



Warta Kerajaan
SERI PADUKA BAGINDA
DI-TERBITKAN DENGAN KUASA

HIS MAJESTY'S GOVERNMENT GAZETTE
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TAMBAHAN No. 75
PERUNDANGAN (A)

P.U. (A) 467. **UNDANG-MAALAYSIA**
Ordinan 10
ORDINAN No. 10 (KUASA PERLU)
DHARURAT, 1969

Suatu Ordinan di-ishtiharkan oleh Yang di-Pertuan Agong
di-bawah Perkara 150 (2) Perlembangan Persekutuan.
7hb November, 1969.

BAHAWA SA-NYA oleh sebab ada-nya dharurat, besar mengancam keselamatan Malaysia, suatu Perishtiharan Dharurat telah dikeluarkan oleh Yang di-Pertuan Agong di-bawah Perkara 150 Perlembagaan.

DAN BAHAWA SA-NYA Parlimen telah di-bubarkan pada P.U. (A)
dua puluh haribulan Mach, 1969, dan bahawa pilihan raya 94/69.
bagi Dewan Ra'ayat baharu belum lagi selesai.

DAN BAHAWA SA-NYA Yang di-Pertuan Agong ada-lah berpuashati bahawa tindakan segera ada-lah di-kehendaki untuk memperluaskan Akta Pelantar Benua, 1966 dan Akta Lombong Petroliaam, 1966 ka-Negeri² Sabah dan Sarawak;

MAKA ADA-LAH DENGAN INI DI-PERBUAT UNDANG² oleh Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong menurut Fasal (2) Perkara 150 dalam Perlembagaan seperti berikut:

- Nama. 1. Ordinan ini boleh-lah di-namakan Ordinan No. 10 (Kuasa² Perlu) Dharurat, 1969.
- Perluasan bagi 57/66 dan 58/66. 2. Akta Pelantar Benua, 1966 (sa-bagaimana di-pinda oleh Jadual Pertama kepada Ordinan ini) dan Akta Lombong Petrolia, 1966 (sa-bagaimana di-pinda oleh Jadual Kedua kepada Ordinan ini) hendak-lah di-pakai di-seluruh Malaysia.
- Pengechualian. 3. (1) Apa² lesen charigali, pajakan atau perjanjian lombong yang di-keluarkan atau di-buat di-bawah mana² undang² bertulis yang berkuatkuasa di-Sabah dan Sarawak sa-belum sahaja Ordinan ini mula berkuatkuasa bagi mengkaji, mencharigali atau melombong petrolia atau lain² galian di-Pelantar Benua hendak-lah terus berkuatkuasa terta'alok kepada sekshen-kecil (2) dan (3).
- (2) Apabila Ordinan ini mula berkuatkuasa, segala hak yang terakru atau terhak kepada Kerajaan Negeri Sabah dan Sarawak dan segala tanggungan dan kewajipan yang di-kenakan ka-atas atau di-tanggong oleh Kerajaan Negeri Sabah dan Sarawak di-bawah atau menurut sa-suatu lesen charigali, pajakan atau perjanjian lombong yang tersebut dalam sekshen-kecil (1) ada-lah terakru atau terhak kepada Kerajaan Persekutuan dan hendak-lah di-kenakan dan di-tanggong oleh Kerajaan Persekutuan.
- (3) Peruntokan² lesen charigali, pajakan atau perjanjian lombong yang tersebut dalam sekshen-kecil (1) hendak-lah apabila Ordinan ini mula berkuatkuasa, di-tafsirkan, terta'alok kepada peruntokan² Akta Pelantar Benua, 1966 dan Akta Lombong Petrolia, 1966:
- Dengan syarat bahawa Yang di-Pertuan Agong boleh pada bila² masa sa-belum 31hb Disember, 1972, dengan perintah berkanun membuat peruntokan² peralehan atau pengechualian sa-lanjut-nya sa-bagaimana yang di-fikirkan-nya perlu atau mustahak.

JADUAL PERTAMA

PINDAAN BAGI AKTA PELANTAR BENUA, 1966

Butiran	Pindaan
1. Tajok	Gantikan perkataan "the States of Malaya" dengan perkataan "Malaysia".
2. Sekshen 1 (2) ...	Gantikan perkataan "only to the States of Malaya" dengan perkataan "throughout Malaysia".

