

COLONY OF NORTH BORNEO

I assent,

R. E. TURNBULL,
Governor.

14TH SEPTEMBER, 1955.

No. 9 of 1955

An Ordinance to provide for the preparation and publication of a supplementary volume to the Revised Edition of the Laws of the Colony comprising legislation enacted between the first day of July, 1953, and the thirty-first day of December, 1954.

Date of commencement.

(14th September, 1955)

ENACTED BY the Governor of the Colony of North Borneo with the advice and consent of the Legislative Council as follows:-

Short title.

1. This Ordinance may be cited as the Revised Edition of the Laws (Supplementary Volume) Ordinance, 1955.

Interpretation.

2. In this Ordinance –

"Commissioner" means the person appointed under the provisions of section 3.

"Revised Edition" means the revised edition of the laws of the Colony prepared under the authority of the Revised Edition of the Laws Ordinance, 1951 [No. 44 of 1951];

"supplementary volume" means the volume referred to in section 3.

Appointment of Commissioner.

3. (1) John Maxwell Hall, Barrister-at-Law, is hereby appointed the Commissioner who shall prepare a supplementary volume to the Revised Edition of the Laws, comprising the Ordinances and subsidiary legislation enacted between the first day of July, 1953 and the thirty-first day of December, 1954, and in force on the latter date.

(2) In case the Commissioner shall from any cause be unable fully to discharge his commission under this Ordinance, the Governor may appoint some other fit and proper person or persons to be Commissioner or Commissioners in his stead.

Powers of commissioner.

4. In the preparation of the supplementary volume the Commissioner shall have the following powers –

(1) To omit –

(a) all Ordinances or parts of Ordinances which have been repealed expressly and specifically or by necessary implication, or which have expired, or have become spent or have had their effect and all Appropriation Ordinances;

(b) all enactments prescribing the date when an Ordinance or part of an Ordinance is to come into operation, where such omission can in the opinion of the Commissioner conveniently be made;

(c) all amending Ordinances or parts thereof where the amendments effected thereby have been embodied by the Commissioner in the Ordinance to which they relate;

(d) all enacting clauses;

- (2) To consolidate into one Ordinance any two or more Ordinances *in pari materia* making the alterations thereby rendered necessary and affixing such date thereto as may seem most convenient;
- (3) To alter the order of sections in any Ordinances, and in all cases where it may be necessary to do so, to re-number the sections;
- (4) To alter the form or arrangement or arrangements of any section by transposing words, by combining it in whole or in part with another section or other sections or by dividing it into two or more subsections;
- (5) To alter the short title of any Ordinance;
- (6) To correct grammatical, typographical and similar mistakes in the existing copies of Ordinances, and for that purpose to make verbal additions, omissions or alterations not affecting the meaning of any Ordinance;
- (7) To supply or alter any index to sections, table of contents or marginal notes;
- (8) To correct cross references and to adapt all references and to make any amendment necessary to effect conformity with the Revised Edition;
- (9) To do all things necessary for the perfecting of the supplementary volume as part of the Revised Edition.

Commissioner not to alter substance.

5. The powers conferred upon the Commissioner by section 4 shall not be taken to imply any power in him to make any alteration or amendment in the matter or substance of any Ordinance.

Contents of supplementary volume.

6. (1) The supplementary volume shall contain –

- (a) the Ordinances of the Colony enacted between the first day of July, 1953, and the thirty-first day of December, 1954, which are in force on the latter date; and
- (b) all proclamations, rules, regulations, by-laws and other forms of subsidiary legislation which shall have come into force between the first day of July, 1953 and the thirty-first day of December, 1954, and which are in force on the latter date.

(2) The supplementary volume may, in the discretion of the Commissioner, also contain a reprint of such Act of Parliament, Orders in Council, Letters Patent, Royal Instructions, and other instruments which shall have come into force between the first day of July, 1953, and the thirty-first day of December, 1954, or which are in force on the latter date, and also the whole or any part of any Ordinance, Act of Parliament, Order in Council, Letters Patent, subsidiary legislation or other instrument enacted prior to the thirty-first day of December, 1954, which has not yet been brought into force or which may for any reason have been omitted from the Revised Edition.

Subsidiary legislation.

7. In the preparation of subsidiary legislation referred to in subsidiary paragraph (b) of subsection (1) of section 6 the Commissioner shall have the like powers to do all things as are conferred upon him by this Ordinance in respect of Ordinances.

Bringing supplementary volume into force.

8. The Governor may approve the supplementary volume, and order that it shall come into force on such date as he thinks fit.

Validity and operation of the supplementary volume.

9. The supplementary volume, when approved, as provided in section 8, shall, in all Courts of Justice and for all purposes whatsoever, be the sole and only proper Statute Book of the Colony in respect of Ordinances and subsidiary legislation which shall have come into force between the first day of July, 1953 and the thirty-first day of December, 1954, and which are in force on the latter date and in respect of all other matter published therein.

Sealed copies to be deposited.

10. (1) Two copies of the supplementary volume shall be signed by the Commissioner or Commissioners and by the Governor and shall be sealed with the Public Seal of the Colony.

(2) One of the said two copies shall be deposited amongst the records of the Supreme Court and the other copy shall be deposited at the office of the Chief Secretary.

Distribution of copies of supplementary volume.

11. (1) Copies of the supplementary volume shall be distributed among such persons, officers, departments and institutions as the Governor may direct.

(2) There shall be offered to the public such number of copies at such price as the Governor may direct.

Expenses of preparation and publication.

12. The Governor may, by warrant addressed to the Accountant-General, direct the payment of all expenses of and incidental to the preparation and publication of the supplementary volume.

Inclusion of this Ordinance in supplementary volume.

13. This Ordinance shall be included in the supplementary volume.

Passed this 25th day of August, 1955.

MOH'D. KASSIM,
Clerk of Legislative Council.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed the Legislative Council and found by me to be a true and correct copy of the said Bill.

MOH'D. KASSIM,
Clerk of Legislative Council.

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