

## A BILL

*i n t i t u l e d*

An Act to amend the Tunku Abdul Rahman Foundation Fund Act 1966.

[ ]

**ENACTED** by the Parliament of Malaysia as follows:

### **Short title and commencement**

**1.** (1) This Act may be cited as the Tunku Abdul Rahman Foundation Fund (Amendment) Act 2025.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette*.

### **Amendment of section 2**

**2.** The Tunku Abdul Rahman Foundation Fund Act 1966 [Act 389], which is referred to as the “principal Act” in this Act, is amended in section 2 by substituting for the definition of “Minister” the following definition:

‘ “Minister” means the Minister charged with the responsibility for the Tunku Abdul Rahman Foundation Fund.’.

**Amendment of section 5****3. Section 5 of the principal Act is amended—**

(a) in subsection (1)—

- (i) in paragraph (a), by inserting after the words “Yang di-Pertuan Agong” the words “, on the advice of the Minister”;
- (ii) in paragraph (b), by substituting for the words “Ministry of Higher Education” the words “Ministry charged with the responsibility for the Fund”; and
- (iii) in paragraph (d), by inserting after the word “Minister” the words “after consultation with the Chairman”;

(b) by inserting after subsection (1) the following subsection:

“(1A) The Chairman and members of the Board under paragraph (1)(d) shall be from amongst persons of standing, achievement and experience in the charity or human capital development field or from amongst professionals who possess relevant experience in educational, financial or commercial matters.”;

(c) in subsection (2), by substituting for the words “three years” the words “four years”; and

(d) by substituting for subsection (3) the following subsection:

“(3) The Chairman shall preside at all meetings of the Board and in his absence from any meeting, such other member of the Board as may be elected by the members of the Board who are present shall preside as Chairman and have all the powers of the Chairman.”.

**New section 7A**

**4.** The principal Act is amended in Part IV, by inserting before section 8 the following section:

**“Objects of the Fund**

**7A.** The objects for which monies of the Fund may be applied are as follows:

- (a) to perpetuate the good name, legacy and aspirations of Yang Teramat Mulia Tunku Abdul Rahman Putra Al-Haj;
- (b) to uplift and empower individuals from underprivileged backgrounds to access and pursue higher education;
- (c) to strengthen Malaysia’s human capital in order to serve and contribute to the development and the progress of the nation; and
- (d) to promote national unity and to spread the principles of the Rukun Negara.”.

**Amendment of section 8**

**5.** Section 8 of the principal Act is amended—

- (a) in the shoulder note, by deleting the words **“and object of the Fund”**;
- (b) in subsection (2)—
  - (i) in paragraph (a), by deleting the word “and” at the end of the paragraph;
  - (ii) in paragraph (b), by substituting for the full stop the words “; and”; and

(iii) by inserting after paragraph (b) the following paragraph:

“(c) to provide any other form of assistance or equipment for any programmes or schemes as the Board may determine from time to time on condition that such assistance or equipment for the programmes or schemes shall achieve the objects of the Fund as provided under section 7A.”; and

(c) in subsection (3)—

(i) by substituting for the words “Paragraph (2)(a)” the words “Paragraphs (2)(a) and (c)”;

(ii) by substituting for the words “or any other award or financial assistance” the words “, any other award or financial assistance or any other form of assistance or equipment for any programmes or schemes”.

### **Amendment of section 9**

**6.** Section 9 of the principal Act is amended—

(a) in the shoulder note, by deleting the word “**study**”; and

(b) by substituting for subsection (1) the following subsection:

“(1) Every recipient of a studentship, scholarship, study grant, study loan, any other award or financial assistance or any other form of assistance or equipment for any programmes or schemes, as the case may be, provided or awarded under this Act, shall become and during his tenure thereof shall remain—

(a) a student at the place of education approved by the Board and shall pursue his studies at such place of education to the satisfaction of the Board; and

- (b) a participant in any programmes or schemes as approved by the Board and shall comply with the terms and conditions imposed by the Board.”.

