



LAWS OF MALAYSIA

Ordinance 3

**EMERGENCY (ESSENTIAL POWERS)
ORDINANCE No. 3, 1969**

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Repealed by:

PU (A) 64/71

w.e.f. 19th Feb 71

Ordinance 3

EMERGENCY (ESSENTIAL POWERS)

ORDINANCE No. 3, 1969

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

[15th May, 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 for securing public safety, the defence of Malaysia, the maintenance of public order and of supplies and services essential to the life of the community;

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:

Short title and commencement.

1. This Ordinance may be cited as the Emergency (Essential Powers) Ordinance No. 3, 1969, and shall be deemed to have come into force on 15th May, 1969.

Amendment of Eighth Schedule to Federal Constitution.

2. (1) For so long as the Emergency is in force—

(a) section 1 of the Eighth Schedule to the Federal Constitution shall have effect as if there shall be added thereto the following:

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“Provided that the decision of the Executive Council shall be subject to any direction which may be issued to it by the State Operations Committee established under the Emergency (Essential Powers) Ordinance No. 2, 1969”;

(b) section 9 of the Eighth Schedule to the Federal Constitution shall have effect as if—

(i) the words “and shall not allow six months to elapse between the last sitting in one session and the date appointed for its first sitting in the next session” have been deleted from subsection (1) thereof;

(ii) the words: "and" the new Legislative Assembly shall be summoned to meet on a date not later than one hundred and twenty days from that date" have been deleted from subsection (4) thereof.

The date which the Legislative Assembly or Council of the State shall meet

(2) Notwithstanding anything in the Constitution the provisions of the Eighth Schedule referred to in subsection (1), being essential provisions, as modified therein shall have effect in every State in Malaysia as if the Constitution of every State has been amended accordingly.

3. Notwithstanding the provisions in the Federal Constitution and the Constitution of a State relating to expenditure charged on the Federal Consolidated Fund or the Consolidated Fund of a State, annual financial statement in respect of any such expenditure and any expenditure requiring a supply Act or Enactment or resolution of the House of Parliament or Legislative Assembly of a State, and withdrawal from any of the Consolidated Funds aforesaid, for so long as the Emergency is in force, any such expenditure from the Federal Consolidated Fund and the Consolidated Fund of a State may be made with the approval of the Treasury or the Menteri Besar or Chief Minister of the State as the case may be in such manner as may be provided by any written law or any Treasury Instructions relating thereto for the time being in force or as may be prescribed by essential regulations made under section 2 of the Emergency (Essential Powers) Ordinance No. 1, 1969.

Temporary financial provisions.

w.e.f. 19th Feb. 71
PU (A) 64/71.

4. Subsection (2) of section 2 of the Emergency (Essential Powers) Ordinance No. 1, 1969, is hereby amended—

Amendment of section 2. Ordinance No. 1, 1969.

(a) by deleting the words "notwithstanding that such persons are citizens" appearing at the end of paragraph (a) thereof;

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(b) by deleting the whole of paragraph (k) thereof.

5. Section 7 of the Emergency (Essential Powers) Ordinance No. 1, 1969, is hereby amended by re-numbering the existing section as subsection (1) and inserting thereafter the following—

Amendment of section 7.

w.e.f. 19th Feb. 71
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"(2) For so long as the Emergency is in force Clause (1) of Article 55 of the Federal Constitution shall have effect as if the words "and shall not allow six months to elapse between the last sitting in one session and the date appointed for its first meeting in the next session" have been deleted therefrom.

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(3) Notwithstanding Clause (4) of Article 55 of the Federal Constitution, Parliament shall be summoned to meet on a date to be determined by the Yang di-Pertuan Agong.

PROMULGATED at Istana Negara, Kuala Lumpur, on Twenty seventh day of May, 1969.

TUANKU ISMAIL NASIRUDDIN SHAH,
Yang di-Pertuan Agong
(Public Seal)