

STATE OF SABAH

I assent,

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

15TH SEPTEMBER, 1994.

No. 9 of 1994

An Enactment to provide for special provisions relating to power to make disciplinary regulations for statutory bodies.

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

PART I PRELIMINARY

Short title and application.

1. This Enactment may be cited as the Statutory Bodies (Disciplinary Provisions) Enactment, 1994 and shall apply to all statutory bodies.

Interpretation.

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

“statutory body” means any body corporate, irrespective of the name by which it is known, that is incorporated pursuant to the provisions of State law and is a public authority or an agency of the State Government but does not include a local authority and a body corporate that is incorporated under the Companies Act 1965 [Act 125].

PART II
APPLICATION AND CONSTRUCTION

Provisions of Enactment to apply to all statutory bodies.

3. The Provisions of this Enactment shall apply in respect of all statutory bodies and shall be read together and construed as one with the provisions of the State law pursuant to which a statutory body is incorporated.

Provisions of Enactment to supersede conflicting or inconsistent provisions of other State law.

4. (1) In the event of any conflict or inconsistency between the provisions of this Enactment and of the State law pursuant to which a statutory body is incorporated, the provisions of this Enactment shall supersede the conflicting or inconsistent provisions of the State law and the latter shall be construed as so superseded.

(2) The Provisions of any State law which are not in conflict or inconsistent with the provisions of this Enactment shall otherwise continue to apply.

PART III
DISCIPLINARY REGULATIONS

Power to make disciplinary regulations.

5. (1) The Yang di-Pertua Negeri may, from time to time, make such disciplinary regulations as he deems necessary or expedient to provide for the conduct and discipline of the chief executive officer (by whatever name called), officers and employees of all or any statutory bodies.

(2) The regulations made under this section may include provisions for –

- (a) the interdiction with reduction in salary or other remuneration; or
- (b) the suspension without salary or other remuneration, of the chief executive officer, officers and employees of the statutory body concerned during the pendency of disciplinary proceedings.

(3) The regulations made under this section may create such disciplinary offences and provide for such disciplinary punishments as may deem appropriate, and the punishments so provided may extend to dismissal or reduction in rank.

(4) The regulations made under this section shall, in prescribing the procedure for disciplinary proceedings, provide for an opportunity for representations to be made by the person against whom the disciplinary proceedings are taken before a decision is arrived at by the disciplinary authority on the disciplinary charge to be laid against such person.

CERTIFIED by me to be a true copy of the Bill passed by the Legislative Assembly on Thursday, the 8th September, 1994.

DATUK HJ. HASSAN ALBAN HJ. SANDUKONG,
Speaker.