

[AM: G.N.S 13/04] [02.12.04]

The word "Pensiangan" to be substituted with the word "Nabawan"

Where, on and after the date of its publication in the *Gazette*, a reference is made in any written law to the "Pensiangan District Council Instrument 1961", such reference shall be construed as a reference to the "Nabawan District Council Instrument 1961"

This Instrument shall come into force on the date of its publication in the *Gazette*.

LOCAL GOVERNMENT ORDINANCE 1961 (No. 11 of 1961)

PENSIANGAN DISTRICT COUNCIL INSTRUMENT 1964 (G.N.S 21 of 1964)

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

1. This Instrument may be cited as the Pensiangan District Council Instrument 1964.
2. In this Instrument —

"Council" means the Pensiangan District Council established by clause 3 of this Instrument;

"Ordinance" means the Local Government Ordinance 1961.

3. There is hereby established with effect from the 1st day of January 1964 a District Council to be known as the Pensiangan District Council.
4. (1) The limits of the area under the jurisdiction of the Council are as defined in the First Schedule hereto.
(2) The areas set out in the Second Schedule hereto are declared to be townships to be known as Pensiangan, Sepulot and Nabawan respectively. [Am. G.N.S 24/77.]

5. The seal of the Council shall be the following device —

A circle with the words "Pensiangan District Council" around the circumference:

Provided that until such time as a seal capable of reproducing the said device can be procured a rubber stamp bearing the inscription "Pensiangan District Council" may be used in lieu of such seal.

6. The Council shall be composed of the District Officer, Pensiangan, and not more than eleven members to be appointed by the Minister of Local Government and Housing.

7. All appointed members shall be appointed for a period of not exceeding two years. *[G.N.S 13/04.]*

8. The Chairman of the Council shall be the District Officer, Pensiangan.

9. The Council's offices shall be at the District Office, Pensiangan. Meetings of the Council shall be held in the Council's offices.

10. The Council shall hold not less than four ordinary meetings each year.

11. The Chairman may at any time and shall, at the request 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. Notice of the meeting and the place of every 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 notice on any member shall not affect the validity of such meeting.

13. 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.

14. (1) 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 the function specified in paragraph (49) of section 49 (1) of the Ordinance;
- (b) shall provide for the burial of paupers in accordance with the religion or custom of the deceased *[Am. G.N.L 18/77.]*;
- (c) shall perform all the functions specified in paragraphs (23), (33) and (46) of section 49 (1) of the Ordinance;
- (d) shall keep clean all roads, streets and all other public places of which the Council has general control and care;
- (e) may perform all the functions specified in paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (19), (21), (22), (25), (27), (28), (30), (31), (32), (40), (41), (43), (44), (45), (50), (51), (52), (53), (54), (58), (59), (60), (61), (62), (64), (68), (69), (70), (71), (72) and (73) of section 49 (1) of the Ordinance;
- (f) may perform all the functions specified in paragraphs (13), (42), (47), (57) and (67) of section 49 (1) of the Ordinance;

(g) may regulate and control stopping and parking of vehicles in any vehicle park established by the Council or under its control.

(2) The functions specified in paragraphs (c), (d), (f) and (g) of this clause shall not be exercisable in any part of the area which is not within a township.

FIRST SCHEDULE

PENSIANGAN DISTRICT

SECOND SCHEDULE

PENSIANGAN

The area of approximately ten acres delineated and edged in red on Pensiangan District Council Plan No. 1 dated the 30th December 1963 deposited in the office of the Pensiangan District Council.

SEPULOT

The area of approximately seven acres delineated and edged in red on Pensiangan District Council Plan No. 2 dated the 30th December 1963 deposited in the office of the Pensiangan District Council.

NABAWAN

The area approximately 205 acres delineated in Land Surveys Plan No. 15150003 dated 27th July 1972 deposited in the office of the Pensiangan District Council. [*Add. G.N.S 24/77.*]

Dated at Jesselton this 14th day of January 1964.

T. JONES,
Clerk to the Cabinet.

November 2008