



WARTA KERAJAAN NEGERI JOHOR
GOVERNMENT OF JOHORE GAZETTE



**Undang-Undang Kecil
Iklan Pilihanraya
(Majlis Perbandaran Pengerang)
2020**

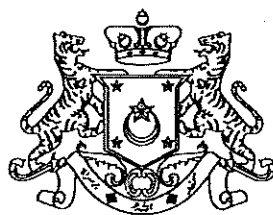
***Election Advertisement
(Pengerang Municipal Council)
By-Laws
2020***

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NEGERI JOHOR

Warta Kerajaan

DITERBITKAN DENGAN KUASA

GOVERNMENT OF JOHORE GAZETTE

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*TAMBAHAN No. 18
PERUNDANGAN*

LOCAL GOVERNMENT ACT 1976
ELECTION ADVERTISEMENT
(PENGERANG MUNICIPAL COUNCIL) BY-LAWS 2020

ARRANGEMENT OF BY-LAWS

By-Laws

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In exercise of the powers conferred by section 102 of the Local Government Act 1976 [*Act 171*], the Pengerang Municipal Council makes and pursuant to section 103 of the said Act, the Stole Authority confirms, the following by-laws:

Citation, commencement and application

1. (1) These By-laws may be cited as the **Election Advertisement (Pengerang Municipal Council) By-Laws 2020**.

(2) These By-laws shall apply only to the area of Pengerang Municipal Authority.

(3) These By-laws shall come into force on the date of its publication in the *Gazette*.

Interpretation

2. In these By-laws, unless the context otherwise required—

“State constituency” means a constituency delimited in accordance with Article 117 of the Federal Constitution;

“Parliamentary constituency” means a constituency delimited in accordance with Article 116 of the Federal Constitution;

“election agent” means the person appointed under section 12 of the Election Offences Act 1954 [*Act 5*] by a candidate for election to be his agent for such election;

“polling day” in relation to an election, means the period, which may extend over one or more days, commencing from the commencement of the day on which the taking of polls in that election is scheduled to commence and ending at the time of the declaration by the returning officer of the result of the election;

“election advertisement” means any flag, ensign, banner, standard, slogan, poster or label exhibited as or for the purpose of political propaganda;

“Council” means the Pengerang Municipal Council;

“political party” has the same meaning as in the Societies Act 1966 [Act 335];

“permit” means a permit to exhibit election advertisement issued by-law 4;

“election” means a Parliamentary election or a State election, as the case may be;

“writ” means a writ for an election issued under section 12 of the Election Act 1958 [Act 19]; and

“President” means the President of the Pengerang Municipal Council.

Prohibition on exhibition of election advertisement

3. (1) No person shall exhibit or cause to be exhibited any election advertisement in any street or place except under and in accordance with a permit issued by the President.

(2) Policies, Government Circular or written instruction from the President or Ministries or Departments or other Government Agencies where it thinks fit, appropriate and agreed to by the President shall be used in conjunction with these By-Laws from time to time.

Application for permit

4. (1) An application for a permit to exhibit any election advertisement shall be made to the President—

- (a) by the political party which desires to field the candidate in the related Parliamentary constituency and State constituency;
- (b) where the person seeking to contest the election has no political affiliation, by the person himself; or
- (c) by an election agent appointed by a candidate for that election.

(2) An application under paragraph (1) shall be made in such form, and shall be accompanied by such particulars, as the Council may determine.

(3) On receipt of the application, the Council shall, upon payment of a sum of five thousand ringgit as deposit for the observance of the conditions of the permit and the provisions of these By-laws, issue to the applicant a permit to exhibit election advertisement in the areas specified in the permit.

(4) The President may attach, to any permit issued under paragraph (3) such conditions as he may think to fit impose.

(5) The permit holder shall comply with all the conditions attached to the permit.

Form and duration of permit

5. A permit issued under by-law 4 shall be in such form as the Council may determine and shall expire on the day next following the polling day.

Register of permit

6. The President shall cause to be kept and maintained in such form and manner as it may determine, a register of all permits issued under by-law 4.

Removal of election advertisement after polling day

7. Every permit holder shall, within fourteen days after the polling day, remove all election advertisements exhibited, and all bill boards or other structures erected, by him.

Removal of election advertisement by the Local Authority

8. (1) The President may remove any election advertisement or any bill board or other structures erected for the purpose of exhibiting such election advertisement if—

- (a) the permit holder fails to comply with the requirements of by-law 7;
- (b) the President is satisfied that such election advertisement is exhibited without a permit; or
- (c) there is any contravention with any conditions imposed by the President.

(2) All expenses incurred by the Council in carrying out the powers conferred by paragraph (1) shall be deemed to be a debt due to the Council from the permit holder or, where the election advertisement is exhibited without a permit, from the person who caused the election advertisement to be so exhibited, and shall be recoverable accordingly in a court.

Forfeiture of deposit

9. (1) Without prejudice to the other provisions of these By-laws, where—

- (a) there is a breach of any condition of the permit; or
- (b) there is any contravention or non-compliance with any of the provisions of these By-Laws,

the President shall forfeit the deposit paid under by-law 4 if, after giving the permit holder an opportunity of being heard, he failed to satisfy the President as to why the same should not be forfeited.

(2) Any deposit which is not forfeited under paragraph (1) shall be refunded to the permit holder without any interest after fourteen days from the expiry of the permit.

Manner of exhibiting election advertisement

10. An election advertisement shall only be exhibited in any of the following manner—

- (a) by affixing it on a bill board or other structured erected or placed by the permit holder;
- (b) by hanging it along any street, on poles erected by the permit holder;
- (c) by planting the support of the election advertisement into any ground other paved footway or pavement; or
- (d) by such other manner as the Council may specify in the permit.

Prohibition against exhibiting an election advertisement in certain places

11. Notwithstanding any other provision in these By-laws, no person shall—

- (a) exhibit any election advertisement or construct or erect any bill board or other structure in such manner that it covers or conceals any traffic sign, directive sign or decoration light;
- (b) exhibit any election advertisement on or across street; or
- (c) exhibit any election advertisement on any public building or other structure by means of any nail, gum or other adhesives, or by any other means that will damage or disfigure the surface of such building or structures.

Offences and general penalty

12. (1) Any person who contravenes or fails to comply with any provision of these By-laws shall be guilty of an offence under these By-laws.

(2) Any person guilty of an offence under these By-laws shall, on conviction, be liable to a fine not exceeding two thousand ringgit and in case of continuing offence, a further fine not exceeding two hundred ringgit for each day during which the offence is continued after the conviction.

Dated 13 July 2020

[Bil(57)dlm.MPP: MPP/PUU/05/20]

[SUKJ.KT. 24/69/21 Jld. 3(31);

PPUUNJ. 600-1/7/13(4)]

HAJAH HAZLINA BINTI JALIL
President
Pengerang Municipal Council

Approved 5 August 2020

[Ringkasan Mesyuarat Bil. 890/2020]

HAJAH SHUBANAH BINTI YUSUF
Clerk of the State Executive Council
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