

THE DEVELOPMENT FUND ENACTMENT,
1959.

STATE OF BRUNEI

ENACTMENT No. 8 of 1959.



I assent

SIR OMAR ALI SAIFUDDIN
H.H. the Sultan of Brunei.
19th December, 1959.

An Enactment to provide for the establishment of a Fund for purposes of development of the State and for the appropriation of moneys to the said fund.

(1st January, 1960).

Be it enacted by His Highness the Sultan with the advice and consent of the Legislative Council as follows :

Short title and commencement.

1. This Enactment may be cited as the Development Fund Enactment, 1959, and shall come into force on the first of January, 1960.

Establishment of Development Fund.

2. There is hereby established a Fund to be called the Development Fund (hereinafter referred to as the Fund) consisting of such sums of moneys as may from time to time be paid from the Consolidated Fund under the authority of a Supply Enactment for the purposes of the Fund, and all such sums shall be accounted in a separate account in the Consolidated Trust Account.

Purposes to which moneys in the Fund may be applied.

3. (1) All moneys in the Fund shall be applied only to such purposes of development as may be approved by resolution of the Legislative Council;

Proviso

Provided that the purposes for which provision has been made in the Estimates of Capital and

Development Expenditure approved by the State Council for the year 1959 and which remain uncompleted at the close of that year shall be deemed to be purposes of development to which moneys in the Fund may be applied.

(2) The Mentri Besar may before the passing of any resolution under subsection (2) of section 4 direct that there shall be applied out of any moneys standing to the credit of the Fund such sums as may be necessary to complete any purpose for which provision has been made in the Estimates for Capital and Development Expenditure for the year 1959 and which remains uncompleted at the close of that year;

Application of moneys standing to the credit of the Fund to complete purposes in 1959 Estimates.

Provided that any sums so directed to be applied shall be included in the statement of the proposed expenditure for the year 1960 laid before the Legislative Council in accordance with the provisions of subsection (1) of section 4.

Proviso.

4. (1) The Sultan in Council shall in respect of any financial year cause to be laid before the Legislative Council a statement of the proposed expenditure out of the Fund for that year and of the sums necessary to meet each item of such expenditure.

Annual statement of proposed Expenditure.

(2) The Legislative Council may by resolution approve all or any of the proposed expenditure or any part thereof as shown in the statement referred to in subsection (1) and shall by the same resolution appropriate such sums as may be necessary to meet the approved expenditure.

Approval of expenditure and appropriation of moneys by resolution

(3) If in respect of any financial year it appears that the sums appropriated under subsection (2) are insufficient or that a need has arisen for additional expenditure for which no sum has been appropriated by the Legislative Council a supple-

Supplementary statement.

mentary statement shall be laid before the Legislative Council in the manner provided by subsection (1) of this section and the Legislative Council may by resolution approve all or any of such additional expenditure or any part thereof as shown in the supplementary statement and shall by the same resolution appropriate further sums as may be necessary to meet the approved additional expenditure :

Proviso.

Provided that the Sultan in Council may if he is satisfied that there has arisen in respect of any financial year an urgent need for expenditure for which no appropriation has been made under subsection (2) of this section or for which the appropriation made is insufficient direct that any sum standing to the credit of the Fund and not required to meet any approved expenditure shall be applied to meet such need: Provided that any sums so directed to be applied shall be included in the supplementary statement referred to in this subsection.

Application of sums appropriated for one purpose to another

(4) In any financial year if it appears to the Mentri Besar that the sum appropriated under subsections (2) or (3) of this section for any approved purpose will not be wholly required for such purpose in that year he may direct that any amount not so required shall be applied in aid of any other approved purpose.

Appropriations lapse.

(5) All appropriations made under subsections (2) and (3) of this section shall lapse at the close of the financial year and any balances remaining in the Fund shall be available for further appropriation;

Provided that if the purpose for which any sum shall have been appropriated remains uncompleted at the close of any financial year the Mentri Besar may notwithstanding the provisions of this subsection direct that any balance of such appro-

priation shall be applied for the completion of the said purpose during the ensuing year.

5. The State Financial Officer shall by warrant under his hand authorise the issue from the Fund of such sums as may be directed by the Menteri Besar to be applied for the completion of any purpose specified in subsection (2) of section 3, of sums to meet the expenditure approved by resolution of the Legislative Council under subsections (2) and (3) of section 4 and of sums directed by the Sultan in Council under the proviso to subsection (3) of section 4 to be applied to meet any urgent need for expenditure.

Warrant to
authorise issue
of moneys.

Passed this 16th day of December, 1959.

Sgd. MOHD. TAIB
*Clerk of Legislative Council,
Brunei.*

(S.F.O. 102/60. AG. 59/59)

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