

Federation of Malaya

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Government of Perak

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The following Notifications are, by command of His Highness the Sultan of Perak, published for general information.

OSMAN BIN TALIB,
State Secretary.

No. 1780.—The following Enactment passed at a meeting of the Council of State held on 16th October, 1951.

*See: 3 in fac on 10.12.51
vide L.N. 49/3.1.52*

STATE OF PERAK.

ENACTMENT No. 4 OF 1951.

I ASSENT

RAJA YUSSUF,
Sultan of Perak.

12th November, 1951.

An Enactment to Establish a Fund for the Foundation of Scholarships for the Higher Education and Training abroad of non-Malay Perak Nationals.

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IT IS HEREBY ENACTED by His Highness the Sultan of Perak with the advice and consent of the Council of State as follows:

1. (1) This Enactment may be cited as the Perak Nationals (non-Malay) Scholarship Fund Enactment, 1951.

Short title
and com-
mencement.

State
Seal.

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No. 4 OF 1951.

(2) This Enactment shall come into force on such date as the State Executive Council may by notification in the *Gazette* appoint provided, however, that the State Executive Council may by such notification or by subsequent notifications appoint different dates for the coming into force of different provisions of this Enactment.

Interpretation.

2. In this Enactment, unless the subject or context otherwise requires—

“abroad” means elsewhere than in Malaya;

“the Board” means the Board of Trustees of the Fund, constituted and incorporated by Section 4 of this Enactment;

“the Fund” means the Perak Nationals (non-Malay) Scholarship Fund constituted by Section 3 of this Enactment;

“national of the State” and “Perak national” mean a subject of the Ruler of the State of Perak within the meaning of the Perak Nationality Enactment;

“Scholarship” means a scholarship for which provision is made by or under this Enactment.

Establishment of the Fund.

3. In every year there shall be appropriated out of the general revenues of the State such sum as the State Executive Council shall appropriate being not less than \$15,000 (Dollars Fifteen Thousand), which shall be paid into and form part of a separate fund to be called “The Perak Nationals (non-Malay) Scholarship Fund”. The said sum shall be paid into the Fund on, or as soon as possible after, the 1st day of January in each year.

The Board of Trustees incorporation.

4. (1) The Fund shall vest in and be managed by a Board of Trustees, which by virtue of this Enactment shall be a body corporate by the name of “The Board of Trustees of the Perak Nationals (non-Malay) Scholarship Fund” with perpetual succession and a common seal. The Board is hereby empowered for the purposes of the Fund to sue and be sued, to hold property, movable or immovable, to make contracts and to convey, assign, surrender, charge, lease or otherwise deal with or dispose of the movable or immovable property of the Board upon such terms as to the Board shall seem proper.

PERAK NATIONALS (NON-MALAY) SCHOLARSHIP FUND.

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(2) The Board shall have power, in its discretion, to accept any donations, endowments or bequests to, or in favour of, the Fund.

5. (1) The Board shall consist of the following members :

Constitution
of the
Board.

(a) the Mentri Besar, *ex officio*;

(b) the British Adviser, *ex officio*;

(c) the State Financial Officer, *ex officio*;

(d) the Senior Inspector of Schools, *ex officio*;

and (e) four unofficial members to be appointed by the Ruler in Council.

(2) The period of appointment of unofficial members of the Board shall be three years, but such persons shall be eligible for re-appointment.

(3) The Ruler in Council may at any time remove from office any unofficial member of the Board and appoint another in his place.

6. (1) The Mentri Besar shall be the President of the Board. The President shall be the Chairman of all meetings at which he shall attend, and in his absence the members present shall elect one of the *ex officio* members to be Chairman.

Proceedings
of the
Board.

(2) The Board shall meet at such places and times as the President may appoint, and at any meeting four members shall form a quorum. The Chairman of any meeting of the Board shall have a casting vote.

(3) The duties of Secretary to the Board shall be performed by the Senior Inspector of Schools, and the duties of Treasurer to the Board shall be performed by the State Financial Officer.

7. The objects and purposes of the Fund shall be to assist the progress and political and cultural development of the State by the award to non-Malay nationals of the State of scholarships for higher education and training abroad.

Objects of
the Fund.

8. The costs and expenses of and incidental to the proper management of the Fund shall be defrayed therefrom by the Board in priority to any other payments.

Cost of
management
to be
defrayed
from the
Fund.

9. Subject to the payment of such costs and expenses as aforesaid, the Fund shall be applied to providing and maintaining such number of Scholarships as the Board may determine and to making such other

Award of
Scholarships.

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payments as are authorised by this Enactment. Such Scholarships shall be awarded only to persons who are nationals of the State and not of the Malay race, and shall provide for such persons to be educated or trained abroad in such manner as the Board may decide.

Conditions
of award.

