



LAWS OF MALAYSIA

Act 810

SUBANG GOLF COURSE CORPORATION ACT 1968

(Revised—2018)

REVISED BY
THE COMMISSIONER OF LAW REVISION, MALAYSIA
UNDER THE AUTHORITY OF THE REVISION OF LAWS ACT 1968
2018

SUBANG GOLF COURSE CORPORATION ACT 1968

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PREVIOUS REVISION

<i>First Revision</i>	1993 (Act 509 w.e.f. 8 October 1993)
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Act 810

SUBANG GOLF COURSE CORPORATION ACT 1968

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LAWS OF MALAYSIA

Act 810

SUBANG GOLF COURSE CORPORATION ACT 1968

An Act to establish the Subang Golf Course Corporation and to provide for matters connected therewith.

[1 October 1968, P.U. 404/1968]

PART I

PRELIMINARY

Short title

1. This Act may be cited as the Subang Golf Course Corporation Act 1968.

Interpretation

2. In this Act, unless the context otherwise requires—

“member” means a member of the Corporation appointed under section 6;

“revenue” includes—

- (a) grants, contributions, endowments, gifts or bequests made to or in favour of the Corporation;
- (b) any other moneys due to and received by the Corporation;
and
- (c) any moneys and proceeds of the moneys raised under section 9;

“Corporation” means the Subang Golf Course Corporation established under section 3.

PART II

THE CORPORATION

Establishment of Corporation

3. (1) A body corporate by the name of the “Subang Golf Course Corporation” is established.

(2) The Corporation shall have perpetual succession and may sue and be sued in its name and may enter into contracts.

Common seal

4. (1) The Corporation shall have a common seal and the seal may be made, changed, altered and made anew as the Corporation deems fit.

(2) Until a seal is provided under this section, a stamp bearing the inscription “Subang Golf Course Corporation” may be used as the common seal of the Corporation.

(3) The seal of the Corporation shall when affixed to a deed, document or other instrument be affixed in the presence of and attested by the Chairman or Deputy Chairman and one other member.

(4) Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not be required to be under seal, may be entered into or executed on behalf of the Corporation by any person generally or especially authorized by the Corporation for that purpose subject to such restrictions as to the value or otherwise as may be imposed in such authorization.

(5) Any deed, document or other instrument purporting to be duly executed or issued under the seal of the Corporation or on behalf of the Corporation shall, until the contrary is proved, be deemed to be so executed or issued.

Powers of the Corporation

5. (1) The Corporation shall have power—

- (a) to establish, manage and maintain or cause to be managed and maintained any golf course for use in connection with golf or such other sports, games, recreation or pastimes, as the Corporation deems fit;
- (b) to acquire by purchase, gift or otherwise movable and immovable property and any interest therein, and to dispose of or otherwise deal with any movable or immovable property or any interest therein so acquired by the Corporation;
- (c) to erect any building on any immovable property of the Corporation or on any immovable property with respect to which any contract or arrangement has been made under paragraph (d) and lay out and prepare such property for any sports, games, recreation or pastimes which may suitably or conveniently be held thereon, to provide stands, pavilions, gymnasiums, refreshment rooms, shops, stalls, lavatories and such other amenities and conveniences in connection therewith as the Corporation deems fit;
- (d) to enter into any contract or arrangement by way of lease or otherwise with respect to any golf course or any building or amenities thereon or with respect to any property with any person, body of persons or any public authority subject to such terms and conditions as may be approved by the Minister;
- (e) to maintain or reconstruct any building standing on the Corporation's land;
- (f) to sell, lease or sublease or otherwise dispose of such land as may not be required for sporting activities upon such terms and conditions as may be approved by the Minister;
- (g) to hold or promote any sports, games, athletics, recreation or pastimes, and to grant or contribute towards prizes, awards and distinctions;
- (h) to carry on the business of licensed victuallers and refreshment purveyors;

- (i) with the approval of the Minister, to use or permit the use of any property of the Corporation for such purposes as the Corporation may determine in addition to the purposes which are referred to in this section;
- (j) to appoint such officers, agents and servants on such terms as to remuneration and otherwise as the Corporation may determine; and
- (k) with the approval of the Minister, to develop all such land as may not be required for golf course or other sporting or recreational activities for industrial or housing purposes or as parks, gardens or other social amenities; and for the purpose of this paragraph the Corporation may enter into any contract or arrangement with any person, body of persons or public authority.

