

**LOCAL GOVERNMENT ORDINANCE 1961
(No. 11 of 1961)**

**KUDAT TOWN BOARD
(HAWKERS) BY-LAWS 1965
(G.N.L 23 of 1965)**

In exercise of the powers conferred upon it by section 50 of the Local Government Ordinance 1961, the Kudat District Council has made the following by-laws:

Title and commencement.

1. These by-laws may be cited as the Kudat Town Board (Hawkers) By-laws 1965 and shall come into operation on the 1st day of February 1965.

Interpretation.

2. In these By-laws —

"goods" includes food and drink;

"hawk" includes peddle.

Licence for hawking.

3. No person shall hawk any goods except in accordance with a licence granted by the Board.

Application for licence.

4. Any application for a licence shall be in writing, shall specify the goods the applicant proposes to hawk and shall be accompanied by two photographs of the applicant.

Grant of licence.

5. The Board may, in its absolute discretion, grant or refuse a licence or grant a licence subject to such condition as it thinks fit.

Health certificate.

6. If the Board so requires, the applicant for a licence or for a renewal thereof shall forward a certificate of health from a Government Medical Officer or registered medical practitioner.

Duration of licence.

7. Licences may be issued for a month, a quarter or a year.

Fee.

8. The fee for a licence to hawk in the urban and suburban areas shall be thirty ringgit per month, and the fee for a licence to hawk in the country and sea divisions shall be fifteen ringgit per month.

Display of licence.

9. A licence shall be displayed in close proximity to the goods being hawked.

Licence not to be transferred.

10. No licensee shall transfer or otherwise part with the possession of his licence to any unauthorised person.

Employment of assistants.

11. (1) No assistant, whether paid or not, shall be employed in the business of a licensee except with the approval of the Board.

(2) If the Board gives approval, the name, address, and photograph of the assistant shall be affixed on the licence by an officer of the Board.

Hawker not to remain stationary.

12. Unless permitted in writing by the Board, no person shall, while engaged in the business of hawking, remain stationary except for the purpose of serving a customer or for a reasonable time to rest.

No hawking in certain places.

13. No person shall hawk within thirty feet of any street corner or within half a mile of any tamu.

No hawking during certain hours.

14. No person shall hawk between 12 midnight and 6 a.m.

Refuse.

15. No person engaged in the business of hawking shall deposit any refuse or litter in any public place except in receptacles provided for the purpose.

Penalty.

16. Any person who contravenes any of the provisions of these By-laws shall be guilty of an offence and shall be liable to a fine of five hundred ringgit.

Cancellation of licence.

17. The Board may cancel or suspend a licence —

- (a) if the licensee or any assistant of the licensee —
 - (i) is convicted of any offence under these By-laws; or
 - (ii) is convicted of any offence under any written law relating to public health or the use of false weights or measures in respect of goods to which the licence relates; or
- (b) if, on the certificate of a Government Medical Officer or a registered medical practitioner, the licensee is suffering from a contagious or infectious disease.

Dated at Kudat this 21st day of January 1965.

WONG LOK KHIAM,
Chairman,
Kudat District Council.

I approve the foregoing By-laws.

Dated at Jesselton this 30th day of January 1965.

PANG TET TSHUNG,
Minister for Local Government.