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THE WATER ORDINANCE, 1994

KUCHING WATER BOARD (DISSOLUTION) ORDER, 2026

(Made under section 19(5))

In exercise of the powers conferred by section 19(5) of the Water Ordinance, 1994 [*Cap. 13*] (“the Ordinance”), the Yang di-Pertua Negeri has made the following Order:

Citation and commencement

1. This Order may be cited as the **Kuching Water Board (Dissolution) Order, 2026**, and shall be deemed to have come into force on the 31st day of May, 2026.

Dissolution of Kuching Water Board

2.—(1) On the date of coming into force of this Order (“the Transfer Date”)—

(a) Kuching Water Board which was established under the Kuching Water Board Order, 2001 [*Swk. L.N. 49/2001*] (“the Water Board”) dated

31st May, 2001 is hereby dissolved and shall thereafter cease to carry out all duties and functions prescribed under the Ordinance;

(b) the Board Members of the Water Board shall cease to hold office;

(c) the rights, interest, obligations and current liabilities to which the Water Board was entitled to or subjected to, shall, by virtue of this Order, be transferred to and vested in Sarawak Water Sdn. Bhd. ("SWSB") without further conveyance, assignment or transfer whatsoever, to become the absolute rights and liabilities of SWSB;

(d) all financial assets standing in, or due to be paid to the Water Board shall be transferred and vested to SWSB. For the purpose of this paragraph, "financial assets" means any assets owned by the Water Board including loans given, receivables from customers and suppliers and investments, stocks, bonds and deposits which can be liquidated to cash value; and

(e) all borrowings owed by the Water Board to the Federal and State Government and all property, plant, equipment and waterworks owned by the Water Board shall be transferred to and vested in the Government and shall therefore be the absolute responsibility of the Government.

(2) Every chose-in-action transferred to SWSB by virtue of paragraph (1)(c) above may, after the Transfer Date, be sued on, recovered or enforced by SWSB in its own name and it shall not be necessary for SWSB or the Water Board to give notice to the person bound by the chose-in-action of such transfer.

(3) Every right and liability transferred to SWSB by virtue of paragraph (1)(c) above may, on and after the Transfer Date, be sued on, recovered or enforced by or against SWSB in its own name and it shall not be necessary for SWSB or the Water Board to give notice to the person whose right and liability is affected by such transfer.

(4) In the case of rights and liabilities arising under any loans which vest in SWSB on the Transfer Date, SWSB may enter into such arrangements or agreements over such rights and liabilities with the Government of Malaysia or the Government of Sarawak or any third party, as the case may be.

Suits, proceedings, etc.

3.—(1) Any suit, proceeding or cause of action pending or existing or subsisting immediately prior to the Transfer Date by or against the Water Board may be continued and enforced by or against SWSB.

(2) Any debt or sum owing or due to the Water Board prior to or on the Transfer Date shall be recovered by or paid to SWSB as if it such debt or sum is owed by or due to SWSB.

Existing licences and contracts, etc.

4.—(1) All licences held by or issued in the name of the Water Board, prior to the Transfer Date, shall, subject to the approval of the authorities which issued or grant, such licences, be transferred to or be vested in SWSB without further conveyance or assignment whatsoever, to become the absolute obligations and liability of SWSB.

(2) All deeds, bonds, instructions, agreements, undertakings and working arrangements subsisting immediately prior or on the Transfer Date under the name or against the Water Board shall remain in force and effect against or in favour of SWSB, instead of the Water Board and enforceable as fully and effectively as if, instead of the Water Board, SWSB has been named therein or been made a party thereto.

(3) Any deposits, whether in the form of security or rental or otherwise, shall be transferred to be held and recoverable from or by SWSB.

Staffs

5.—(1) SWSB shall accept into its employment every person who immediately before the Transfer Date is a member of the staffs of the Water Board and who has opted to join the service of SWSB on the option given by the Water Board to serve as an employee of SWSB.

(2) Every such person who opts under paragraph (1) above to serve as an employee of SWSB shall be employed by SWSB on terms and conditions of service not less favourable than those to which he was entitled to in the Water Board immediately prior to the Transfer Date.

Dissolution and Revocation

6. The Kuching Water Board is hereby dissolved and the Kuching Water Board Order, 2001 [*Swk. L.N. 49/2001*] dated 31st May, 2001 is hereby revoked.

Approved by the Majlis Mesyuarat Kerajaan Negeri this 26th day of February, 2026.

By Command,

DATO SRI HAJI JULAIHI BIN HAJI NARAWI
Minister for Utility and Telecommunication Sarawak

SARAWAK LAWNET



DICETAK OLEH PERCETAKAN NASIONAL MALAYSIA BERHAD, KUCHING, SARAWAK
BAGI PIHAK DAN DENGAN KUASA PERINTAH KERAJAAN SARAWAK