(2) Without prejudice to the generality of subsection (1), the Corporation shall be responsible for the management and control of the Subang Golf Course in accordance with this Act.

Membership of the Corporation

6. (1) The Corporation shall consist of the following members:

- (a) four persons appointed by the Minister by name or office, of whom at least one shall be the representative of the Ministry of Youth and Sports, and one shall be the representative of the Treasury;
- (b) two persons appointed by the Minister on the nomination of the Menteri Besar of the State of Selangor; and
- (c) five persons appointed by the Minister being persons in the opinion of the Minister likely to contribute towards the promotion of the game of golf.

(2) A Chairman and Deputy Chairman of the Corporation shall be appointed by the Minister from among the members.

(3) Unless he sooner resigns his office by writing under his hand addressed to the Minister or his appointment is revoked in accordance with section 7, a member shall hold office for such term, not exceeding three years at any one time, as may be specified in the letter appointing him to be a member.

(4) A member shall, except as provided in section 7, be eligible for reappointment.

Vacation of office

7. If the Minister is satisfied that a member—

- (a) holds any office or appointment in which his duties or interests are likely to conflict with his duties or his interests to the Corporation;
- (b) having been appointed under paragraph 6(1)(c), has ceased in the opinion of the Minister to be eligible to be appointed under that paragraph;
- (c) has been absent from three consecutive meetings of the Corporation without the permission of the Chairman;
- (d) has become bankrupt or has made an arrangement with his creditors;
- (e) is incapacitated by physical or mental illness; or
- (f) is otherwise unable or unfit to discharge the functions of a member,

he may revoke the appointment of the member.

Meetings

8. (1) The quorum at any meeting of the Corporation shall be six members present.

(2) The Chairman or in his absence, the Deputy Chairman or in the absence of both of them, such member as the members present may elect shall preside at the meeting of the Corporation.

(3) All questions arising at a meeting of the Corporation shall be decided by a majority of the members present and voting at that meeting and, in the case of an equality of votes, the person presiding at the meeting shall have a casting vote.

(4) A member present at a meeting of the Corporation shall, if he is in any way, directly or indirectly, pecuniarily interested in any contract, proposed contract or any other matter discussed at such meeting, declare the nature of his interest to the Corporation and shall not thereafter be present during the consideration or discussions of the matter and shall not vote on any question relating to the matter.

PART III

FINANCE

Revenues

9. (1) The Corporation shall have power to accept any grants, contributions, endowments, gifts or bequests made to or in favour of it.

(2) The Corporation shall with the approval of the Minister of Finance have the power to borrow or raise moneys for the purpose of all or any of its functions.

(3) The Government may make to the Corporation such grants or loans as it deems fit.

The Subang Golf Course Corporation Fund

10. (1) A fund to be known as the “Subang Golf Course Corporation Fund” is established into which shall be paid all revenues of the Corporation and from which shall be made all payments by the Corporation.

(2) The revenues of the Corporation for any financial year shall be applied in defraying the following charges for that year:

- (a) the repayment of debts of the Corporation;
- (b) the working and establishment expenses; and
- (c) the maintenance and renewal of the property, and the discharge of the functions, of the Corporation properly chargeable to revenue.

(3) The amount remaining of the revenues of the Corporation for any financial year, after defraying the charges referred to in subsection (2), shall be applied in making good any deficiencies in the revenue carried forward from previous years, and the balance, if any, of that amount, after making good those deficiencies, shall as soon as may be after the end of the year be carried to a general reserve account.

(4) Moneys standing to the credit of the general reserve account at the end of each financial year may be applied to the purposes of the Corporation.

(5) Moneys of the Fund which are not required to be expended in the discharge of any of the functions of the Corporation shall, if invested, be invested by the Corporation in investments authorized by law for the investment of trust funds.

(6) The Corporation shall not make any investment in securities issued or registered, or in other property situated, outside Malaysia except with the approval of the Minister of Finance.