### **Amendment of section 11**

7. Section 11 of the principal Act is amended by inserting after the words “his studies” the words “or his participation in any programmes or schemes”.

### **Amendment of section 13**

8. Subsection 13(2) of the principal Act is amended by substituting for the words “10 per centum” the words “twenty per centum”.

### **Saving**

9. The members of the Board appointed before the date of coming into operation of this Act shall continue to hold office until removed from office or until the expiry of their period of appointment.

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### **EXPLANATORY STATEMENT**

This Bill seeks to amend the Tunku Abdul Rahman Foundation Fund Act 1966 (“Act 389”).

2. *Clause 1* contains the short title and the provision on the commencement of the proposed Act.
3. *Clause 2* seeks to amend section 2 of Act 389 to substitute the definition of “Minister” with a new definition to reflect that the Minister referred to in Act 389 means the Minister charged with the responsibility for the Tunku Abdul Rahman Foundation Fund (“Fund”).
4. *Clause 3* seeks to amend section 5 of Act 389 relating to the composition of the members of the Board of Trustees (“Board”). With this amendment, the Chairman of the Board shall be appointed by the Yang di-Pertuan Agong on the advice of the Minister, the member of the Board who is a representative of the Ministry of Higher Education is substituted with the representative

of the Ministry charged with the responsibility for the Fund and that the six other members of the Board is to be appointed by the Minister after consultation with the Chairman of the Board. This *clause* also seeks to provide that the Chairman and six other members of the Board appointed by the Minister after consultation with the Chairman shall be from amongst persons of standing, achievement and experience in the charity or human capital development field or from amongst professionals who possess relevant experience in educational, financial or commercial matters and this *clause* also seeks to extend the tenure of office of the Chairman and six other members of the Board from three years to four years. Further, this *clause* also seeks to provide that in the absence of the Chairman, a member of the Board who is elected by the members of the Board who are present in any meeting shall preside as Chairman and have all the powers of the Chairman.

5. *Clause 4* seeks to introduce a new section 7A into Act 389 to provide for the objects for which monies of the Fund may be applied for.

6. *Clause 5* seeks to amend section 8 of Act 389 to expand the utilization of the balance of the Fund after defraying the expenses referred to in subsection 8(1) of Act 389 to include providing for any other form of assistance or equipment for any programmes or schemes as the Board may determine from time to time on condition that such assistance or equipment for the programmes or schemes shall achieve the objects of the Fund as provided under the proposed section 7A. This *clause* also seeks to provide that the proposed paragraph 8(2)(c) shall apply to any citizen of Malaysia who by virtue of his circumstances or other reasons require, in the opinion of the Board, to be provided with or assisted by any other form of assistance or equipment for any programmes or schemes under Act 389.

7. *Clause 6* seeks to amend section 9 of Act 389 to provide that every recipient of any other form of assistance or equipment for any programmes or schemes provided or awarded under Act 389, during his tenure of receiving such assistance or equipment for such programmes or schemes, shall remain a participant in the programmes or schemes as approved by the Board and shall comply with the terms and conditions imposed by the Board.

8. *Clause 7* seeks to amend section 11 of Act 389 to provide that the Board may cease to provide, maintain or assist any recipient of an award under Act 389 if it appears to the Board that a further pursuance of the recipient's participation in any programmes or schemes is not advantageous or reasonable by reason of the recipient's unsatisfactory scholastic progress, misconduct or ill-health.

9. *Clause 8* seeks to amend section 13 of Act 389 to increase the investment limits from a maximum of ten per centum of the assets of the Fund to a maximum of twenty per centum of the assets of the Fund.

10. *Clause 9* deals with saving provision.

11. Other amendments not specifically dealt with in this Explanatory Statement are minor or consequential in nature.

*FINANCIAL IMPLICATIONS*

This Bill will not involve the Government in any extra financial expenditure.

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