

STATE OF SABAH

I assent,

TUN DATUK HAJI MOHAMMAD ADNAN ROBERT,
Yang di-Pertua Negeri.

20TH AUGUST, 1982.

No. 8 of 1982

An Enactment to provide for a change in title consequential upon the change of the area of jurisdiction and status of the Kudat District Council to Kudat Town Board and for other matters necessary and incidental thereto or connected therewith upon the establishment of the Kota Marudu/Pitas District Council.

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

Short title and commencement.

1. This Enactment may be cited as the Kudat Town Board (Change of Status) Enactment, 1982 and shall come into force on the 1st day of January, 1983.

Existing subsidiary legislations.

2. All subsidiary legislation applicable to the area under the jurisdiction of the Kudat District Council shall continue to have effect in the area under the jurisdiction of the Kudat Town Board as if the same had been made by the Kudat Town Board.

Amendment to titles.

3. In every written law—
- (a) all references to “Kudat District Council” shall be construed as references to “Kudat Town Board”;
 - (b) all references to the “Chairman of Kudat District Council” shall be construed as references to the “Commissioner of Kudat Town Board”; and
 - (c) all references to “the Chairman” in relation to the “Kudat District Council” shall be construed as references to “the Commissioner”.

Succession to property.

4. On the commencement of this Enactment, the Kudat District Fund vested in the Kudat District Council shall become the absolute property of the Kudat Town Board and all other property, movable or immovable, and assets vested or belonging to the Kudat District Council heretofore in the possession of the Kudat Town Board or the Kota Marudu/Pitas District Council shall be transferred and vested in the Kudat Town Board and Kota Marudu/Pitas District Council as the case may be.

Rights, liabilities and obligations.

5. On the commencement of this Enactment-
- (a) all rights, liabilities and obligations of the Kudat District Council pertaining to any matter or thing which falls under or within the area of jurisdiction of the Kudat Town Board shall become the rights, liabilities and obligations of the Kudat Town Board;
 - (a) all rights, liabilities and obligations of the Kudat District Council pertaining to any matter or thing which falls under or within the area of jurisdiction of the Kota Marudu/Pitas District Council shall become the rights, liabilities and obligations of the Kota Marudu/Pitas District Council.

Existing employees.

6. (1) All employees formerly in the employ or in the service of the Kudat District Council shall have the right to opt within three months from the commencement of this Enactment to be in the employ or in the service of either the Kudat Town Board or the Kota Marudu/Pitas District Council.

(2) Where the right to opt under subsection (1) of this section is exercised such employees shall become the employees in the employ or in the service of the Kudat Town Board or the Kota Marudu/Pitas District Council as the case may be on the same terms and conditions of service as those on which they were employed by the Kudat District Council.

Existing agreements.

7. All deeds, bonds, agreements, instruments and working arrangements subsisting immediately before the commencement of this Enactment affecting any of the undertakings, assets and liabilities vested in the Kudat Town Board or the Kota Marudu/Pitas District Council under this Enactment, shall have a full force and effect against or in favour of the Kudat Town Board or the Kota Marudu/Pitas District Council, and be enforceable as fully and effectively as if, instead of the Kudat District Council, the Kudat Town Board or the Kota Marudu/Pitas District Council as the case may be had been named therein or had been a party thereto.

Existing legal proceedings.

8. All legal proceedings pending or existing by or against Kudat District Council immediately before the commencement of this Enactment may be continued or enforced by or against the Kudat Town Board.

Valuation list.

9. Any valuation list prepared by the Kudat District Council in respect of the area under its jurisdiction shall continue to be in force in the area under the jurisdiction of the Kudat Town Board as if the same had been prepared by the Kudat Town Board.

FOR REFERENCE ONLY (July 2010)

CERTIFIED by me to be a true copy of the Bill passed by the Assembly on Thursday, the 12th August, 1982.

DATUK HAJI MOHD. SUNOH MARSO,
Speaker.

Sabah LawNet