

D.R. 45/94

Naskhah Sahih—Bahasa Inggeris

RANG UNDANG-UNDANG

bernama

Suatu Akta untuk meminda Akta Perbadanan
Produktiviti Negara (Pemerbadanan) 1966.

[]

MAKA INILAH DIPERBUAT UNDANG-UNDANG
oleh Seri Paduka Baginda Yang di-Pertuan Agong
dengan nasihat dan persetujuan Dewan Negara dan
Dewan Rakyat yang bersidang dalam Parlimen, dan
dengan kuasa daripadanya, seperti berikut:

1. Akta ini bolehlah dinamakan Akta Perbadanan
Produktiviti Negara (Pemerbadanan) (Pindaan) 1994. Tajuk
ringkas.

2. Akta Perbadanan Produktiviti Negara (Pemer-
badanan) 1966, yang disebut "Akta ibu" dalam Akta ini,
adalah dipinda dengan memasukkan selepas seksyen 5e
seksyen yang berikut: Seksyen
baru 5C, 5D,
5E dan 5F.
Akta 408,

Imposi-
tion of
surcharge.

5c. If it appears to the Corporation that any
person who is or was in the employment of the
Corporation—

- (a) has failed to collect monies owing to
the Corporation for the collection of
which he is or was responsible;
- (b) is or was responsible for any improper
payment of monies from the
Corporation or for any payment of such
monies which is not duly youched;

- (c) is or was responsible for any deficiency in, or for the destruction of, any monies, stamps, securities, stores or other property of the Corporation;
- (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 monies from the Corporation to any person to whom such payment is due under any contract, agreement or arrangement entered into between that person and the Corporation,

and if a satisfactory explanation is not, within a period specified by the Corporation, furnished to the Corporation with regard to the failure to collect, improper payment, payment not duly vouched, deficiency or destruction, or failure to keep proper accounts or records, or failure to make payment, or delay in making payment, the Corporation may surcharge against the said person a sum not exceeding the amount of any such amount not collected, such payment, deficiency, or loss or the value of the property destroyed, as the case may be; and with regard to the failure to keep proper accounts or records, or the failure to make payment, or the delay in making payment, the Corporation may surcharge against the said person such sum as the Corporation may think fit.

Notifi-
cation of
surcharge.

5D. The Corporation shall cause the Director General to be notified of any surcharge made under section 5c and the Director General shall thereupon notify the person surcharged.

With-
drawal of
surcharge.

5n. The Corporation 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 Corporation shall at once cause the Director General to be notified of such withdrawal.

Recovery
of sur-
charge.

5F. The amount of any surcharge imposed under section 5c and not withdrawn under section 5E shall be a debt due to the Corporation from the person against whom the surcharge is imposed and may be sued for and recovered in any court at the suit of the Corporation and may also be recovered by deduction—

(a) from the salary of the person surcharged if the Corporation so directs; or

(b) from the pension of the person surcharged if the Corporation so directs.

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

3. Akta ibu adalah dipinda dengan memasukkan selepas seksyen 7B, seksyen yang berikut:

Seksyen
baru 7c.

Power to
transfer or
dispose of
activity,
duty or
function.

7c. (1) The Corporation may transfer or dispose of any of its activity, duty or function to any person or body subject to such terms and conditions as it may impose.

(2) The Corporation 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, duty or function of such person or body under subsection (1)."

Seksyen
baru 19.

4. Akta ibu adalah dipinda dengan memasukkan selepas seksyen 18 seksyen yang berikut:

Power of
Minister to
amend the
Schedule. 19. The Minister may, by order in the *Gazette*, amend, add to or vary the Schedule to this Act."

HURAIAN

Rang Undang-Undang ini bertujuan meminda Akta Perbadanan Produktiviti Negara (Pemerbadanan) 1966 ("Akta").

2. *Fasal 2* bertujuan meminda Akta dengan memasukkan seksyen baru 5c, 5D, 5E dan 5F yang berhubungan dengan pengenaan surcaj terhadap mana-mana orang yang sedang atau pernah bekerja dengan Perbadanan.

3. *Fasal 3* bertujuan meminda Akta dengan memasukkan seksyen baru 7c yang memberi kuasa kepada Perbadanan untuk memindahkan atau melupuskan apa-apa aktiviti, tugas atau fungsinya kepada mana-mana orang atau badan tertakluk kepada apa-apa terma dan syarat yang Perbadanan boleh kenakan.

4. *Fasal 4* bertujuan meminda Akta dengan memasukkan seksyen baru 19 yang memberi Menteri kuasa untuk meminda Jadual melalui perintah yang disiarkan dalam *Warta*.

IMPLIKASI KEWANGAN

Rang Undang-Undang ini tidak akan melibatkan Kerajaan dalam apa-apa perbelanjaan wang tambahan. [PN. (U²) 1833.]