10. The Scholarships shall be of such amounts and for such periods, and shall be awarded at such intervals and as the result of such examinations or other tests or on such qualifications, and shall be subject to such conditions, as the Board shall deem fit :

Provided that the total period of a Scholarship, including any extensions granted by the Board, shall in no case exceed five years save with the express approval of the Ruler in Council.

Place of
study.

11. It shall be an implied condition of every Scholarship that the holder thereof shall become, and during his tenure thereof shall remain, a student at the place or places of education stipulated by the Board and shall pursue his studies thereat to the satisfaction of the Board.

Marriage of
a holder of
a Scholar-
ship.

12. Any holder of a Scholarship who marries without the consent in writing of the Board while holding the Scholarship shall be liable to be deprived of his Scholarship by the Board :

Provided that nothing herein contained shall be deemed to prevent the Board from awarding a Scholarship to any person who is already married.

Passages
and allow-
ances.

13. The Board, in its absolute discretion, may pay the cost, or any part thereof, of passages to and from Malaya for any holder of a Scholarship and, if it so sees fit, for the wife and dependent children of such holder, and may pay a maintenance allowance to or in respect of any dependant of a holder of a Scholarship, whether such holder be married or unmarried, and whether such dependant be in Malaya or abroad.

Progress
reports.

14. The Board shall, not less frequently than once a year, obtain reports on the scholastic progress and on the conduct and state of health of each holder of a Scholarship.

Withdrawal
of Scholar-
ships.

15. The Board may withdraw a Scholarship at any time if, in its opinion, the rate of scholastic progress, conduct or state of health of the holder, or other circumstances, so warrant, or in the event of any failure or omission on the part of the holder to

PERAK NATIONALS (NON-MALAY) SCHOLARSHIP FUND.

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observe or perform any of the conditions of his Scholarship or any of the terms or conditions of any agreement or undertaking executed or given by him in connection with, or as a condition of the award of, his Scholarship; and the Board shall withdraw any Scholarship the holder of which is, in the opinion of the Board, either unable or unwilling to continue his studies or unlikely to obtain any substantial benefit from further retention of his Scholarship.

16. So much (if any) of the Fund as shall not be required to meet the expenses of management of the Fund and the cost of such Scholarships as may be awarded, and of such passages and allowances as may be paid, as hereinbefore provided, may, in the discretion of the Board, be invested as hereinafter provided or utilised for the purpose of augmenting the emoluments of any existing Scholarship or of granting additional Scholarships or for the purpose of purchasing supplementary books or materials for the use of, or otherwise assisting, the holder of any Scholarship.

Application
of surplus
monies.

17. The Board may withhold any Scholarship the award of which the Board considers for any reason to be inadvisable or for which there is, in the opinion of the Board, no suitable candidate.

Power to
withhold
Scholarships.

18. (1) The common seal of the Board shall be kept in the custody of the President and shall not be affixed to any instrument except in the presence of the President or the British Adviser, and one other member of the Board, both of whom shall sign such instrument in token of their presence.

Custody
and use of
common
seal.

(2) Any document bearing the seal of the Board so attested shall be deemed to have been properly executed, unless the contrary be proved.

19. The Board shall be at liberty in its discretion—

Investment
of monies.

(a) to invest any of the monies of the Fund in any securities in which trustees are for the time being authorised by law to invest trust funds; and any such investments from time to time to vary and exchange for others of the like nature;

(b) to deposit any such monies for the time being uninvested with any Bank, either upon fixed deposit or upon current account, or in any Government Treasury.

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Annual
accounts.

20. As soon as possible after the 31st day of December of each year, the Board shall submit to the Ruler in Council a full and complete account of the workings of the Fund during that year and of the assets and liabilities of the Fund as on the said 31st day of December.

Audit.

21. The accounts of the Board shall be audited by a Government auditor.

Members of
the Board
not to be
remunerated.

22. No member of the Board shall receive any remuneration for his services as such.

Employment
of agents.

23. The Board shall be at liberty for the purpose of effectively discharging its duties and functions under this Enactment, to employ, and to remunerate as required, such bankers, brokers and other agents or assistants as to the Board may seem fit.

Protection
of members
of the Board
and those
acting under
the Board.

24. No member of the Board shall be personally liable for any loss suffered by the Fund unless such loss has been occasioned by his own wilful negligence or fraud; and no member of the Board, and no servant, agent or person acting under the authority of the Board, shall be personally liable for or in respect of any act, matter or thing done or omitted to be done in good faith and in the exercise or supposed exercise of any of the rights or powers of the Board or of the members thereof or otherwise in pursuance or supposed pursuance of any of the provisions of this Enactment.

Regulations.

25. (1) The Board may make regulations, not inconsistent with the provisions of this Enactment, generally for carrying out the purposes of the Fund.

(2) In particular and without prejudice to the generality of the foregoing powers, such regulations may prescribe the conditions of award and tenure of Scholarships and the qualifications to be required of candidates therefor.

Passed this 16th day of October, 1951.

[Pk. Sec. 4170/50.]

NIK DAUD,
Clerk of Council.