<i>Butiran</i>	<i>Pindaan</i>
3. Sekshen 2 ...	Dalam ta'arif "Continental Shelf"— (a) gantikan perkataan "the States of Malaya" dengan perkataan "Malaysia"; (b) gantikan perkataan "those States" dengan perkataan "the States of Malaya, Sabah and Sarawak"; (c) gantikan nokhtah bertindeh dengan nokhtah; dan (d) potong peruntukan syarat.
4. Sekshen 4 (1) ...	Gantikan perkataan "this" yang di-dapati di-baris 6 dengan perkataan "that".
5. Sekshen 5 (1) (e)	Gantikan perkataan "Customs Ordinance, 1952" dengan perkataan "Customs Act, 1967".
6. Sekshen 6 (2) ...	(a) Gantikan perkataan "the States of Malaya" dengan perkataan "Malaysia"; dan (b) Gantikan perkataan "National Land Code" dengan perkataan "appropriate land law".
7. Jadual ...	Potong keseluruhan jadual.

JADUAL KEDUA

PINDAAN BAGI AKTA LOMBONG PETROLIAM, 1966

<i>Butiran</i>	<i>Pindaan</i>
1. Tajok ...	Gantikan perkataan "the States of Malaya" dengan perkataan "Malaysia".
2. Sekshen 1 (2) ...	Gantikan perkataan "only to the States of Malaya" dengan perkataan "throughout Malaysia": Provided that in its application to Sabah and Sarawak this Act shall have effect only with respect to the exploration, prospecting or mining for petroleum in off-shore land."
3. Sekshen 2 ...	(a) Gantikan ta'arif "foreshore" dengan ta'arif baharu yang berikut— "foreshore" means all that land lying between the shore line and the low-water mark of ordinary spring tides"; (b) Gantikan ta'arif "land" dengan ta'arif baharu yang berikut— "land" means in relation to the States of Malaya any area of on-shore land and includes off-shore land adjacent to and contiguous with such on-shore land and in relation to the States of Sabah and Sarawak only the area of off-shore land"; (c) Dalam ta'arif "on-shore land" masukkan sa-lepas sahaja perkataan "the States of Malaya" dengan perkataan "Sabah and Sarawak". (d) Dalam ta'arif "petroleum agreement" gantikan perkataan "the States of Malaya" dengan perkataan "Malaysia".

*Butiran**Pindaan*

4. Sekshen 13 Nomborkan sa-mula sekshen ini sa-bagai sekshen 13 (1) dan tambah sekshen-kecil (2) yang berikut—

Sabah
No. 20 of
1960.
Sarawak
Cap. 35.

(2) The Mining Ordinance of Sabah, the Oil Mining Ordinance of Sarawak and any other State law in force in Sabah or Sarawak relating to mining shall continue in force except in relation to the exploration, prospecting or mining for petroleum in off-shore land and the provisions of the said Ordinances and any such law insofar as they relate to the exploration, prospecting or mining for petroleum in off-shore land shall upon the commencement of this Ordinance cease to have force or effect."

Di-istiharkan di-Istana Negara, Kuala Lumpur, pada 3 haribulan November, 1969.

TUANKU ISMAIL NASIRUDDIN SHAH,
Yang di-Pertuan Agong

LAWS OF MALAYSIA

Repealed by DR. 24/11/2011
* C. 2. P. - 21/06/2012

Ordinance 10

EMERGENCY (ESSENTIAL POWERS)
ORDINANCE No. 10, 1969

An Ordinance promulgated by the Yang di-Pertuan Agong under Article 150 (2) of the Federal Constitution.

[7th of November, 1969.]

WHEREAS by reason of the existence of a grave emergency threatening the security of Malaysia, a Proclamation of Emergency has been issued by the Yang di-Pertuan Agong under Article 150 of the Constitution;

AND WHEREAS Parliament was dissolved on the twentieth day of March, 1969, and elections to the new Dewan Ra'ayat have not been completed;

AND WHEREAS the Yang di-Pertuan Agong is satisfied that immediate action is required to extend the Continental Shelf Act, 1966 and the Petroleum Mining Act, 1966 to Sabah and Sarawak;

IT IS HEREBY ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong pursuant to Clause (2) of Article 150 of the Constitution as follows:

1. This Ordinance may be cited as the Emergency (Essential Powers) Ordinance No. 10, 1969.

P.U. (A)
145/69.

