

## STATE OF SABAH

I assent,

DATUK MOHAMMAD ADNAN ROBERT,  
*Yang di-Pertua Negeri.*

28TH DECEMBER, 1978.

### No. 20 of 1978

An Enactment to amend various written laws of the State in order to transfer the various powers hitherto exercised by the Residents to the State Secretary, the Secretary of Natural Resources and the District Officers as the case may be consequent upon the abolition of the offices of the Residents.

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

#### **Short title and commencement.**

1. This Enactment may be cited as the Statute Law Revision Enactment, 1978, and shall come into operation on the 1st day of January, 1979.

#### **Amendment of Cap. 15.**

2. Section 8 of the Birds' Nests Ordinance is hereby amended by substituting the words "Secretary of Natural Resources" for the words "officer in the administrative charge of the residency" appearing in line 4 to line 5.

#### **Amendment of Cap.19.**

3. The Burials Ordinance is hereby amended –
  - (a) in section 14 thereof, by substituting the words "District Officer" for the word "Resident" appearing in line 1; and

- (b) in section 15 thereof, by deleting the word and comma “Resident,” appearing in line 5.

**Amendment of Cap. 21.**

- 4. The Cattle, Grazing and Pounds Ordinance is hereby amended –
  - (a) in section 11 thereof, by deleting the words “with the sanction of his Resident” appearing in line 2 and the proviso, and by substituting a full stop for colon appearing in line 3;
  - (b) in section 18 thereof, by substituting the words “District Officer” for the word “Resident” appearing in line 1;
  - (c) in section 20 thereof, by substituting the words “District Officer” for the word “Resident” appearing in line 1; and
  - (d) in section 27 subsection (5) thereof, by substituting the words “District Officers” for the word “Resident” appearing in line 2.

**Amendment of Cap. 31.**

- 5. Section 7 of the Cruelty to Animals (Protection) Ordinance is hereby amended by substituting the words “District Officer” for the word “Resident” appearing in line 1 and line 2 respectively.

**Amendment of Cap. 68.**

- 6. The Land Ordinance is hereby amended –
  - (a) in section 17 subsection (2) thereof, by substituting the words “Secretary of Natural Resources” for the words “Resident or in the case of lands in the Labuan District, the District Officer,” appearing in line 2 to line 3;
  - (b) in section 70 thereof –
    - (i) by substituting the words “Secretary of Natural Resources” for the word “Resident” appearing in subsection (2) paragraph (c) thereof; and

- (ii) by substituting the words “Secretary of Natural Resources” for the words “Resident of the residency in which the land is situate and, if the applicant does not ordinarily reside in such residency, of the Resident of the residency in which the applicant so resides,” appearing in line 1 to line 5 of the proviso to subsection (3) and the words “such Resident” appearing at the end of the said proviso respectively.
- (c) in section 78 thereof, by substituting the words “Secretary of Natural Resources” for the word “Resident” appearing in line 3 of subsection (3), line 2 of subsection (4) and line 3 of subsection (4) paragraph (a) respectively.

**Amendment of Cap. 86.**

**7. The Native Court Ordinance is hereby amended –**

- (a) in section 3 subsection (1) thereof –
  - (i) by substituting the words “the State Secretary” for the words “a Resident” appearing in line 2 and the words “the Resident” appearing in line 5 respectively; and
  - (ii) by substituting the words “any division” for the words “his residency” appearing in line 3;
- (b) in section 3 subsection (2) thereof, by substituting the words “any Native Court has been established” for the words “any Resident has established any Native Court” appearing in line 1;
- (c) by deleting section 3 subsection (3);
- (d) in section 4 subsection (1) thereof –
  - (i) by substituting the words “State Secretary” for the word “Resident” appearing in line 4 and line 6 respectively;
  - (ii) by substituting a full stop for the colon appearing at the end of the first proviso; and
  - (iii) by deleting the further proviso.

- (e) in section 9 subsection (2) thereof, by substituting the words “Native Court of Appeal” for the word “Resident” appearing in line 3;
- (f) in section 10A subsection (1) thereof, by substituting the words “and two Native Chiefs” for the words “the Resident of the residency in which the original proceedings took place and one Native Chief” appearing in line 5 to line 6;
- (g) in section 10A subsection (2) paragraph (b) thereof, by substituting the words “Native Court of Appeal” for the word “Resident” appearing in line 1; and
- (h) in section 15 thereof, by substituting the words “State Secretary” for the word “Resident” appearing in line 3 and line 4 respectively.

