

SIXTH SUPPLEMENT  
TO THE  
FEDERATED MALAY STATES  
GOVERNMENT GAZETTE

OF FRIDAY, THE 20TH OF OCTOBER, 1922.

(No. 24, Vol. XIV.)

PUBLISHED BY AUTHORITY.

MONDAY, 30TH OCTOBER, 1922.

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

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

No. 6645.—The following Enactment, passed at a meeting of the Federal Council held on the 24th October, 1922, is published for general information:

FEDERATED MALAY STATES.

ENACTMENT No. 19 OF 1922.

An Enactment to impose restrictions upon the export of rubber.

L. N. GUILLEMARD,  
*President of the Federal Council.*

[27th October, 1922.]

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.

(iii) Any order made under the preceding sub-section shall be laid before the Federal Council at the first meeting after the notification of such order, and shall cease to have any force or effect if disallowed by a resolution of the said Council.

2. In this Enactment and in any rules or regulations made hereunder "rubber" means latex from plantation Para rubber trees whether treated or untreated. 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 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

and may grant total or partial exemption from the provisions of any such rules.

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

(iii) All such rules shall be laid before the Federal Council at the first meeting after such publication and may be confirmed, amended or disallowed by resolution of the said Council.

(iv) Any rule so amended shall come into force as amended from the date of the passing of such resolution and any rule disallowed shall cease to have any force or effect from the date of such resolution.

Customs  
Enactment—  
how affected.

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."

(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.

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

Decisions not to  
be questioned  
in Court.

5. No decision of any officer or other person appointed under this Enactment regarding the quantity of rubber which may be exported by any person shall be called in question in any Court of Law.

Provisions as to  
actions.

6. (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.

Passed this 24th day of October, 1922.

W. E. PEPYS,  
Clerk of Council.

"THE EXPORT OF RUBBER (RESTRICTION)  
ENACTMENT, 1922."

No. 6646.—In exercise of the power in that behalf conferred by section 1 (ii) of "The Export of Rubber (Restriction) Enactment, 1922," His Excellency the High Commissioner orders that the said Enactment come into force on the first day of November, 1922.