

THE LOCAL GOVERNMENT ORDINANCE, 1961
(No. 11 of 1961)

KUNAK DISTRICT COUNCIL INSTRUMENT 1994

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 Kunak District Council Instrument 1994.

2. In this Instrument –

“the Council” means the Kunak District Council established by clause 3 of this Instrument;

“the Ordinance” means the Local Government Ordinance 1961 [*No. 11 of 1961.*];

“Minister” means the Minister of Local Government and Housing.

3. There is hereby established, with effect from 1st day of June, 1994, a District Council to be known as the Kunak District Council.

4. (1) The limits of the area under jurisdiction of the Council are as defined in the First Schedule hereto.

(2) The area set out in the Second Schedule hereto is declared to be a township to be known as Kunak Township.

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

A circle with the words “Majlis Daerah Kunak” 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 “Majlis Daerah Kunak” may be used in lieu of such seal.

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

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

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

9. The Council's office shall be at the District Office, Kunak. Meeting of the Council shall be held in the office of the Council.

10. The Council shall hold not less than four ordinary meeting 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 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 seven.

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 not less than twenty-four hours before such meetings:

Provided that the accidental omission to serve such notice on any member shall not affect the validity of any 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. (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), (46), (50), (51) and (52) 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), (11), (13), (19), (20), (22), (27), (28), (30), (39), (45), (58 (iii)), (60), (61), (68), (69), (71), (72) and (73) of section 49 (1) of the Ordinance;
- (f) may perform all the functions specified in paragraphs (21), (24), (31), (33), (40), (41), 942), (43), (44), (47), (53), (54), (57), (59) and (67) of section 49 (1) of the Ordinance;
- (g) 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), (f) and (g) of this clause shall not be exercisable in any part of the area which is not within a township.

FIRST SCHEDULE

KUNAK DISTRICT

SECOND SCHEDULE

KUNAK TOWNSHIP

The area of approximately 510 acres delineated as Survey Lot No. 19 Mukim of Mostyn, on Survey Plan No. 9810 dated 17th July, 1966.

Dated at Kota Kinabalu, this 23rd day of May, 1994.

By His Excellency's Command,

DATUK (DATU) KHALIL BIN DATI HAJI JAMALUL,
Clerk to the Cabinet.

December 2008