

(Am: GNS. 12/2004 [02.12.04], GNS. 22/2012 [03.01.2013])

LOCAL GOVERNMENT ORDINANCE 1961
(No. 11 of 1961)

TENOM DISTRICT COUNCIL INSTRUMENT 1961
(G.NS 173 of 1961)

INSTRUMENT issued by the Governor in Council under the provisions of section 3 of the Local Government Ordinance 1961.

1. This Instrument may be cited as the Tenom District Council Instrument 1961.
2. In this Instrument —

"Council" means the Tenom District Council established by clause 3 of this Instrument;

"Ordinance" means the Local Government Ordinance 1961.
3. There is hereby established with effect from the 1st day of January 1962 a District Council to be known as the Tenom District Council.
4. (1) The limits of the area under the jurisdiction of the Council are as defined in the First Schedule hereto.

(2) The areas set out in the Second Schedule hereto are declared to be townships to be known as the Tenom Township and the Kemabong Township respectively.

(3) The area set out in the First Schedule 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 the following device —

A circle depicting a Murut in national costume with feathered head-dress, head-on, firing a blowpipe and the words "Tenom District Council" around the circumference:

Provided that until such time as a seal capable of reproducing the said device can be procured a rubber stamp bearing the inscription "Tenom District Council" may be used in lieu of such seal.

6. The Council shall be composed of the District Officer and not more than eighteen members to be appointed by the Minister of Local Government and Housing.

7. All appointed members of the Council shall be appointed for a period not exceeding two years.

8. The Chairman of the Council shall be the District Officer, Tenom, and the Vice-Chairman shall be elected by all the members of the Council.

9. The Council's offices shall be at the District Office, Tenom. Meetings of the Council shall be held in the Council's offices.

10. The Council shall hold not less than four 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.

11A. The quorum at an ordinary or special meeting shall be nine.

12. 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 any meeting.

13. 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.

14. (1) 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 the function specified in paragraph (49) of section 49 (1) of the Ordinance;
- (b) shall provide for the burial of paupers in accordance with the religion or custom of the deceased;
- (c) shall perform all the functions specified in paragraphs (23), (33) and (46) of section 49 (1) of the Ordinance;
- (d) shall keep clean all roads, streets and all other public places of which the Council has general control and care;
- (e) may perform all the functions specified in paragraphs (1), (2), (3), (7), (9), (10), (11), (14), (15), (18), (19), (20), (21), (22), (29), (30), (31), (32), (39), (40), (43), (44), (45), (50), (51), (52), (53), (54), (59), (61), (62), (68), (69), (70), (71), (72), and (73), of section (49) (1) of the Ordinance;
- (f) may provide omnibus or other transport services for school children;
- (g) may perform all the functions specified in paragraphs (13), (41), (42), (47), (57) and (67) of section 49 (1) of the ordinance;
- (h) may regulate and control stopping and parking of vehicles in any vehicle park established by the Council or under its control.

(2) The functions specified in paragraphs (c), (d), (g) and (h) of this clause shall not be exercisable in any part of the area which is not within a township.

FIRST SCHEDULE

TENOM DISTRICT

SECOND SCHEDULE

TENOM TOWNSHIP

The area of approximately 2303 acres delineated as Survey Lot No. 16200184 District of Tenom, on Survey Plan No. 16150015 and on such plan edged in red.