

STATE OF SABAH

I assent,

TUN DATUK HAJI MOHD. SAID BIN KERUAK,
Yang di-Pertua Negeri.

30TH DECEMBER, 1992.

No. 12 of 1992

An Enactment to repeal the Liberation Educational Trust Ordinance (Cap. 161), to dissolve the Liberation Educational Trust Fund, the Trust Corporation and the Committee of Management established under the Ordinance, and to transfer all the properties and monies to the State Government of Sabah.

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

Short title and commencement.

1. This Enactment may be cited as the Liberation Educational Trust (Dissolution) Enactment 1992, and shall come into force on such date as the Minister may, by notification in the *Gazette*, appoint. [01.08.1993]

Interpretation.

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

"Committee" means the Committee of Management established under section 10 of the Ordinance;

"Corporation" means the Trust Corporation under the name of the Liberation Educational Trust established under section 4(2) of the Ordinance;

"Fund" means the Liberation Educational Trust Fund established under section 3 of the Ordinance;

"Government" means the Government of the State of Sabah;

"Minister" means the Minister who is for the time being responsible for financial affairs in the State;

"Ordinance" means the Liberation Educational Trust Ordinance (Cap. 161).

Repeal of Cap. 161.

3. The Liberation Educational Trust Ordinance (Cap. 161) is hereby repealed, and the Fund, the Corporation and the Committee are dissolved.

Transfer of powers, rights, liabilities and duties.

4. All powers, rights, privileges, duties, or obligations that immediately before the commencement of this Enactment were those of the Fund, the Corporation and the Committee shall, as from the commencement of this Enactment, devolve on the Government.

Transfer of property.

5. Any movable or immovable property which immediately before the commencement of this Enactment was vested in the Fund, the Corporation and the Committee shall, upon such commencement, vest in the Government.

Transfer of fund.

6. All monies standing in, or due to be paid into, the Fund or the account held by the Corporation or the Committee for the purposes of the Ordinance shall, upon the commencement of this Enactment, be transferred to and paid into the Consolidated Fund of the State without any instrument of transfer.

Existing contracts.

7. All deeds, bonds, agreements, instruments or working arrangements subsisting immediately before the commencement of this Enactment in respect of any matter, or movable or immovable property, or asset shall continue to subsist and the Government shall have power to enforce any rights arising from or out of such deeds, bonds, agreements, instruments or working arrangements as if the Government had been named therein or been a party thereunder.

Civil proceedings.

8. (1) Any civil proceedings or cause of action pending or existing immediately before the commencement of this Enactment against the Fund, the Corporation or the Committee or any person acting on its behalf may be continued by or against the Government as if such civil proceedings or cause of action had been or would be proceeded with if this Enactment had not been passed.

(2) Any appeal or application for leave to appeal in respect of any civil proceedings or cause of action or matter made immediately before the commencement of this Enactment shall devolve on the Government.

Power of Minister to remove difficulty.

9. (1) Subject to subsection (2), the Minister may by order make such modifications as may appear to him necessary for removing, resolving or preventing any difficulty or anomaly which may arise in connection with the transitional provisions contained in this Enactment.

(2) The Minister shall not exercise the powers conferred by subsection (1) after the expiration of 2 years from the commencement of this Enactment.

CERTIFIED by me to be a true copy of the Bill passed by the Legislative Assembly on Tuesday, the 24th November, 1992.

JOHN DATUK ANGIAN ANDULAG,
Deputy Speaker.