D.R. 18/95

Naskhah Sahih—Bahasa Inggeris

RANG UNDANG-UNDANG

b e r n a m a

Suatu Akta untuk meminda Akta Suruhanjaya Pelabuhan Pulau Pinang 1955.

[ ]

MAKAINTLAH 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 Suruhanjaya Pelabuhan Pulau Pinang (Pindaan) 1995. Tajuk ringkas.

2. Akta Suruhanjaya Pelabuhan Pulau Pinang 1955, yang disebut "Akta ibu" dalam Akta ini, adalah dipinda dalam seksyen 33A— Pindaan seksyen 33A *Akta 140*

(a) dalam subseksyen (1) dan (3) dengan menggantikan perkataan "1989" dengan perkataan "1990"; dan

(b) dengan memasukkan selepas subseksyen (2) subseksyen yang berikut:

"(2A) Where a reply is received from the Commission as regards the memorandum submitted under subsection (1) indicating the decision of the Commission to disallow the change in the existing scale of rates as contained in the memorandum, any person or body of

persons who is aggrieved by the decision of the Commission may, within fourteen days from the date of such decision, appeal to the Minister whose decision shall be final.".

Bahagian baru VIA.

3. Akta ibu adalah dipinda dengan memasukkan selepas Bahagian VI Bahagian yang berikut:

"

PART VIA

EXTENSION OF THE FUNCTIONS, ETC., OF THE COMMISSION TO OTHER PORTS

Power of Minister to extend Commission's functions to other ports.

80A. (1) The Minister may, by order published in the *Gazette,* extend the functions, powers, duties and jurisdiction of the Commission to other ports.

(2) An order under subsection (1) may provide that the Commission shall, in carrying out the administration of the port to which its control is extended, include among its members such other person or persons as may be specified in the order either by name or by office.

(3) Where an order is made under subsection (1), the Commission shall be deemed for all purposes to be the port authority in respect of the port specified in the order as if it were the port authority established in respect of that port under this Act and shall in carrying out its functions be styled by such name as may be provided in the order.

Commission in carrying out its extended functions shall be deemed to be an independent port authority.

80B. The Commission in carrying out its functions in respect of the port to which they are extended shall carry them out as if it were an independent port authority established in respect of such port.

Power of Minister to make provisions for the Commission to carry out its functions,

80C. An order of the Minister under section 80A may contain all such provisions as the Minister may deem necessary to enable the Commission to carry out its functions in relation to the port to which they are extended.

Interpretation.

70/52

80D. For the purposes of this Part, "port" means a port or place declared to be a port under section 5 of the Merchant Shipping Ordinance 1952.".

HURAIAN

Rang Undang-Undang ini bertujuan meminda Akta Suruhanjaya Pelabuhan Pulau Pinang 1955 ("Akta").

2. *Fasal 2* bertujuan meminda subseksyen 33A(1) dan (3) Akta dengan menggantikan perkataan "1989" dengan perkataan "1990" untuk mengadakan peruntukan bagi nama sebenar Akta Pelabuhan-Pelabuhan (Penswastaan). *Fasal 2* juga bertujuan memasukkan subseksyen baru (2A) kepada seksyen 33A untuk membenarkan mana-mana orang atau kumpulan orang yang terkilan dengan keputusan Suruhanjaya untuk tidak membenarkan perubahan dalam skel kadar yang sedia ada merayu kepada Menteri terhadap keputusan tersebut.

3. *Fasal 3* bertujuan memasukkan Bahagian baru VIA untuk memberi Menteri kuasa memperluaskan fungsi, kuasa, tugas dan bidang kuasa Suruhanjaya kepada pelabuhan-pelabuhan lain.

IMPLIKASI KEWANGAN

Rang Undang-Undang ini tidak akan melibatkan Kerajaan dalam apa-apa perbelanjaan wang tambahan. [PN. (U^2) 1873.]