

LOCAL GOVERNMENT ORDINANCE 1961
(No. 11 of 1961)

SANDAKAN MUNICIPAL COUNCIL INSTRUMENT 1983
(G.N.S 19 of 1983)

INSTRUMENT issued by the Yang di-Pertua Negeri under the provisions of section 3 of the Local Government Ordinance 1961.

1. This Instrument may be cited as the Sandakan Municipal Council Instrument 1983.
2. In this Instrument —

"Council" means the Sandakan Municipal Council established by clause 3 of this Instrument;

"Minister" means the Minister for Local Government and Housing [*AM. G.N.L. 63/84; sub. G.N.L. 12/88.*];

"Ordinance" means the Local Government Ordinance 1961.

3. There is hereby established with effect from the 1st day of January 1982, a Municipal Council to be known as the Sandakan Municipal Council.

4. The limits of the area under the jurisdiction of the Council are as defined in the First Schedule hereto which area is hereby declared to be a municipality and shall be known as the Sandakan Municipality. Such area is divided into urban, suburban, country and sea divisions as defined in the Second Schedule.

4A. The area of Sandakan Municipality is declared as rating area and shall be subjected to rates as prescribed by the order made under section 82 of the Ordinance. [*Ins.G.N.S.17/13*]

5. The seal of the Council shall be as the following device:

A circle depicting a swift with the words "Sandakan Municipal Council" around the circumference. [*Corr. G.N.S 29/83*]

6. The Council shall be composed of a President, Vice President and not more than twenty members who shall be appointed by the Minister. [*Sub. 63/84.*]

7. All appointed members shall be appointed for a period of not exceeding two years. [*Sub.GNS. 22/04.*]

8. The President who shall be the Chairman of the Council, and the Vice-President, shall be appointed by the Minister for such period being longer than one year as he may determine. The person to be appointed as President shall be a member of or employed in the State Public Service. [*Corr. G.N.S 29/83; sub. G.N.L 63/84; G.N.L 12/88.*]

9. The office of the Council shall be at the "Bangunan Majlis Perbandaran", Sandakan, in which meetings of the Council shall be held.

10. The Council shall hold a meeting at least once every month.

11. The Chairman may at any time and shall, at the request in writing of not less than one third of the members stating the object of the meeting, call a special meeting of the Council and the day fixed for such meeting shall be within fourteen days of the presentation of such request. The notice of any special meeting shall specify the object of the meeting, and no other subjects than those specified in such notice shall be discussed at such meeting.

12. The quorum at an ordinary or special meeting shall be ten.

13. Notice of the meeting of the Council shall be served on every member either personally or by leaving the same at his usual place of residence or at his business address not less than twenty-four hours before such meeting:

Provided that the accidental omission to serve such notice on any member shall not affect the validity of any meeting.

14. The Council may co-opt on any committee appointed under section 27 (1) of the Ordinance any Government officer or any person with professional or special qualifications.

15. In addition to those functions conferred upon the Council by the Ordinance, or by any other law for the time being in force, the Council —

- (a) shall perform all the functions specified in paragraphs (21), (23), (46), (49), (50), (51) and (52) of section 49 (1) of the Ordinance;
- (b) shall keep clean all roads, streets and all other public places of which the Council has general control and care;
- (c) shall provide for the burial of paupers in accordance with the religion or custom of the deceased;
- (d) may perform all the functions specified in paragraphs (1), (2), (11), (13), (14), (15), (19), (20), (22), (24), (25), (29), (30), (31), (32), (33), (34), (35), (36), (37), (38), (40), (41), (42), (43), (44), (45), (47), (48), (53), (54), (55), (57), (58), (59), (60), (61), (62), (63), (64), (65), (67), (68), (69), (70), (71), (72) and (73), of section 49 (1) of the Ordinance;
- (e) may regulate and control stopping and parking of vehicles in any vehicle park established by the Council or on any land vested in the Council or under its control.

16. The Sandakan Town Board Instrument 1961 and the Sandakan Rural District Council Instrument 1962 are hereby revoked with effect from 1st January 1982. [G.N.S 159/61. G.N.S 164/62.]

FIRST SCHEDULE SANDAKAN DISTRICT

SECOND SCHEDULE

(a) THE URBAN DIVISION

The area delineated and edged in green on the Plan hereinbefore mentioned i.e. Plan No. 07127909.

(b) THE SUBURBAN DIVISION

The area delineated and edged in purple on the Plan hereinbefore mentioned i.e. Plan No. 07127909.

(c) THE COUNTRY DIVISION

The remainder of the land area of Sandakan District.

(d) THE SEA DIVISION

The sea area of the Sandakan District including the islands thereon.

Dated at Kota Kinabalu this 27th day of January 1983.

By His Excellency's

Command,

DATUK HAJI ABDUL HAMID

EGOH,

Clerk to the Cabinet.