

PINEAPPLE INDUSTRY (AMENDMENT) ACT 1988

ACT A693

PREAMBLE

An Act to amend the Pineapple Industry Ordinance 1957.

BE IT ENACTED by the Duli Yang Maha Mulia 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:

1. Short title and commencement.

This Act May be cited as the Pineapple Industry (Amendment) Act 1988 and shall come into force on such date as the Minister May, by notification in the Gazette, appoint.

2. Amendment of section 2.

Section 2 of the Pineapple Industry Ordinance 1957[Ord. 13/57.], which in this Act is referred to as "the Ordinance", is amended -

(a) by inserting, immediately after the words "juice form" in the definition of "canned pineapple", the words "(whether or not mixed with other fruit)"; and

(b) by inserting, immediately after the definition of "can-supplier", the following new definition:

' "chief executive officer" means the chief executive officer of the Board appointed under subsection (1) of section 10 and includes any person appointed to act as chief executive officer under subsection (3) of section 10.'

3. Amendment of section 2.

Section 3 of the Ordinance is amended -

(a) by substituting subsection (2) with the following:

"(2) The Board shall consist of the following members who shall be appointed by the Minister:

(a) a Chairman;

(b) a representative of the Ministry responsible for the pineapple industry;

(c) a representative of the Ministry of Trade and Industry;

(d) a representative of the Treasury;

(e) a representative of such other Ministry as the Minister, May determine after consulting the Minister of that Ministry;

(f) two persons to represent the interests of registered canners nominated by the representative association of the canning sector of the pineapple industry;

(g) two persons to represent the interests of growers; and

(h) the State Director of Agriculture, Johore.";

(b) by substituting subsection (3) with the following:

"(3) (a) The Minister May, in respect of each member of the Board other than the Chairman, appoint an alternate member who May attend any meeting of the Board which the member is, for any reason, unable to attend.

(b) When attending a meeting of the Board, an alternate member shall, for all purposes, be deemed to be a member of the Board;"

(c) by deleting subsection (4);

(d) by substituting subsection (5) with the following:

"(5) Every member of the Board, other than the person appointed under paragraph (h) of subsection (2), shall, unless his appointment is sooner revoked or he sooner resigns, hold office for such period as the Minister May specify in his letter of appointment or, if no such period is specified, for a period of two years from the date of his appointment, and shall be eligible for reappointment."; and

(e) by inserting, immediately after subsection (5), the following new subsection (5A):

"(5A) Every alternate member shall, unless he sooner resigns or his appointment is sooner revoked, cease to be an alternate member when the member in respect of whom he is an alternate member ceases to be a member of the Board."

4. Amendment of section 7.

Section 7 of the Ordinance is amended-

(a) by inserting, immediately after subparagraph (iv) of subsection (2), the following new subparagraphs (v), (vi) and (vii):

"(v) all monies borrowed by the Board under section 8A;

(vi) all monies earned or arising from any investment under section 8B or from any property acquired by or vested in the Board; and

(vii) all other monies that May in any manner become payable to or vested in the Board in respect of any matter incidental to its functions."; and

(b) by substituting subsection (4) with the following:

"(4) The Statutory Bodies (Accounts and Annual Reports) Act 1980 (Act 240) shall apply in respect of the Board."

5. New sections 8A and 8B.

The Ordinance is amended by inserting, immediately after section 8, the following new sections 8A and 8B:

" 8A. Power to borrow.

The Board May, with the approval of the Minister and the concurrence of the Minister of Finance, borrow monies for the purpose of carrying out its functions.

8B. Power to invest.

The Board May, with the approval of the Minister and the concurrence of the Minister of Finance, from time to time, invest the Fund or any part thereof, not being immediately required for meeting its obligations or carrying out its functions-

(a) in any investment or securities authorized for the investment of trust funds by any written law for the time being in force; or

(b) in such other investment or securities as the Board thinks fit."

6. Substitution of section 10.

The Ordinance is amended by substituting section 10 with the following:

"10. Appointment of officers and servants,

(1) The Board May appoint a chief executive officer who May be designated by any name and such other officers and servants as it considers necessary for the purpose of discharging its functions under this Ordinance.

(2) The appointment of the chief executive officer shall be with the approval of the Minister.

(3) If the chief executive officer is for any reason unable to exercise the powers and perform the duties of his office, the Board May appoint any other person to act as chief executive officer:

Provided that the consent of the Minister shall be obtained where the deputation exceeds or is likely to exceed a continuous period of three months.

(4) The appointment of the chief executive officer shall be published in the Gazette.

(5) The Board shall obtain the approval of the Treasury and the Public Services Department before establishing or modifying any scheme of service for the chief executive officer and its other officers and servants, including the terms and conditions of service, the salaries, allowances and other remuneration payable, and facilities for loans for the purchase of conveyances."

7. New section 10A and 10B.

The Ordinance is amended by inserting, immediately after section 10, the following new sections 10A and 10B:

"10A. Duties of the chief executive officer.

(1) The chief executive officer shall -

(a) be responsible for putting into execution the policy decisions of the Board and for the general administration of its affairs;

(b) exercise supervision and control over all officers and servants of the Board; and

(c) perform such other duties and undertake such other responsibilities as the Board May from time to time determine or as the Chairman May from time to time direct.

(2) The chief executive officer shall be present at every meeting of the Board unless he is excused from doing so by the Chairman.

(3) The chief executive officer shall have no right to vote at meetings of the Board.

10B. Regulations governing the conduct and discipline of officers and servants.

Subject to any other written law, the Board May, with the approval of the Minister, make regulations governing the conduct and discipline of its officers and servants including provisions for surcharge."