



LAWS OF MALAYSIA

REPRINT

Act 409

SCOUTS ASSOCIATION OF MALAYSIA (INCORPORATION) ACT 1968

Incorporating all amendments up to 1 January 2006

PUBLISHED BY
THE COMMISSIONER OF LAW REVISION, MALAYSIA
UNDER THE AUTHORITY OF THE REVISION OF LAWS ACT 1968
IN COLLABORATION WITH
PERCETAKAN NASIONAL MALAYSIA BHD
2006

**SCOUTS ASSOCIATION OF MALAYSIA
(INCORPORATION) ACT 1968**

First enacted	1968 (Act No. 38 of 1968)
Revised	1989 (Act 409 w.e.f 14 December 1989)

PREVIOUS REPRINT

<i>First Reprint</i>	2001
----------------------	--------	------

LAWS OF MALAYSIA

Act 409

SCOUTS ASSOCIATION OF MALAYSIA (INCORPORATION) ACT 1968

ARRANGEMENT OF SECTIONS

Section

1. Short title and application
2. Interpretation
3. Incorporation of Boy Scouts Association, Federation of Malaya and Boy Scouts Association in Sabah and Sarawak
4. Objects of the Corporation
5. The aim and purposes of the Corporation
6. Council
7. Common seal of Corporation
8. Register of members
9. Rules and By-laws
10. Transfer of property and liabilities, *etc.*
11. Application of income and property
12. Restriction on sale of badges, *etc.*, of the Association
13. Possession and restriction on use of badges
- 13A. Penalty
14. Repeal

LAWS OF MALAYSIA**Act 409****SCOUTS ASSOCIATION OF MALAYSIA
(INCORPORATION) ACT 1968**

An Act relating to the Persekutuan Pengakap-Pengakap Malaysia (or in English the Scouts Association of Malaysia), and other matters connected therewith.

[21 November 1968]

BE IT ENACTED by the 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:

Short title and application

1. (1) This Act may be cited as the Scouts Association of Malaysia (Incorporation) Act 1968.

(2) This Act shall apply throughout Malaysia.

Interpretation

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

“Association” means the Boy Scouts Association, referred to under the Ordinance;

“Corporation” means the Persekutuan Pengakap-Pengakap Malaysia (or in English the Scouts Association of Malaysia) incorporated by this Act;

“Ordinance” means—

(a) the Boy Scouts Ordinance 1953 of the Federation of Malaya [*F.M. Ord. 60 of 1953*];

- (b) the Boy Scouts Association Ordinance of Sabah [*Sabah Cap. 17*]; or
- (c) the Boy Scouts Association Ordinance of Sarawak [*Sarawak Cap. 99*];

“Scouts ”includes Wolf Cub, Boy Scout, Senior Scout, Rover Scout, Scouter, Lay Member of the Association or Member of B–P Guild recognized as such by the Ordinance.

Incorporation of Boy Scouts Association, Federation of Malaya and Boy Scouts Association in Sabah and Sarawak

3. (1) Persons who immediately before the commencement of this Act were members of the Association and all Scouts as may hereafter become members of the Corporation pursuant to this Act or of any Rules made thereunder shall be a body corporate by the name of Persekutuan Pengakap-Pengakap Malaysia (or in English the Scouts Association of Malaysia).

(2) The Corporation shall have perpetual succession and may enter into contracts, and may acquire, purchase, take, hold and enjoy movable and immovable property of every description and may convey, transfer, assign, surrender and yield up, charge, mortgage, demise, reassign or otherwise dispose of, or deal with, any movable or immovable property vested in the Corporation upon such terms as to the Corporation may deem fit.

(3) The Corporation may sue and be sued in all courts and in all manner of actions and suits and may do all other matters and things incidental or appertaining to a body corporate.

Objects of the Corporation

4. The objects of the Corporation are to provide an organization which shall be open to all Scouts in Malaysia to enable them to give effect to the aim and purposes of the Corporation set out in section 5, and to do all other things as the Corporation or its Council may deem incidental or conducive to the attainment of such objects.

The aim and purposes of the Corporation

5. (1) The aim of the Corporation is to develop good citizenship among boys by forming their character and to achieve this end by—

- (a) training them in habits of observation, obedience and self-reliance;
- (b) including loyalty and thoughtfulness for others;
- (c) teaching them services useful to the public and handicrafts useful to themselves; and
- (d) promoting their physical, mental and spiritual development.

(2) The principles and practice of the Corporation shall be based on the Scout Promise and Scout Law and such other principles and practice as shall be provided in the Rules of the Corporation.