Statutory Bodies (Accounts and Annual Reports) Act 1980

11. The Statutory Bodies (Accounts and Annual Reports) Act 1980 [*Act 240*] shall apply to the Corporation.

PART IV

GENERAL

Power to make rules

12. The Corporation may, subject to the approval of the Minister, make rules—

- (a) to regulate the proceedings of the Corporation, the calling of meetings and the transaction of business;
- (b) for the appointment of committees;
- (c) to allocate duties to, and to regulate the exercise of executive powers by, the Corporation, committees and the officers of the Corporation;

- (d) to regulate the transaction of all business conducted with the management of any golf course;
- (e) to regulate the appointment and terms and conditions of service of officers and servants of the Corporation;
- (f) to prescribe the charges to be made for admission to a golf course managed or maintained by or on behalf of the Corporation; and
- (g) to prescribe anything which may be prescribed under this Act.

Public servant

13. All members, officers and servants of the Corporation shall be deemed to be public servants within the meaning of the Penal Code [*Act 574*].

Public Authorities Protection Act 1948

14. The Public Authorities Protection Act 1948 [*Act 198*] shall apply to any action, suit, prosecution or proceeding against the Corporation or against any member, officer, servant or agent of the Corporation in respect of any act, neglect or default done or committed by the Corporation or any member, officer, servant or agent of the Corporation in such capacity.

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SUBANG GOLF COURSE CORPORATION ACT 1968

(Revised—2018)

*Particulars under paragraphs 7(ii) and (iii) of the
Revision of Laws Act 1968 [Act 1]*

LIST OF AMENDMENTS

Amending law	Short title	In force from
	-NIL-	

LIST OF LAWS OR PARTS THEREOF SUPERSEDED

No.	Title
Act 509	Subang Golf Course Corporation Act 1968

LAWS OF MALAYSIA

Act 810

SUBANG GOLF COURSE CORPORATION ACT 1968

(Revised—2018)

LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
	-NIL-	

LAWS OF MALAYSIA

Act 810

SUBANG GOLF COURSE CORPORATION ACT 1968

(Revised—2018)

LIST OF AMENDMENTS MADE BY THE COMMISSIONER OF LAW REVISION UNDER SECTION 6 OF THE REVISION OF LAWS ACT 1968 [ACT 1]

Provision	Particulars of amendment	Authority for amendment
Table of contents	Altered	paragraph 6(1)(vii)
Enacting clause	Omitted	subparagraph 6(1)(i)(f)
section 2	1. In the definition of “member”, words “section 6” substituted for “section 5”	paragraph 6(1)(xii)
	2. In the definition of “revenue”, divided into paragraphs (a), (b) and (c) with consequential alterations made in the definition of “revenue”	paragraphs 6(1)(xii), (xiii) and (xxiv)
	3. Interpretation of “Corporation” inserted	subparagraph 6(1)(iv)(a) and paragraph 6(1)(xxiv)
	4. Interpretation section arranged according to the National Language text	subparagraph 6(1)(iv)(a)
subsection 3(1)	Divided into subsections 3(1) and 3(2) with consequential alterations made	paragraphs 6(1)(xii), (xiii) and (xxiv)
subsection 3(2)	1. Renumbered as section 4	paragraph 6(1)(xii)
	2. In the shoulder note, words “ Common seal ” inserted	paragraphs 6(1)(iii) and (xxiv)

Provision	Particulars of amendment	Authority for amendment
	3. Divided into subsections 4(1) and 4(2) with consequential alterations made	paragraphs 6(1)(xii), (xiii) and (xxiv)
section 4	Renumbered as section 5	paragraph 6(1)(xii)
paragraph 4(1)(c)	1. Renumbered as paragraph 5(1)(c)	paragraph 6(1)(xii)
	2. Comma after the word “pastimes” omitted	paragraph 6(1)(xvi)
paragraph 4(1)(d)	1. Renumbered as paragraph 5(1)(d)	paragraph 6(1)(xii)
	2. Word “whatsoever” omitted	paragraphs 6(1)(xxi) and (xxiv)
paragraph 4(1)(i)	1. Renumbered as paragraph 5(1)(i)	paragraph 6(1)(xii)
	2. Words “with the approval of the Minister, to use or permit the use of any property of the Corporation for such purposes as the Corporation may determine in addition to the purposes which are referred to in this section;” substituted for “with the approval of the Minister to use or permit the use of any property of the Corporation for such purposes in addition to those hereinbefore referred to as it may determine;”	paragraphs 6(1)(xxi) and (xxiv)
paragraph 4(1)(j)	1. Renumbered as paragraph 5(1)(j)	paragraph 6(1)(xvi)
	2. Comma after the word “servants” omitted	paragraph 6(1)(xvi)
	3. Words “the Corporation” substituted for “it”	paragraphs 6(1)(xxi) and (xxiv)
paragraph 4(1)(k)	1. Renumbered as paragraph 5(1)(k)	paragraph 6(1)(xvi)

