

MALAYSIAN PALM OIL BOARD (AMENDMENT) ACT 2004

ACT A1222

An Act to amend the Malaysian Palm Oil Board Act 1998.

ENACTED by the Parliament of Malaysia as follows:

1. Citation.

This Act may be cited as the Malaysian Palm Oil Board (Amendment) Act 2004.

2. Amendment of section 35.

(1) The Malaysian Palm Oil Board Act 1998 [Act 582], which is referred to as the "principal Act" in this Act, is amended in section 35—

(a) in subsection (1), by inserting after the words "rate of the cess", the words ", person or class of persons on whom the cess is imposed"; and

(b) in subsection (3), by inserting after the word "product" the words "in relation to different persons or different classes of persons".

(2) Any subsidiary legislation made by the Minister in exercising the powers conferred on him by subsection 35(1) of the principal Act before the commencement of this Act is declared to have been validly and lawfully made notwithstanding that that subsection did not contain the provision as amended in subsection (1) at the time when the subsidiary legislation was made.

3. Validation of subsidiary legislation of repealed Acts.

Any subsidiary legislation made under the Palm Oil Registration and Licensing Authority (Incorporation) Act 1976 [Act 179] and the Palm Oil Research and Development Act 1979 [Act 218] are declared to have been validly and lawfully made notwithstanding the absence in the Acts under which they were made of any provision relating to the persons or class of persons on whom cess is imposed.

4. Validation of cess.

Pursuant to subsection 2(2) and section 3 of this Act, all cess imposed and monies collected and purporting to be imposed and collected under the Palm Oil Registration and Licensing Authority (Incorporation) Act 1976, the Palm Oil Research and Development Act 1979 and the Malaysian Palm Oil Board Act 1998 and any subsidiary legislation made under those Acts shall be deemed to have been validly and lawfully imposed and collected in respect of palm oil whether or not such cess was imposed in respect of oil originating or extracted from the pericarp or the kernel of the oil palm fruit or in respect of oil in crude or processed form extracted from oil palm fruits and seeds.