2. In this Act unless the context otherwise requires—

“Board” means the Raja-Raja and the Yang di-Pertua-Yang di-Pertua Negeri Higher Studies Scholarship Fund Board constituted under section 5;

“Fund” means the Raja-Raja and the Yang di-Pertua-Yang di-Pertua Negeri Higher Studies Scholarship Fund established under section 3;

“Majlis” means the Conference of Rulers established under Article 38 of the Federal Constitution.

PART II

THE FUND AND THE BOARD

Establishment and management of the Fund

3. (1) There shall be established a Fund to be known as the Raja-Raja and the Yang di-Pertua-Yang di-Pertua Negeri Higher Studies Scholarship Fund.

(2) The control and management of the Fund shall, subject to the provisions of this Act, be vested in a Board to be known as the Raja-Raja and the Yang di-Pertua-Yang di-Pertua Negeri Higher Studies Scholarship Fund Board, which in this Act is referred to as “the Board”, which shall be a body corporate with perpetual succession and a common seal with the power to sue and be sued, to hold property movable or immovable, to make contracts and, subject as hereafter provided, to convey, assign, surrender, mortgage, lease or otherwise dispose of movable or immovable property vested in the Board upon such terms as it may think fit.

Powers of Board to accept grants, donations, etc.

4. The Board shall have power at its discretion to accept any grants, donations, endowments, gifts or bequests made to or in favour of the Fund.

Members of the Board

5. (1) The Board shall consist of a Chairman and four other members to be appointed by the Majlis from among the Menteri-Menteri Besar and Chief Ministers.

(2) The Chairman and members of the Board shall, subject to sections 6 and 7, be appointed for a period of two years and shall be eligible for re-appointment.

(3) The Chairman shall preside at all meetings of the Board.

(4) The Board shall meet at least three times in a year at such place as the Chairman may appoint and at any meeting of the Board, the Chairman and two members shall form a quorum.

(5) The Chairman shall have a casting vote.

(6) Subject to the provisions of this Act, the Board shall have power to determine its own procedure.

(7) The Keeper of the Rulers' Seal shall be the Secretary to the Board.

Disqualification of members

6. A member of the Board shall be disqualified from holding office as such member if he ceases to be a Menteri Besar or Chief Minister.

Removal from office

7. (1) The Majlis may at any time remove from office any member of the Board and appoint another in his place.

(2) Without prejudice to the power of removal under subsection (1), the Majlis may remove from office any such member of the Board who, by reason of ill-health, is in the opinion of the Majlis rendered incapable of properly performing his duties as a member of the Board.

Power of Majlis to issue directions

8. The Majlis may from time to time give the Board directions not inconsistent with this Act on the policy to be followed in the exercise of the powers conferred and the duties imposed on the Board by or under this Act and the Board shall give effect to all such directions.

PART III

OBJECT OF THE FUND

Cost of managing the Fund and object of the Fund

9. (1) All expenses incidental to the management of the Fund shall be defrayed from the moneys of the Fund in priority to any other payments.

(2) The balance of the Fund after defraying the expenses referred to in subsection (1) shall, subject to the provisions of this Act, be utilized for the purpose of awarding such number of studentships, scholarships, study grants, study loans or any other study awards as the Board may from time to time determine to be awarded to persons so as to enable such persons to pursue such course of study as the Board may think proper.

Conditions of study award

10. Before making any study award under this Act, the Board may impose such conditions as it deems necessary.

Terms of study award

11. (1) Every recipient of a studentship, scholarship, study grant, study loan or any other study award awarded under this Act shall become, and during his tenure thereof shall remain, a student at the place of study approved by the Board and shall pursue his studies thereat to the satisfaction of the Board.

(2) If any recipient of any study award made under this Act commits a breach of any of the conditions laid down by the Board or in any way whatsoever misconducts himself, he may thereupon be deprived of such award.

Operation of this Act

12. (1) The provisions of this Act shall be supplementary to and not in derogation of any other written law relating to the provisions of studentships, scholarships, study grants, study loans or any other study awards in force in any part of the Federation.

