DISTRICT CHIEF, NATIVE CHIEF AND HEADMAN ENACTMENT 2026

ARRANGEMENT OF SECTIONS

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STATE OF SABAH

I assent,

TUN DATUK SERI PANGLIMA (DR.) MUSA
BIN HAJI AMAN,
Yang di-Pertua Negeri.

12 AUGUST, 2026.

No. 10 of 2026

An Enactment to provide for the appointment and functions and duties of District Chiefs, Native Chiefs and Headmen and for related matters.

ENACTED by the Legislature of the State of Sabah as follows:

Short title and commencement

1. (1) This Enactment may be cited as the District Chief, Native Chief and Headman Enactment 2026.

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

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Interpretation

2. In this Enactment, unless the context otherwise requires —

"District Chief" means a District Chief appointed under section 3;

"District Officer" has the meaning assigned to it in section 3 of the Interpretation and General Clauses Enactment 1963 [*No. 34 of 1963*], and where there is no District Officer, means the Mayor of a City or the President of a Municipal Council;

"Elder" has the meaning assigned to it in subsection 2(1) of the Native Courts Enactment 2026;

"Headman" means a Headman appointed under section 3;

"Minister" means the Minister charged with the responsibility for native affairs;

"native" has the meaning assigned to it in the Interpretation (Definition of Native) Ordinance [*Cap. 64*];

"Native Chief" means a Native Chief appointed under section 3;

"native community" has the meaning assigned to it in the Interpretation (Definition of Native) Ordinance;

"native courts" has the meaning assigned to it in subsection 2(1) of the Native Courts Enactment 2026; and

"office of profit" has the meaning assigned to it in Clause (2) of Article 160 of the Federal Constitution.

Appointment of District Chief, Native Chief and Headman

3. (1) The Minister may, on the recommendation of the District Officer, subject to any terms or conditions he may deem fit to impose, appoint any

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person he deems qualified as District Chief, Native Chief or Headman for any district or native community.

(2) A person appointed as District Chief, Native Chief or Headman shall hold such office until the expiry of the term of his appointment or until his appointment is revoked or terminated by the Minister.

(3) Without prejudice to the generality of subsection (2), the appointment of a District Chief, Native Chief or Headman may be revoked or terminated by the Minister if —

(a) he becomes of unsound mind or otherwise incapable of performing the duties of his office;

(b) he becomes bankrupt or subject to a bankruptcy proceeding;

(c) he has been convicted of any criminal offence;

(d) he has been convicted of any offence under *adat* or native customary law;

(e) he is found guilty of misconduct in relation to his duties; or

(f) he ceases to reside in the district or native community for which he has been appointed to serve.

Functions and duties

4. The District Chief, Native Chief and Headman shall have the following functions and duties:

(a) to represent his district or native community in all official meetings, discussions or conferences concerning or affecting his district or native community;

(b) where he is appointed as an Elder, to assist the native courts under the Native Courts Enactment 2026;

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(c) to assist the Government in looking after the welfare of native communities;

(d) to assist, as may be necessary or expedient, the District Officer or any officer of the Government or of the local authority in the execution of their public duties;

(e) to assist the Government in matters relating to the proper establishment of a native community under any written law; and

(f) to carry out such other functions or duties as may be determined by the Minister or as may be conferred by any written law.

Allowances, benefits or privileges

5. (1) A District Chief, Native Chief or Headman shall be paid such allowances and accorded such benefits or privileges as the Minister may determine.

(2) All allowances paid or benefits or privileges accorded under subsection (1) shall be charged on the State Consolidated Fund.

Power of Minister to give directions and require information

6. (1) The Minister may give to the District Chief, Native Chief or Headman such directions relating to the performance of their functions and duties under this Enactment, other than the functions and duties specified under paragraph 4*(b)*, and the District Chief, Native Chief or Headman shall comply with such directions.

(2) A District Chief, Native Chief or Headman shall furnish to the Minister such reports and information relating to the performance of his functions and duties under this Enactment as the Minister may require.

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Prohibition

7. (1) No person who is appointed as a District Chief, Native Chief or Headman shall —

(a) hold any office of profit; or

(b) engage in any trade or business for profit.

(2) The Minister may, subject to such terms and conditions as he may deem fit to impose, exempt any District Chief, Native Chief or Headman from paragraph (1)*(b)*.

Saving

8. Any person who has been appointed as a District Chief, Native Chief or Headman prior to the coming into operation of this Enactment shall be deemed to have been appointed under this Enactment and shall continue to hold such office until the expiry of the term of his appointment or until his appointment is revoked or terminated under section 3.

CERTIFIED by me to be a true copy of the Bill passed by the Legislative Assembly on Thursday, the 23rd day of July, 2026.

DATUK SERI PANGLIMA HAJI KADZIM BIN HAJI M. YAHYA,
Speaker,
State Legislative Assembly.

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