

(Am: GNS 18/04 (02.12.04), GNS 21/2012 (03.01.2012))

**LOCAL GOVERNMENT ORDINANCE 1961**  
**(No. 11 of 1961)**

TAWAU MUNICIPAL COUNCIL INSTRUMENT 1983  
(G.N.S 22 of 1983)

INSTRUMENT issued by the Yang di-Pertua Negeri under the provisions of section 3 of the Local Government Ordinance 1961.

1. This Instrument may be cited as the Tawau Municipal Council Instrument 1983.
2. In this Instrument —  
  
"Council" means the Tawau Municipal Council established by clause 3 of this Instrument;  
  
"Minister" means the Minister of Local Government and Housing;  
  
"Ordinance" means the Local Government Ordinance 1961.
3. There is hereby established with effect from the 1st day of January 1982 a Municipal Council to be known as the Tawau Municipal Council.
4. The limits of the area under the jurisdiction of the Council are as defined in the First Schedule hereto which area is hereby declared to be a Municipality and shall be known as the Tawau Municipality. Such area is divided into urban, suburban, country and sea divisions as defined in the Second Schedule. The country and sea divisions shall not be part of the urban area of the Tawau Municipal Council.
- 4A. The area of Tawau Municipality is declared as rating area and shall be subjected to rates as prescribed by the order made under section 82 of the Ordinance.

- 5.** The seal of the Council shall be as the following device-

A circle depicting a cocoa tree with the words "Tawau Municipal Council" around the circumference.

- 6.** The Council shall be composed of a President, Vice President and not more than twenty-four members to be appointed by the Minister of Local Government and Housing.

- 7.** All appointed members shall be appointed for a period of not exceeding two years.

- 8.** The President who shall be the Chairman of the Council, and the Vice-President, shall be appointed by the Minister for such period being longer than one year as he may determine and such persons shall be members of the State Public Service.

- 9.** The office of the Council shall be at the Tawau Municipal Office Building, Tawau. Meetings of the Council shall be held in the Council's offices.

- 10.** The Council shall hold not less than twelve ordinary meetings each year.

- 11.** The Chairman may at any time and shall, at the request in writing of not less than one third of the members stating the object of the meeting, call a special meeting of the Council and the day fixed for such meeting shall be within fourteen days of the presentation of such request. The notice of any special meeting shall specify the object of the meeting, and no other subjects than those specified in such notice shall be discussed at such meeting.

- 12.** The quorum at an ordinary or special meeting shall be one more than half of the total membership.

- 13.** Notice of the meeting and place of every meeting of the Council shall be served on every member either personally or by leaving the same at his usual place of residence or at his business address not less than twenty-four hours before such meeting:

Provided that the accidental omission to serve such notice on any member shall not effect the validity of such meeting.

**14.** The Council may co-opt on any Committee appointed under section 27 (1) of the Ordinance any Government officer or any person with professional or special qualifications.

**15.** In addition to those functions conferred upon the Council by the Ordinance or by any other law for the time being in force, the Council —

- (a) shall perform all the functions specified in paragraphs (21), (23), (46), (49), (50), (51) and (52) of section 49 (1) of the Ordinance;
- (b) shall keep clean all roads, streets and all other public places of which the Council has general control and care;
- (c) shall provide for the burial of paupers in accordance with the religion or custom of the deceased;
- (d) may perform all the functions specified in paragraphs (1), (2), (11), (13), (14), (15), (19), (20), (22), (24), (25), (29), (30), (31), (32), (33), (34), (35), (36), (37), (38), (40), (41), (42), (43), (44), (45), (47), (48), (53), (54), (55), (57), (58), (59), (60), (61), (62), (63), (64), (65), (67), (68), (69), (70), (71), (72) and (73), of section 49 (1) of the Ordinance;
- (e) may regulate and control stopping and parking of vehicles in any vehicle park established by the Council or on any land vested in the Council or under its control.

**16.** The Tawau Town Board Instrument 1961 and the Tawau Rural District Council Instrument 1962 are hereby revoked with effect from 1st January 1982.

FIRST SCHEDULE

TAWAU DISTRICT

SECOND SCHEDULE

(a) THE URBAN DIVISION

The area of approximately 5,918 hectares delineated as Survey Lot. No. 10200312 on Survey Plan No. 10150124/A and shaded in red.

(b) THE SUBURBAN DIVISION

The area of approximately 4,783 hectares delineated as Survey Lot. No. 10200313 on Survey Plan No. 10150124/A and shaded in yellow.

(c) THE COUNTRY DIVISION

The area of approximately 581,384 hectares delineated as Survey Lot. No. 10200314 on Survey Plan No. 10150124/B and edged in green.

(d) THE SEA DIVISION

The area of approximately 26,592 hectares delineated as Survey Lot. No. 10200315 on Survey Plan No. 10150124/B and shaded in blue.