P.U. (A)
94/69.

57/66.

58/66.

Citation.

2. The Continental Shelf Act, 1966 (as amended by the First Schedule to this Ordinance) and the Petroleum Mining Act, 1966 (as amended by the Second Schedule to this Ordinance) shall apply throughout Malaysia. Extension of 57/66 and 58/66.

3. (1) Any prospecting licence, mining lease or agreement issued or made under any written law in force in Sabah and Sarawak immediately before the commencement of this Ordinance for the exploration, prospecting or mining for petroleum or other minerals on the Continental Shelf shall continue to be in force subject to subsections (2) and (3). Saving.

(2) Upon the coming into force of this Ordinance, all rights accrued or due to and all liabilities and obligations imposed on or borne by the Government of the States of Sabah and Sarawak under or by virtue of any prospecting licence, mining lease or agreement referred to in subsection (1) shall accrue and be due to and shall be imposed on and borne by the Government of the Federation.

(3) The provisions of the prospecting licence, mining lease or agreement referred to in subsection (1) shall upon the coming into force of this Ordinance be construed subject to the provisions of the Continental Shelf Act, 1966 and the Petroleum Mining Act, 1966 respectively:

Provided that the Yang di-Pertuan Agong may at any time before the 31st December, 1972 by statutory order make such further transitional or saving provisions as he may consider necessary or expedient.

FIRST SCHEDULE

AMENDMENT TO THE CONTINENTAL SHELF ACT, 1966

<i>Item</i>	<i>Amendment</i>
1. Long title ...	Substitute for the words "the States of Malaya" the word "Malaysia".
2. Section 1 (2) ...	Substitute for the words "only to the States of Malaya" the words "throughout Malaysia".
3. Section 2 ...	In the definition "Continental Shelf"— (a) substitute for the words "the States of Malaya" the word "Malaysia"; (b) substitute for the words "those States" the words "the States of Malaya, Sabah and Sarawak"; (c) substitute for the colon a full stop; and (d) delete the proviso.
4. Section 4 (1) ...	Substitute for the word "this" appearing in line 6 the word "that".
5. Section 5 (1) (e) ...	Substitute for the words "Customs Ordinance, 1952" the words "Customs Act, 1967".
6. Section 6 (2) ...	(a) Substitute for the words "the States of Malaya" the word "Malaysia"; and (b) Substitute for the words "National Land Code" the words "appropriate land law".
7. Schedule ...	Delete the whole schedule.

SECOND SCHEDULE

AMENDMENTS TO THE PETROLEUM MINING ACT, 1966

<i>Item</i>	<i>Amendment</i>
1. Long title ...	Substitute for the words "the States of Malaya" the word "Malaysia".
2. Section 1 (2) ...	Substitute for the words "only to the States of Malaya" the words "throughout Malaysia: Provided that in its application to Sabah and Sarawak this Act shall have effect only with respect to the exploration, prospecting or mining for petroleum in off-shore land."
3. Section 2 ...	(a) Substitute for the definition of "foreshore" the following new definition— "foreshore" means all that land lying between the shore line and the low-water mark of ordinary spring tides;" (b) Substitute for the definition of "land" the following new definition— "land" means in relation to the States of Malaya any area of on-shore land and includes off-shore land adjacent to and contiguous with such on-shore land and in relation to the States of Sabah and Sarawak only the area of off-shore land;" (c) In the definition "on-shore land" insert immediately after the words "the States of Malaya" the words "Sabah and Sarawak". (d) In the definition "petroleum agreement" substitute for the words "the States of Malaya" the word "Malaysia".
4. Section 13 ...	Re-number the section as section 13 (1) and add the following subsection (2) thereto— <i>"Sabah No. 20 of 1960. Sarawak Cap. 85.</i> (2) The Mining Ordinance of Sabah, the Oil Mining Ordinance of Sarawak and any other State law in force in Sabah or Sarawak relating to mining shall continue in force except in relation to the exploration, prospecting or mining for petroleum in off-shore land and the provisions of the said Ordinances and any such law insofar as they relate to the exploration, prospecting or mining for petroleum in off-shore land shall upon the commencement of this Ordinance cease to have force or effect."

Promulgated at Istana Negara, Kuala Lumpur on 3rd day of November, 1969.

TUANKU ISMAIL NASIRUDDIN SHAH,
Yang di-Pertuan Agong