

LOCAL GOVERNMENT ORDINANCE 1961
(No. 11 of 1961)

LABUK/SUGUT DISTRICT COUNCIL
(HAWKERS) BY-LAWS 1975
(G.N.L 19 of 1975)

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

1. Title and commencement.

These by-laws may be cited as the Labuk/Sugut District Council (Hawkers) By-laws 1975 and shall come into operation on the first day of January 1975.

2. Interpretation.

In this By-laws —

"goods" includes food and drinks;

"hawk" includes peddle.

3. Licence for hawking.

No person shall hawk any goods in the Labuk/Sugut District Council area except in accordance with a licence granted by the Council.

4. Application for a licence.

An application for a licence shall be made in the form prescribed in the First Schedule to these By-laws and shall be accompanied by two photographs of the applicant.

5. Grant of licence.

The Council may, in its absolute discretion, grant or refuse a licence, or grant a licence subject to such conditions as it thinks fit. Such licence shall be in the form prescribed in the Second Schedule to these By-laws.

6. Health certificate.

If the Council so requires, the applicant for a licence or for a renewal thereof shall forward a certificate of health in the form prescribed in the Third Schedule to these By-laws from a Health Officer or Government Medical Officer. Such certificate shall be endorsed annually by a Government Medical Officer or a registered medical practitioner or more often if required by the Council.

7. Duration of licence.

Every licence granted under these By-laws shall, subject to the provisions of these By-laws, expire on the 31st day of December of the year in which it is issued.

8. Fee. [Mod. Act 160.]

The quarterly fee for a licence is ten ringgit which shall be payable in advance:

Provided that if any licence is surrendered before the expiry of the quarter, two ringgit for every month of the unexpired period may be refunded.

- (2) If the fee is not paid on the expiry of the first week of the quarter in which it is due, the licence shall lapse but may be validated by the Council upon a validation fee of one ringgit provided that if the fee is not paid by the end of the month in which it is due the licence shall be deemed to be cancelled.

9. Display of licence.

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

10. Licence not to be transferred.

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

11. Employment of assistants.

- (1) No assistant whether paid or not shall be employed in the business of a licensee except with the approval of the Council and subject to possession of a health certificate.
- (2) If the Council gives approval, the name, address and a photograph of the assistant shall be affixed on the licence by an officer of the Council.

12. Hawker not to remain stationary.

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

13. No hawking in certain places.

No person shall hawk within thirty feet of a street corner.

14. No hawking during certain hours.

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

15. Refuse.

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.

16. Penalty. [Mod. Act 160.]

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.

17. Cancellation.

The Council 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;
 - (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 Medical Officer, the licensee is suffering from a contagious or infectious

disease.

FIRST SCHEDULE

LABUK/SUGUT DISTRICT COUNCIL
APPLICATION FOR HAWKER'S LICENCE
(By-law 4)

Name:

Address:

Age:

Identity Card No:

Length of residence in Labuk/Sugut:

Length of residence in Sabah:

Number of dependants:

Financial and domestic status:

Type of commodities to be hawked:

Area:

Name of assistant if any:

Address:

Identity Card No:

Date:

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Signature.

SECOND SCHEDULE

LABUK/SUGUT DISTRICT COUNCIL
HAWKER'S LICENCE
(By-law 5)

Licence No.

Name: Sex:

Identity Card No.: Age:

Address:

Goods to be hawked:



Not static

Area permitted:..... Static

Place of preparation of food:

Licence fee RM10.00 per quarter

Name of Assistant:

Address:

Age:

Identity Card No:



Signed :
Executive Officer.

Date :

THIRD SCHEDULE

LABUK/SUGUT DISTRICT COUNCIL
HEALTH CERTIFICATE
(By-law 6)

Name : Sex:

Identity Card No. : Age:

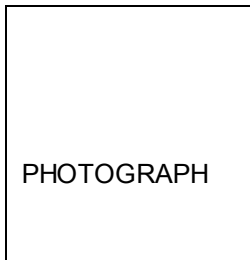
Address:

Place of employment:

Class of licence:

Place of preparation of food:

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M.O.'S COMMENTS:

DATE:

M.O.'S STAMPS.

M.O.'S COMMENTS:

DATE:

M.O.'S STAMPS.

M.O.'S COMMENTS:

DATE:

M.O.'S STAMPS.

M.O.'S COMMENTS:

DATE:

M.O.'S STAMPS.

Dated at Beluran this 14th day of February 1975.

GOH BEE LENG,
Chairman,
Labuk/Sugut District Council
Beluran.

I approve the foregoing By-laws.

Dated at Kota Kinabalu this 7th day of May 1975.

DATUK SALLEH BIN DATUK HAJI SULONG,
Minister of Local Government.