(2) If in the opinion of the Board at any time that circumstances render any study award under this Act inadvisable or if there is in any year no candidate entitled in the opinion of the Board to any study award under this Act, then no such study award shall be made for that year and the money which otherwise would have been appropriated to such study award may be dealt with as hereinafter provided in this Act.

Cessation of study award in certain cases

13. The Board may cease to provide, maintain or assist any recipient of a study award under this Act who contravenes or fails to comply with the terms or conditions imposed by the Board in accordance with this Act or if it appears to the Board that any further pursuance of his studies is not advantageous or reasonable by reason of his unsatisfactory scholastic progress, misconduct or ill-health:

Provided that in any such case of cessation of any study award the Board shall defray all expenses necessary to return such recipient and his dependants, if any, to the Federation if they had left Malaysia on the instructions or with the approval of the Board.

PART IV

GENERAL

Federal Counsel empowered to appear for the Board

14. Any Federal Counsel, or any advocate or solicitor approved by the Majlis, may appear for the Board and plead and do all other things necessary in respect of any litigation in any court in Malaysia in respect of any breach of conditions of any study award made by the Board under this Act.

Investment powers of the Board

15. The moneys of the Fund may be invested by the Board in investments for the time being authorized by law for the investment of trust funds:

Provided that the Board shall not make any investment in securities issued or registered or other properties situated outside the Federation except with the approval in writing of the Majlis.

Audit and accounts

16. The provisions of the Statutory Bodies (Accounts and Annual Reports) Act 1980 [*Act 240*] shall apply to the Board.

Seal of the Board

17. (1) The common seal of the Board shall be in the custody of the Secretary and shall not be affixed to any instrument except in the presence of the Chairman, the Secretary or any other member of the Board authorized by the Chairman.

(2) Any instrument bearing the seal of the Board so affixed and attested shall be deemed to have been made by the Board.

Appointment of officers and servants

18. The Board shall have power to appoint such officers and servants of the Board as may be necessary for carrying out the functions of the Board.

Delegation by the Board

19. The Board may by instrument in writing under the common seal of the Board delegate to any person or body such of its duties as may be necessary to be performed in or outside the Federation:

Provided that any such person or body shall have no control over the Fund and shall act in all respects in accordance with the directions of the Board.

Liability for loss in investment

20. No member of the Board shall be liable for any loss arising from or contingent upon any investment made unless such loss has been occasioned by his wilful negligence, fraud or dishonesty; and no member of the Board, agent or person acting under the authority of the Board shall be personally liable to any action or proceeding for or in respect of any act, matter or thing done or omitted to be done in good faith and in the proper exercise of any of the rights or powers of the Board or members thereof.

Rules

21. (1) The Board may from time to time with the approval of the Majlis make rules for the proper carrying out of any of the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may—

- (a) prescribe the study awards, the conditions to be observed and the qualifications to be possessed by the candidates;
- (b) provide for the payment of salaries and allowances and conditions of service of the officers and servants of the Board;
- (c) provide for the establishment and management of a superannuation or provident fund scheme for its officer and servants.

Chairman to report to Majlis where moneys, *etc.*, of Fund insufficient

22. If at any time the moneys or other assets of the Fund are in the opinion of the Board insufficient to meet the expenses of the Fund and other payments, the Chairman of the Board shall forthwith make a report of that fact to the Majlis.

Transfer into Fund of moneys in the hands of sponsors

23. Upon the commencement of this Act all moneys and other assets in the custody, control or management of any person by virtue of any authority whatsoever and donated to the Fund or received by such person in anticipation of the promulgation of this Act together with any interest or dividends accrued thereon shall be deemed to form part of the Fund and shall be transferred to and vested in the Board.

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Act 284

**RAJA-RAJA AND THE YANG DI-PERTUA-
YANG DI-PERTUA NEGERI HIGHER STUDIES
SCHOLARSHIP FUND ACT 1983**

LIST OF AMENDMENTS

Amending law

Short title

In force from

— NIL —

LAWS OF MALAYSIA**Act 284****RAJA-RAJA AND THE YANG DI-PERTUA-
YANG DI-PERTUA NEGERI HIGHER STUDIES
SCHOLARSHIP FUND ACT 1983****LIST OF SECTIONS AMENDED**

Section	Amending authority	In force from
	— NIL —	
