

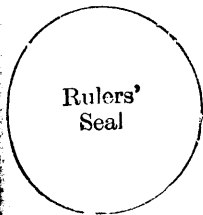
FEDERATION OF MALAYA.

No. 53 of 1950.

MUNICIPAL (AMENDMENT) (No. 2) ORDINANCE, 1950.

Highnesses the Rulers of the
Malay States assent hereto

I assent



...sses to the affixing of the Rulers' Seal :

ABDUL RAHMAN { *Yang di-Pertuan
Besar of Negri
Sembilan.*

STAFFORD
FOSTER SUTTON,
*Officer Administering
the Government.*

...KU ALAM SHAH *Sultan of Selangor.*
(IN MALAY)

25th October, 1950.

...ctober, 1950.

0.7/52
Amo. 0.53/59

An Ordinance to amend the Municipal Ordinance.

[1. 1. 51]

IT IS HEREBY ENACTED by the High Commissioner of the Federation of Malaya and Their Highnesses the Rulers of the Malay States with the advice and consent of the Legislative Council as follows :

Short title and commencement. S.S. Cap. 133.

1. (1) This Ordinance may be cited as the Municipal (Amendment) (No. 2) Ordinance, 1950, and shall be read as one with the Municipal Ordinance of the Straits Settlements (hereinafter referred to as the principal Ordinance) in force in the Settlements and as extended to apply to the Malay States by virtue of the Municipal Ordinance (Extended Application) Ordinance, 1948.

F. of M. No. 3 of 1948.

(2) This Ordinance shall come into force on such date as the High Commissioner may, by notification in the Gazette, appoint. *In force 1.1.51* *20/11/50*

Amendment of section 3.

2. Section 3 of the principal Ordinance is hereby amended by the substitution of the following definitions for the definition of "The Commissioners" which occurs therein :

" 'Councillors' includes elected Councillors and Councillors appointed in accordance with the Constitution granted to a Municipality under the Local Authorities Elections Ordinance, 1950;

No. 52 of 1950.

'elected Councillors' means Councillors elected under the provisions of the Local Authorities Elections Ordinance, 1950;".

Substitution of section 6.

3. The following section is hereby substituted for section 6 of the principal Ordinance :

"Adminis- tration of municipal affairs.

6. (1) The municipal affairs of every Municipality shall be administered by a Council consisting of a President and such numbers of elected or of elected and of appointed Councillors as may be prescribed by the Constitution granted to the Municipality under the Local Authorities Elections Ordinance, 1950.

Councillors
/197
/ (2) Such Councillors shall be styled the Municipal Councillors of George Town, or of the Town and Fort of Malacca, or of Kuala Lumpur, or of other their Municipality, as the case may be, and shall by such name be a body corporate and shall have perpetual succession and a common seal, and power, subject to the provisions of this Ordinance, to acquire, hold and sell property and may by such name sue and be sued."

4. The following section is hereby substituted for section 7 of the principal Ordinance :

Substitution of section 7.

"7. A Councillor shall not act in the office of Councillor unless he has made and subscribed before a Commissioner for Oaths a declaration of acceptance of office in Form A in Schedule A to this Ordinance and delivered such declaration within one month from the day of election or appointment, as the case may be, to the Secretary. If he shall fail to make and deliver the declaration as aforesaid his office shall become vacant. Such declaration shall be free from stamp duty."

Declaration by Councillor before assuming office.

5. Section 8 of the principal Ordinance is hereby repealed.

Repeal of section 8.

6. The following section is hereby substituted for section 9 of the principal Ordinance :

Substitution of section 9.

"9. No Councillor, so long as he is a Councillor, nor Deputy President shall be liable to serve as assessor or as juror."

Councillors exempt from service as assessors or jurors.

7. Sections 10 and 11 of the principal Ordinance are hereby repealed.

Repeal of sections 10 and 11.

8. The following section is hereby substituted for section 12 of the principal Ordinance :

Substitution of section 12.

"12. Nothing done under this Ordinance shall be invalid by reason only that the number of Councillors of a Municipality is less than the number prescribed by the Constitution granted to that Municipality under the Local Authorities Elections Ordinance, 1950."

Acts not invalidated by deficiency in number of Councillors.

9. Sections 13 and 14 of the principal Ordinance are hereby repealed.

Repeal of sections 13 and 14.

10. Section 29 of the principal Ordinance is hereby amended by—

Amendment of section 29.

(a) the substitution of a semicolon for the full stop which occurs at the end of paragraph (t) therein, and

(b) the insertion of the following new paragraphs immediately after paragraph (t) therein :

“(u) the payment of all expenses incurred in carrying out the provisions of the Local Authorities Elections Ordinance, 1950, in relation to their Municipality;

(v) the payment of such salary or allowance to the Councillor for the time being performing the duties of President as may be provided in the Constitution granted to the Municipality under the Local Authorities Elections Ordinance, 1950.”

stitution
Form A.

11. The Form set out in the First Schedule to this Ordinance is hereby substituted for Form A in Schedule A to the principal Ordinance.

General
modification
of laws.

12. Any reference contained in any written law to the body and officers mentioned in the first column of the Second Schedule to this Ordinance shall be construed as references to the corresponding body and officers respectively mentioned in the second column of the said Schedule.

Transitional
Provisions
Saving of
rights and
duties of
present
Commis-
sioners.

13. (1) The coming into force of this Ordinance shall be without prejudice to the Commissioners of any Municipality lawfully appointed at the commencement of this Ordinance or at any time prior to the appointed date, holding office, who shall continue in office and shall have and exercise all the rights, powers, duties and privileges appertaining to the office of Commissioner under the principal Ordinance and any by-laws made thereunder as if this Ordinance had not been enacted, but who shall vacate their office on the appointed date.

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(37)

(2) In this section “appointed date” means such date as the Ruler of a Malay State or the Resident Commissioner in a Settlement in which the Municipality to which a Constitution granted under the Local Authorities Elections Ordinance, 1950, is situate, may appoint in respect of such Municipality by notification in the *Gazette* of such State or Settlement.

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FIRST SCHEDULE.

(Section 11).

FORM A.

FORM OF DECLARATION OF ACCEPTANCE OF OFFICE.

(Section 7).

I.....having been* ^{elected}/_{appointed} a Municipal Councillor hereby declare that I take the said office on myself and will duly and faithfully fulfil the duties thereof according to the best of my judgment and ability.

.....
Signature of Declarant.

Declared before me this
.....day of....., 19.....

.....
Signature of Commissioner for Oaths.

* Delete where inapplicable.

SECOND SCHEDULE.

(Section 12.)

Municipal Commissioners	...	Municipal Councillors
Commissioner or Commissioners (in relation to a Municipality)		Councillor or Councillors
Commissioner of a Municipality		Councillor of a Municipality
President of the Commissioners		President of the Councillors
Deputy President of the Commissioners	Deputy President of the Councillors