

Government Proceedings (Amendment) Bill

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Read the first time: 21st April 1966

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Expenditure of Public Money

Government Proceedings (Amendment) Bill

Bill No. 20/1966

Read the first time on 21st April 1966.

An Act to amend the Government Proceedings Ordinance, 1956, of Malaysia (No. 58 of 1956).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows: —

Short title

1. This Act may be cited as the Government Proceedings (Amendment) Act, 1966.

MALAYSIAN ORD. 58 OF 1956

Amendment of long title

2. The long title to the Government Proceedings Ordinance, 1956, of Malaysia (hereinafter in this Act referred to as “the Ordinance”) is hereby deleted and the following substituted therefor: —

“An Ordinance to make provision for proceedings by and against the Government.”.

Repeal and re-enactment of section 1

3. Section 1 of the Ordinance is hereby repealed and the following substituted therefor: —

“Short title

1. This Ordinance may be cited as the Government Proceedings Ordinance, 1956.”.

Amendment of section 2

4. Section 2 of the Ordinance is hereby amended —

- (a) by deleting the definitions of “Government”, “High Court”, “Land law” and “State land” appearing in subsection (2) thereof;
- (b) by deleting the definition of “law officer” appearing in subsection (2) thereof and substituting therefor the following: —

“ “law officer” means the Attorney-General and the Solicitor-General;”;
- (c) by deleting the definition of “legal officer” appearing in subsection (2) thereof and substituting therefor the following: —

““legal officer” includes a law officer and a legally qualified member of the Attorney-General’s Chambers;”;

- (d) by deleting the words “a Government” and “such Government” wherever they appear in the definition of “officer” in subsection (2) thereof and substituting therefor in each case the words “the Government”;
- (e) by deleting the words “such Government” appearing in the definition of “proceedings against the Government” in subsection (2) thereof and substituting therefor the words “the Government”; and
- (f) by deleting the words “Federal Government” appearing in the proviso to subsection (3) thereof and substituting therefor the word “Government”.

Amendment of section 6

5. Section 6 of the Ordinance is hereby amended —

- (a) by deleting the words “appropriate financial officer” wherever they appear in subsection (4) thereof and substituting therefor in each case the words “Minister responsible for finance”; and
- (b) by deleting subsection (5) thereof.

Amendment of section 8

6. Section 8 of the Ordinance is hereby amended by deleting subsection (3) thereof.

Amendment of section 9

7. Section 9 of the Ordinance is hereby amended —

- (a) by deleting the words “the Federation” appearing in subsection (3) thereof and substituting therefor the word “Singapore”; and
- (b) by deleting (4) thereof.

Amendment of section 14

8. Section 14 of the Ordinance is hereby amended —

- (a) by deleting the words “of Finance” appearing in subsections (1) and (2) thereof and substituting therefor in each case the words “responsible for finance”;
- (b) by inserting immediately after subsection (3) thereof the following new subsection: —

“(3A) No act or omission of a public officer shall subject him to liability in tort for death or personal injury, in so far as the death or personal injury is due to anything suffered by a member of the forces being a thing as to which the conditions mentioned in subsection (1) or (2) are satisfied.”;

- (c) by deleting the words “the Federation” appearing at the end of paragraph (a) of subsection (4) thereof and substituting therefor the word “Singapore”; and
- (d) by deleting paragraph (c) of subsection (4) thereof and substituting therefor the following: —

“(c) “police force” means the police force of Singapore and includes any volunteer, auxiliary or special police force attached to, or coming under the jurisdiction of, the said police force.”.

Amendment of section 15

9. Section 15 of the Ordinance is hereby amended —

- (a) by deleting the expression “the Yang di-Pertuan Agong or a Ruler or Governor or the Government, or any powers or authorities conferred on the Yang di-Pertuan Agong or a Ruler or Governor” appearing in subsection (1) thereof and substituting therefor the words “the President or the Government or any powers or authorities conferred on the President”; and
- (b) by deleting the expression “the Yang di-Pertuan Agong or a Ruler or Governor or the Government, the Yang di-Pertuan Agong” appearing in subsection (2) thereof and substituting therefor the expression “the President or the Government, the President”.

New sections 18A and 18B

10. The Ordinance is hereby amended by inserting immediately after section 18 thereof the following new sections: —

“Parties to proceedings

18A.—(1) The Minister shall from time to time publish in the *Gazette* a list specifying the several Government departments which are authorised departments for the purposes of this Ordinance, and the name and address for service of the person who is, or is acting for the purposes of this Ordinance, as, the solicitor for each such department, and may from time to time amend or vary the said list.