Council

6. (1) The affairs of the Corporation shall be administered by a Council to be constituted in accordance with the Rules for the time being of the Corporation.

(2) The first members of the Council shall be Scouts who immediately before the commencement of this Act were members of the Council constituted under the Rules of the Association.

Common seal of Corporation

7. (1) The Corporation shall have a common seal, and such seal may from time to time be broken, changed, altered and made anew as the Corporation deems fit.

(2) All deeds, documents and other instruments requiring the seal of the Corporation shall be sealed with the seal of the Corporation pursuant to a resolution of the Council to the effect, in the presence of the persons for the time being discharging the duties of the National Chief Commissioner or an Assistant National Chief Commissioner and one other person authorized by the Council who shall sign every such deed, document, or other instrument to which such seal is affixed, and such signing shall be sufficient evidence that such seal was duly and properly affixed and that the same was the lawful seal of the Corporation.

Register of members

8. (1) The Council shall cause a register to be kept in which the name of every Scout who immediately before the commencement of this Act was a member of the Association or who may thereafter become a duly admitted member of the Corporation and in which shall be recorded such other matters as may from time to time be determined by the Council.

(2) The register may be kept in such manner as the Council may from time to time decide and the duty of keeping parts of the register may be delegated to any member or official of the Corporation.

Rules and By-laws

9. It shall be lawful for the Council from time to time to make, alter or revoke such rules as it may deem expedient for the management of the affairs of the Corporation and the accomplishment of its objects, and all such rules and by-laws shall be binding upon the members for the time being of the Corporation.

Transfer of property and liabilities, etc.

10. (1) All property belonging immediately before the commencement of this Act to the Association, whether held in the name of the Chief Commissioner Boy Scouts Association Federation of Malaya or in the name or names of any person in trust for the Association shall be and the same is hereby vested in the Corporation, and the same together with all after-acquired property, movable or immovable, and all subscriptions, contributions, donations, fines, amounts of loans and advances received or to be received shall be held by the Corporation for the purposes of this Act and subject to the Rules for the time being of the Corporation.

(2) All debts and liabilities of the Association existing immediately before the commencement of this Act shall be paid by the Corporation, and all debts due to and subscriptions and contributions payable to the Association immediately before the commencement of this Act shall be paid to the Corporation.

Application of income and property

11. The income and property of the Corporation, whencesoever derived, shall be applied solely towards the promotion of the objects of the Corporation as set out in this Act, and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to the members of the Corporation:

Provided that nothing herein contained shall prevent the payment in good faith of remuneration to any officers or servants of the Corporation or to any person in return for any services actually rendered to the Corporation.

Restriction on sale of badges, *etc.*, of the Association

12. No person, other than the Corporation or a person authorized in writing so to do by the Corporation shall sell or expose for sale any badge, token or emblem specifically adopted for use by a Scout under the Rules of the Corporation.

Possession and restriction on use of badges

13. (1) No person, not being a Scout, shall publicly wear, carry or bear in such a manner as to convey the impression that such person is a Scout any badge, token or emblem specifically adopted for use by a Scout under the Rules of the Corporation.

(2) No person shall without lawful authority or excuse have in his possession—

- (a) any device which so closely resembles any badge, token or emblem specifically adopted for use by a Scout under the Rules of the Corporation as to lead to the belief that the device in question is such badge, token or emblem; or
- (b) any badge, token or emblem containing any words or characters so closely resembling any words or characters ordinarily used to describe any Scout as to be calculated to deceive or mislead; or
- (c) any badge, token or emblem bearing the words “Boy Scout” or “Boy Scouts”.

Penalty

13A. Any person contravening any of the provisions of this Act shall, on conviction, be liable to a fine not exceeding five hundred ringgit or to imprisonment for a term not exceeding one month.

Repeal

14. The following laws are hereby repealed:

- (a) the Boy Scouts Ordinance 1953 of the Federation of Malaya;
 - (b) the Boy Scouts Association Ordinance of Sabah; and
 - (c) the Boy Scouts Association Ordinance of Sarawak in so far as the provisions thereof apply to Boy Scouts.
-

LAWS OF MALAYSIA**Act 409****SCOUTS ASSOCIATION OF MALAYSIA
(INCORPORATION) ACT 1968****LIST OF AMENDMENTS**

Amending law	Short title	In force from
Act 143	Scouts Association of Malaysia Act 1974	23-08-1974

LAWS OF MALAYSIA

Act 409

**SCOUTS ASSOCIATION OF MALAYSIA
(INCORPORATION) ACT 1968**

LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
3	Act 143	23-08-1974
13A	Act 143	23-08-1974