Provision	Particulars of amendment	Authority for amendment
	2. Comma after the word “Minister” inserted	paragraph 6(1)(xvi)
	3. Word “whatsoever” omitted	paragraphs 6(1)(xxi) and (xxiv)
subsection 4(2)	1. Renumbered as subsection 5(2)	paragraph 6(1)(xii)
	2. Comma after the words “subsection (1)” inserted	paragraph 6(1)(xvi)
section 5	1. In the shoulder note, word “ Membership ” substituted for “ Members ”	paragraphs 6(1)(iii) and (xxiv)
	2. Renumbered as section 6	paragraph 6(1)(xii)
subsection 5(2)	1. Renumbered as subsection 6(2)	paragraph 6(1)(xii)
	2. Words “A Chairman and Deputy Chairman of the Corporation shall be appointed by the Minister from among the members.” substituted for “There shall be a Chairman and Deputy Chairman of the Corporation who shall be appointed by the Minister from among the members.”	paragraphs 6(1)(xxi) and (xxiv)
subsection 5(3)	1. Renumbered as subsection 6(3)	paragraph 6(1)(xii)
	2. Words “Unless he sooner resigns his office by writing under his hand addressed to the Minister or his appointment is revoked in accordance with section 7, a member shall hold office for such term, not exceeding three years at any one time, as may be specified in the letter appointing him to be a member.” substituted for “Unless he sooner resigns his office by	paragraphs 6(1)(xxi) and (xxiv)

Provision	Particulars of amendment	Authority for amendment
	writing under his hand addressed to the Minister or his appointment revoked in accordance with section 6 a member shall hold office for such term (not exceeding three years at any one time) as may be specified in the letter appointing him to be a member.”	
subsection 5(4)	<ol style="list-style-type: none"> 1. Renumbered as subsection 6(4) 2. Words “A member shall, except as provided in section 7, be eligible for reappointment.” substituted for “A member shall except as provided in section 6 be eligible for reappointment.” 	<p>paragraph 6(1)(xii)</p> <p>paragraphs 6(1)(xvi), (xxi) and (xxiv)</p>
section 6	<ol style="list-style-type: none"> 1. In the shoulder note, words “Vacation of” substituted for “Vacancy in” 2. Renumbered as section 7 	<p>paragraphs 6(1)(iii) and (xxiv)</p> <p>paragraph 6(1)(xii)</p>
paragraph 6(b)	<ol style="list-style-type: none"> 1. Renumbered as paragraph 7(b) 2. Words “paragraph 6(1)(c),” substituted for “paragraph 5(1)(c)” 	<p>paragraph 6(1)(xii)</p> <p>paragraphs 6(1)(xvi) and (xii)</p>
section 7	<ol style="list-style-type: none"> 1. In the shoulder note, word “Meetings” substituted for “Procedure of the Corporation” 2. Renumbered as section 8 	<p>paragraphs 6(1)(iii) and (xxiv)</p> <p>paragraph 6(1)(xii)</p>
subsection 7(2)	<ol style="list-style-type: none"> 1. Renumbered as subsection 8(2) 	<p>paragraph 6(1)(xii)</p>

Provision	Particulars of amendment	Authority for amendment
	2. Words “The Chairman or in his absence, the Deputy Chairman or in the absence of both of them, such member as the members present may elect shall preside at the meeting of the Corporation.” substituted “At all meetings of the Corporation the Chairman or, in his absence the Deputy Chairman or, in the absence of both of them, such member as the members present may elect, shall preside.”	paragraphs 6(1)(xvi), (xxi) and (xxiv)
subsection 7(3)	1. Renumbered as subsection 8(3)	paragraph 6(1)(xii)
	2. Words “All questions arising at a meeting of the Corporation shall be decided by a majority of the members present and voting at that meeting and, in the case of an equality of votes, the person presiding at the meeting shall have a casting vote.” substituted for “All questions arising at a meeting of the Corporation shall be decided by a majority of the members present and voting thereon at that meeting and, in case of equality of votes, the person presiding at the meeting shall have a casting vote.”	paragraphs 6(1)(xv), (xxi) and (xxiv)
subsection 7(4)	1. Renumbered as subsection 8(4)	paragraph 6(1)(xii)
	2. Comma after the words “any other matter” omitted	paragraph 6(1)(xvi)
	3. Words “to the matter” substituted for “thereto”	paragraphs 6(1)(xxi) and (xxiv)
subsection 8(1)	Renumbered as subsection 4(3)	paragraph 6(1)(xii)

