

STATE OF SABAH

SABAH DEVELOPMENT FUND ORDINANCE, 1963 (Sabah No. 15 of 1963)

LIST OF AMENDMENTS

<i>Enactment No.</i>	<i>Sections amended</i>	<i>Effective date of amendment</i>
G.N.S. 122/1964	6 (3), (4), (5)	1-10-1964
G.N.S. 87/1965	Long title, 1, 2, 3 (2), 4 (b), (c), 5, 6 (1), (2), (3), (4), 7(1), (2)	16-9-1963
10/1966	4 (e), Sch.	1-1-1966

An Ordinance to establish the Sabah Development Fund, to define the purposes of and to regulate the Sabah Development Fund, and to provide for the payment thereto of sums raised under certain Loan Ordinances.

[1st August, 1963.]

ENACTED by the Legislature of North Borneo as follows:

Short title.

1. This Ordinance may be cited as the Sabah Development Fund Ordinance, 1963, and shall be deemed to have come into operation on the first day of August, 1963.

Development Fund.

2. There shall be in and for Sabah a Fund to be known as the Sabah Development Fund (hereinafter called the Fund).

Transfer of certain assets to the Fund.

3. (1) There shall be paid into the Fund such sum as may be standing to the credit of the Development Account in the accounts of the Government of North Borneo on the date of coming into force of this Ordinance.

(2) The proceeds of any loans raised under any written law and not spent at the commencement of this Ordinance may, notwithstanding any provision to the contrary in any such law, be directed by resolution of the Legislative Assembly to be paid into the Fund to be applicable generally or to any of the purposes thereof.

Payment into the Fund.

4. There shall be paid into the Fund-

- (a) all moneys from time to time appropriated and authorised to be paid into the Fund by this Ordinance or by any other written law;
- (b) all loan or grants from time to time made to the Sabah Government for the purposes of the Fund;
- (c) all sums representing the proceeds of any loan raised by the Sabah Government for the purposes of the Fund and appropriated to such purposes by the law authorising the raising of the loan;
- (d) all sums representing the repayments of principal of loans made by the Government from the Development Budget prior to the commencement of this Ordinance or made from the Fund and payments of interest on such Loans;
- (e) (*Repealed*).

Application of moneys in the Development Fund.

5. The moneys in the Fund shall be applied only to such purposes of development as may be specified by resolution passed by the Legislative Assembly.

Development Budget.

6. (1) The Yang di-Pertua Negeri* shall in respect of each financial year cause to be laid before the Legislative Assembly a statement of-

- (a) the estimated revenues of the Fund for that year;
- (b) the proposed expenditure out of the Fund for that year;
- (c) the sums necessary to meet each head and subhead of such proposed expenditure; and
- (d) the estimated total cost projects, works and undertakings included under any Head or Subhead of such proposed expenditure.

(2) The Legislative Assembly may by resolution approve all or any of the expenditure or any part thereof shown in such statement, and shall by resolution appropriate the sums necessary to meet such approved expenditure for the purposes specified in such resolution.

(3) If in respect of any financial year it is found that the amount appropriated under any head of expenditure is insufficient or that a need has arisen for the expenditure for a purpose for which no amount has been appropriated in accordance with subsection (2) of this section the Minister for Finance shall cause a supplementary statement showing the sums required to be spent to be laid before the Legislative Assembly and the Legislative Assembly may by resolution approve all or any of such expenditure or any part thereof, and shall by such resolution appropriate the sums necessary to meet such approved expenditure for the purposes specified in the resolution.

* "Yang di-Pertua Negeri" substituted for "Yang di-Pertua Negara" by virtue of Enactment No. 17 of 1976.

(4) If it appears to the Minister for Finance necessary to alter the sum assigned to any subhead under a head of expenditure appropriated in pursuance of subsection (2) or subsection (3) of this section he may direct that there shall be applied in aid of any subhead which may be deficient a further sum out of any surplus arising on any other subhead of the same head:

Provided that the amount appropriated any head of expenditure in pursuance of subsection (2) or subsection (3) shall not thereby be exceeded: and

Provided further that the estimated total cost of any project, work or undertaking to which each subhead relates, as specified in the last preceding statement laid before the Legislative Assembly pursuant to subsection (1) or (3) shall not thereby be exceeded.

(5) Subject to the provisions of this section all appropriations made under this section shall lapse at the end of the financial year, and any balances remaining in the Fund shall thereafter be available for further appropriations:

Provided that if the purpose for which any sum shall have been appropriated remains uncompleted at the close of the years, the Minister for Finance may direct that any balance of such appropriation shall not lapse but shall be applied for the completion of such purpose during this ensuing year.

Audit.

7. (1) The Accounts of the Fund shall be audited by the Auditor-General to whom annual statements shall be forwarded by the Accountant-General as soon as possible after the close of each financial year.

(2) A copy of the account of the Fund shall be annexed to the accounts of Sabah, and the Auditor-General may embody in his report on such accounts any observations he may wish to make on the account of the Development Fund.

8. (*Omitted*).

SCHEDULE
(*Repealed*).