**Amendment of Cap.132.**

**8. The Rural Administration Ordinance is hereby amended –**

- (a) in section 40 subsection (1) thereof, by deleting the words “the Resident or” and the word “Labuan,” appearing in line 5;
- (b) in section 42 paragraph (c) thereof, by deleting the word “Resident,” appearing in line 3;
- (c) in section 53 thereof, by deleting the words “a Resident or” appearing in line 1 and the words “Resident or” appearing in line 4 and line 9 respectively;
- (d) in section 54 thereof, by substituting the words “District Officer” for the word “Resident” appearing in line 1;
- (e) in section 55 thereof –
  - (i) by substituting the word “State Secretary” for the word “Resident” appearing in line 6 of subsection (1) and line 4 of subsection (2) respectively; and
  - (ii) by deleting subsection (3) thereof.

**Amendment of No. 15 of 1956.**

9. The Drainage and Irrigation Ordinance, 1956 is hereby amended –
- (a) in the proviso to section 14 thereof, by substituting the word “Magistrate” for the word “Resident” appearing in line 7;
  - (b) in section 15 subsection (3) thereof, by substituting the word “Magistrate” for the word “Resident”, appearing in line 10; and
  - (c) in section 2 thereof, by substituting the word “Magistrate” for the word “Resident” appearing in line 5 of subsection (1) and line 1 to line 2 of subsection (2) respectively.

**Amendment of No. 11 of 1961.**

10. The Local Government Ordinance, 1961 is hereby amended –
- (a) in section 107 subsection (1) thereof, by substituting the words “District Officer” for the word “Resident” appearing in line 1 and paragraph (b) respectively;
  - (b) in section 107 subsection (2) thereof, by substituting the words “District Officer” for the word “Resident” appearing in line 3 thereof;
  - (c) in section 107 subsection (4) thereof, by substituting the words “District Officer” for the word “Resident” appearing in line 1 and line 4 respectively, and by deleting the words “a District Officer or” appearing in line 1; and
  - (d) by deleting section 107 subsection (5); and
  - (e) in section 110 subsection (3), by substituting the words “District Officer” for the word “Resident” appearing in line 7 of paragraph (a) and line 3 of paragraph (c) respectively.

**Amendment of No. 16 of 1962.**

11. Section 33 subsection (1) of the Animals Ordinance 1962 is hereby amended by deleting the words “the Resident having jurisdiction of the district or” appearing in line 3 and the words “in the case of Labuan District” appearing in line 4.

**Amendment of No. 2 of 1968.**

12. The Forest Enactment, 1968, is hereby amended –

- (a) in section 8 thereof, by substituting the words “District Officer of the district” for the words “Resident of the residency” appearing in line 2 and the words “District Officer” for the word “Resident” appearing in lines 7, 9 and 12 of paragraph (d) thereof respectively;
- (b) in section 9 thereof, by substituting the words “District Officer” for the word “Resident” appearing in line 2 of subsection (1), line 1 of subsection (2) and line 2 of subsection (3) respectively;
- (c) in section 10 thereof, by substituting the words “District Officer” for the word “Resident” appearing in line 2;
- (d) in section 11 subsection (2) thereof, by substituting the words “District Officer” for the Word “Resident” appearing in line 3; and
- (e) in section 12 subsection (5) thereof, by substituting the words “District Officer of the district” for the words “Resident of the residency” appearing in line 2.

**Amendment of No. 12 of 1971.**

13. Section 17 of subsection (1) of the Fire Service Enactment, 1971 is hereby amended by substituting the words “District Officer” for the word “Resident” appearing in line 1 and the word “district” for the word “residency” appearing in line 1 to line 2.

**Amendment of No. 11 of 1977.**

14. Section 3 subsection (1) paragraph (c) of the Antiquities and Treasure Trove Enactment, 1977 is hereby amended by substituting the words “District Officer of the district” for the word “Resident” appearing in line 1.

**Amendment of No. 13 of 1977.**

15. The National Parks Enactment, 1977 is hereby amended –

- (a) in section 6 thereof, by substituting the words “District Officer of the district” for the words “the Resident of the residency” appearing in line 2, and the

words "District Officer" for the word "Resident" appearing in line 7 of paragraph (d) thereof;

- (b) in section 7 thereof, by substituting the words "District Officer" for the word "Resident" appearing in line 1 of subsection (1) and line 2 of subsection (2) respectively;
- (c) in section 8 thereof, by substituting the words "District Officer" for the word "Resident" appearing in line 2 and line 5 respectively; and
- (d) in section 11 subsection (2) thereof, by substituting the words "District Officer" for the word "Resident" appearing in line 2.

CERTIFIED by me to be a true copy of the Bill passed by the Assembly on Wednesday, the 20th December, 1978.

DATUK HAJI ABDUL MOMEN BIN  
HAJI KALAKHAN,  
*Speaker.*