Provision	Particulars of amendment	Authority for amendment
subsection 8(2)	Renumbered as subsection 4(4)	paragraph 6(1)(xii)
subsection 8(3)	Renumbered as subsection 4(5)	paragraph 6(1)(xii)
Part III	In the heading, word “FINANCE” substituted for “FUNDS OF THE CORPORATION”	paragraphs 6(1)(iii), (xxi) and (xxiv)
section 9	In the shoulder note, word “ Revenues ” substituted for “ Revenues of the Corporation ”	paragraphs 6(1)(iii) and (xxiv)
subsection 9(2)	Word “functions” substituted for “objects”	paragraphs 6(1)(xxi) and (xxiv)
subsection 9(3)	Words “from time to time” omitted	subparagraph 6(1)(i)(h) and paragraph 6(1)(xxiv)
section 10	In the shoulder note, words “ The Subang Golf Course Fund ” substituted for “ Finances of the Corporation ”	paragraphs 6(1)(iii), (xxi) and (xxiv)
subsection 10(1)	Words “A fund to be known as the “Subang Golf Course Corporation Fund” is established” substituted for “There shall be established a fund to be called the Subang Golf Course Corporation Fund (hereinafter referred to as “the Fund”)”	paragraphs 6(1)(iii) and (xxiv)
paragraph 10(2)(a)	Word “the” before the word “repayment” inserted	paragraph 6(1)(xv)
paragraph 10(2)(b)	1. Word “the” before the word “working” inserted 2. Word “and” after semicolon inserted	paragraph 6(1)(xv) paragraph 6(1)(xv)
paragraph 10(2)(c)	Words “the maintenance and renewal of the property, and the discharge of the functions, of the Corporation properly chargeable to revenue.” substituted for “the maintenance and renewal of the property of and the discharge of the functions of the Corporation properly chargeable to revenue.”	paragraphs 6(1)(xvi), (xxi) and (xxiv)

Provision	Particulars of amendment	Authority for amendment
subsection 10(5)	1. Words “for the time being” omitted	paragraphs 6(1)(xxi) and (xxiv)
	2. Full stop substituted for colon	paragraph 6(1)(xvi)
subsection 10(5) -Proviso	Rearranged and renumbered as subsection 10(6) with consequential alterations made	paragraphs 6(1)(xii), (xiii) and (xxiv)
section 11	1. In the shoulder note, words “ Statutory Bodies (Accounts and Annual Reports) Act 1980 ” substituted for “ Statutory Bodies (Accounts and Annual Reports) Act ”	paragraphs 6(1)(iii) and (xxiv)
	2. Words “provisions of the” omitted	paragraphs 6(1)(xxi) and (xxiv)
section 12	Omitted	paragraphs 6(1)(xxb) and (xxiv)
section 13	1. In the shoulder note, words “ Power to make rules ” substituted for “ Corporation’s power to make rules ”	paragraphs 6(1)(iii) and (xxiv)
	2. Renumbered as section 12	paragraph 6(1)(xii)
paragraph 13(d)	1. Renumbered as paragraph 12(d)	paragraph 6(1)(xii)
	2. Words “the management of” after the words “conducted with” inserted	paragraphs 6(1)(xv), (xxi) and (xxiv)
subsection 14(2)	1. In the shoulder note, words “ Public servant ” inserted	paragraphs 6(1)(iii) and (xxiv)
	2. Renumbered as section 13	paragraph 6(1)(xii)
section 14	In the shoulder note, words “ Public Authorities Protection Act 1948 ” substituted for “ Application of Public Authorities Protection Act ”	paragraphs 6(1)(iii) and (xxiv)

Provision	Particulars of amendment	Authority for amendment
subsection 14(1)	1. Renumbered as section 14	paragraph 6(1)(xii)
	2. Comma after the words “[Act 198]” omitted	paragraph 6(1)(xvi)
	3. Words “by the Corporation or any member, officer, servant or agent of the Corporation” substituted for “by it or him”	paragraphs 6(1)(iii) and (xxiv)
subsection 14(2)	Renumbered as section 13	paragraph 6(1)(xii)
