

**LOCAL GOVERNMENT ORDINANCE 1961
(No. 11 of 1961)**

**KUDAT TOWN BOARD INSTRUMENT 1982
(G.N.S 13 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 Kudat Town Board Instrument 1982.

2. In this Instrument —

"Board" means the Kudat Town Board established by clause 3 of this Instrument;

"Ordinance" means the Local Government Ordinance.

3. There is hereby established with effect from the 1st day of January 1983 a Town Board to be known as the Kudat Town Board.

4. The limits of the area under the jurisdiction of the Board are as defined in the First Schedule hereto which area is hereby declared to be the Kudat Town Board area. Such area is divided into urban, suburban, country and sea divisions as defined in the Second schedule. The country and sea divisions shall not be part of the urban area of the Kudat Town Board area.

4A. The area set out in the First Schedule is declared as rating area and shall be subjected to rates as prescribed by the order made under section 82 of the ordinance.

5. The seal of the Board shall be the following device:

A circle depicting a coconut tree with the words "Kudat Town Board" around the circumference.

Provided that until such time as a seal capable of reproducing the said device can be produced a rubber stamp bearing the inscription "Kudat Town Board" may be used in lieu of such seal.

6. The Board shall be composed of the Commissioner, and not more than twenty 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.

8. The Chairman of the Board to be styled "Commissioner" shall be the District Officer, Kudat, and the Vice-Chairman shall be elected from among the members of the Board.

9. The office of the Board shall be at the Community Centre situated at Jalan Haji Abdul Rahim, Kudat. Meetings of the Board shall be held in the Board's office.

10. The Board shall hold not less than twelve ordinary meetings each year.

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 Board, 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 one more than half of the total membership.

13. Notice of the meeting and place of every meeting of the Board 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 Board 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 Board by the Ordinance or by any other law for the time being in force, the Board —

- (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 Board 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 Board or on any land vested in the Board or under its control.

16. The Kudat District Council Instrument 1961 [G.N.S 166/1961] is hereby revoked with effect from 1st January 1983.

FIRST SCHEDULE

KUDAT DISTRICT

SECOND SCHEDULE

(a) THE URBAN DIVISION

The area of approximately 2,667 acres delineated as Survey Lot No. 05200930 and edged in red on Plan No. 05150029.

(b) THE SUBURBAN DIVISION

The area of approximately 21,882 acres delineated as Survey Lot No. 05200931 and edged in purple on Plan No. 05150029.

(c) THE COUNTRY DIVISION

The area of approximately 293,531 acres delineated as Survey Lot No. 05200932 and edged in green on Plan No. 05150029.

(d) THE SEA DIVISION

The area of approximately 172,800 acres delineated as Survey Lot No. 05200933 and edged in yellow on Plan No. 05150029/A.

Dated at Kota Kinabalu this 28th day of December 1982.

DATUK HAJI ABDUL HAMID EGOH,
Clerk to the Cabinet.