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SECOND SUPPLEMENT TO THE FEDERATED MALAY STATES GOVERNMENT GAZETTE

OF FRIDAY, THE 6TH OF OCTOBER, 1922.
(No. 23, Vol. XIV.)

PUBLISHED BY AUTHORITY.

WEDNESDAY, 18TH OCTOBER, 1922.

The following Notification is, by direction of the Chief Secretary to Government, published for general information.

C. W. H. COCHRANE,
Acting Under Secretary, F.M.S.

No. 6294.—The following Bill about to be introduced in the Federal Council is published for general information :

A BILL
intituled

An Enactment to impose restrictions upon the export of rubber.

IT is hereby enacted by the Rulers of the Federated Malay States in Council as follows :

1. (i) This Enactment may be cited as "The Export of Rubber (Restriction) Enactment, 1922." Short title.

(ii) Whenever it appears to the High Commissioner that it is expedient that this Enactment should be brought into force he may by notification in the *Gazette* order that this Enactment come into force on a date to be specified in such notification and this Enactment shall come into force on the date so specified and shall thereafter remain in force until the High Commissioner shall by notification in the *Gazette* order that the same do cease to be in force. Operation.

2. In this Enactment and in any rules or regulations made hereunder "rubber" means latex from plantation Para rubber trees whether treated or untreated, but does not include goods manufactured from rubber. Interpretation.

3. (i) The Chief Secretary to Government may from time to time make rules for any of the following purposes : Rules.

(a) to impose an export duty upon rubber and to fix the amount of such duty,

(b) to prescribe the manner in which such duty is to be collected,

(c) to prohibit, restrict or regulate the export of rubber,

(d) to provide for the appointment of officers and other persons to carry out the provisions of any rules and to prescribe their duties,

(e) to prescribe fees to be charged for anything to be done under any rules.

(ii) All such rules shall be published in the *Gazette* and shall thereupon have the force of law.

4. (i) Any export duty imposed in accordance with this Enactment shall be in the stead of any export duty imposed under "The Customs Enactment, 1920." Customs Enactment—how affected.

(ii) Except as provided above nothing in this Enactment or in any rules made hereunder shall affect the provisions of "The Customs Enactment, 1920," or any enacted modification thereof, and all rules and regulations made under this Enactment shall be additional and auxiliary to the provisions of the said Customs Enactment and any rules made thereunder.

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(iii) Any evasion or attempted evasion of payment of the duty or breach or attempted breach of any prohibition or restriction imposed by any rule under this Enactment shall be punishable as though the said duty, prohibition or restriction had been imposed under the provisions of the said Customs Enactment.

Provisions as to
actions.

5. (i) No action shall be brought against any person for anything done or *bona fide* intended to be done in the exercise or supposed exercise of the powers given by this Enactment, or by any rules made thereunder—

- (a) without giving to such person one month's previous notice in writing of the intended action, and of the cause thereof;
- (b) after the expiration of three months from the date of the accrual of the cause of action;
- (c) after tender of sufficient amends.

(ii) In every action so brought it shall be expressly alleged that the defendant acted either maliciously or negligently and without reasonable or probable cause, and if, at the trial, the plaintiff shall fail to prove such allegation, judgment shall be given for the defendant.

(iii) Though judgment shall be given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant unless the Court before which the action is tried shall certify its approbation of the action.

OBJECTS AND REASONS.

This Bill has been prepared on the instructions of the Secretary of State to enable the Government to restrict the export of rubber. It is in itself only an enabling Bill, and all matters of detail will be dealt with in rules to be made under it.

KUALA LUMPUR,
16th October, 1922.

W. S. GIBSON,
Acting Legal Adviser, F.M.S.