

# STATE OF SABAH

## FEES ENACTMENT 1981

(No. 27 of 1981)

An Enactment to provide for the levy of fees and payments for licences, permits and other matters to be leviable in public offices.

[3rd September, 1981.]

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

### **Short title.**

1. This Enactment may be cited as the Fees Enactment, 1981.

### **Yang di-Pertua Negeri may charge and prescribe fees and payments to be leviable in public offices.**

2. Except where expressly provided otherwise by any other written law for the time being in force in the State, the Yang di-Pertua Negeri may by order from time to time charge and prescribe fees and payments and the persons by whom such fees shall be paid and payments made for licences, permits and other acts matters or things leviable or to be leviable in all public offices and departments of the Government of the State and may at any time revoke or vary any such order:

Provided that the fee or payment so charged or prescribed is in respect of any matter included in the State List of the Constitution of the Federation.

### **Order to be laid before Legislative Assembly.**

3. Every order made under section 2 of this Enactment shall be laid as soon as

conveniently possible on the table of the Legislative Assembly and shall be published in the *Gazette*, and shall have effect from the date of such publication:

Provided that such order may be revoked or amended in whole or in part by resolution of the Legislative Assembly passed within three months of the date on which such order was laid on the table thereof and shall thereupon cease to have effect or have effect as so amended but without prejudice to the validity of any thing previously done thereunder.

**Officers may decline to act till payment.**

4. The public office or department required to do anything for which a fee or payment is chargeable or prescribed under this Enactment or under any other written law in force relating to any matter included in the State List may decline to do that thing until the fee is paid or the payment is made.

**Fees etc., recoverable by summary procedure.**

5. (1) All fees and payments charged or prescribed under the provisions of this Enactment shall be recoverable by summary procedure before a Court of competent jurisdiction on complaint by or on behalf of the officer to whom the fee ought to have been paid or the payment ought to have been made.

(2) A certificate by such officer that the fee has not been paid or that the payment has not been made shall be sufficient proof of the facts stated therein until the contrary be proved.

**Yang di-Pertua Negeri may declare fees or payments to be payable in stamps.**

6. The Yang di-Pertua Negeri may by order declare that all or any fees or payments charged or prescribed under this Enactment shall be payable by means of stamps under the law in force for collection of stamp duties.

**Yang di-Pertua Negeri may declare fees or payments to be payable in money.**

7. The Yang di-Pertua Negeri may by order declare that all or any fees or payments in any of the public offices and departments of the State now or by any order made under

section 6 of this Enactment made payable by means of stamps shall be paid in money, any written law in force in the State to the contrary notwithstanding.

**Remission of fees.**

**8.** Notwithstanding the provisions of this Enactment, it shall be lawful for the Yang di-Pertua Negeri to remit wholly or in part, and either generally or in any particular case or class of cases, any fee or other payment prescribed under this Enactment or under any other written law relating to any matter included in the State List of the Constitution of the Federation and the Yang di-Pertua Negeri may by order provide for the remission of any such fee or other payment and may specify therein the person by whom such remission shall be granted.