



LAWS OF SARAWAK

—
ONLINE VERSION
—

Chapter 2
(1958 Edition)

APPLICATION OF LAWS

Incorporating all amendments up to 30th November, 2009

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LAWS OF SARAWAK**CHAPTER 2
(1958 Edition)****APPLICATION OF LAWS**

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Application of common law, doctrines of equity and statutes of general application
3. Application of Acts specified in Schedule
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LAWS OF SARAWAK

CHAPTER 2 (1958 Edition)

APPLICATION OF LAWS

An Ordinance to make better provision in the law relating to the application in the State of the Common Law of England, the doctrines of equity and statutes of general application.

[12th December, 1949.]

Short title

1. This Ordinance may be cited as the *Application of Laws Ordinance.

Application of common law, doctrines of equity and statutes of general application

2. Subject to the provisions of this Ordinance and except in so far as other provision has been or may in future be made by any written law in force in the State, the common law of England and the doctrines of equity, together with statutes of general application, as administered or in force in England at the commencement of this Ordinance, shall be in force in the State:

Provided that the common law, doctrines of equity and statutes of general application shall be in force in the State so far only as the circumstances of the State and of its inhabitants permit and subject to such qualifications as local circumstances and native customs render necessary.

* This Ordinance was repealed in so far as it related to any matter in the Federal List w.e.f. 1st April, 1972—see [*P.U. (A) 424/71*].

* See also the Civil Law Act 1956 [*Act 67*].

Application of Acts specified in Schedule

3. Without prejudice to the generality of the provisions of section 2 and in amplification of those, the Acts of the Parliament of the United Kingdom specified in the Schedule shall, to the extent specified in the second column, be in force in the State as from the date specified in the third column, with such formal alterations and amendments as may be necessary to make the same applicable to the circumstances of the State and, in particular, subject to the modifications set forth in the fourth column.

Power to amend Schedule

4. The Dewan Undangan Negeri may, by resolution, amend the Schedule and may add thereto any Act of the Parliament of the United Kingdom whether enacted before or after the 12th day of December, 1949.

SCHEDULE

(Section 3)

ACTS OF PARLIAMENT OF THE UNITED KINGDOM
APPLICABLE TO THE STATE

[Am. G.N.S. 35/50, 83/54, 99/54, 197/58, 179/59, 66/60;
F.L.N. 179/65; P.U. (A) 424/71.].

Short title	Extent of application	Date of coming into force in the State	Modifications	
Swk. Vol. VI (1958 Ed.) page 1455 (8 and 9 Geo. 6 c. 28)	Law Reform (Contributory Negligence) Act 1945	Section 1 (7), 2, 3, 4 and 7	15th June, 1954	In sections 2 and 4, the references to the Workmen's Compensation Acts, 1925 to 1943 and to sections of these shall be read as references to the *Workmen's Compensation Ordinance [<i>Cap. 80 (1958 Ed.)</i>] of Sarawak and to the corresponding sections of it.
Swk. Vol. VI (1958 Ed.) page 1459 (2 and 3 Eliz. 2 c. 34)	Law Reform (Enforcement of Contracts) Act 1954	The whole	1st January, 1955	None.

[*The Workmen's Compensation Ordinance [*Cap. 80 (1958 Ed.)*] of Sarawak was repealed by P.U. (A) 157/81 w.e.f. 1.6.1981. Now see the Workmen's Compensation Act 1952 [*Act 273*].].

<i>Short title</i>	<i>Extent of application</i>	<i>Date of coming into force in Sarawak</i>	<i>Modifications</i>	
Swk. Vol. VI (1958 Ed.) page 1461 (12, 13 and 14 Geo. 6 c. 100)	Law Reform (Miscellaneous Provisions) Act 1949	Sections 4 (1), 7 (1) and (2).	1st June, 1950	None
G.N.S. 153/59 (6, Edw. 7 c. 41)	Marine Insurance Act 1906	The whole except section 91	1st January, 1960	None
G.N.S. 153/59 (21, Geo. 5 c. 2)	Marine Insurance (Gambling Policies) Act 1909	The whole	1st January, 1960	In section 1 (3) the reference to the consent in England of the Attorney General, in Scotland of the Lord Advocate, and in Ireland of the Attorney General for Ireland shall be construed as referring to the consent of the Public Prosecutor, Malaysia.