

Non-disallowance

G.N.S. 31/52

Declared as Federal

LN 199/65

INNKEEPERS' ORDINANCE

Cap. 60

To limit the liability of innkeepers.

[8TH DECEMBER, 1951.]

Short title.

1. This Ordinance may be cited as the Innkeepers' Ordinance.

PART I.

LIMITATION OF LIABILITY.

Interpretation.

2. In this Part –

“inn” means any hotel, tavern, public house, restaurant or other place of refreshment, the keeper of which is now by law responsible for the goods and property of his guests;

“innkeeper” means the keeper of any such place, and includes a company or corporation;

“manager” means the agent or servant of the innkeeper for the time being in charge of the inn or any person duly appointed by the innkeeper to receive the goods of his guests for safe custody as aforesaid.

Limitation of innkeepers' liability.

3. No innkeeper shall be liable to make good to any guest of such innkeeper any loss of or injury to goods or property brought to his inn, not being a horse or other live animal,

or any gear appertaining thereto or any car or carriage, to a greater amount than the sum of five hundred dollars, except in the following cases (that is to say) –

- (a) where such goods or property shall have been stolen, lost or injured through the wilful act, default or neglect of such innkeeper or any servant in his employ;
- (b) where such goods or property shall have been deposited expressly for safe custody with such innkeeper or his manager:

Provided always that in the case of such deposit it shall be lawful for such innkeeper or his manager, if he thinks fit, to require, as a condition of his liability –

- (i) that the guest shall at the time of such deposit declare the value of such goods or property;
- (ii) that such goods or property shall be deposited in a box or other receptacle, fastened and sealed by the person depositing the same:

Provided that the innkeeper or his manager may refuse to receive for safe custody under this section goods or property of any one guest the declared value of which exceeds five thousand dollars, and that he shall in no case be liable for loss of or injury to goods or property so deposited by a guest to an amount exceeding the declared value thereof.

Refusal to accept property for safe custody.

4. If any innkeeper or his manager shall refuse to receive for safe custody, as before mentioned, any goods or property of his guest the declared value of which does not exceed five thousand dollars, or if any such guest shall, through any default of such innkeeper or manager, be unable to deposit such goods or property as aforesaid, such innkeeper shall not be entitled to the benefit of this Part in respect of such goods or property.

Copy of section 3 to be exhibited.

5. Every innkeeper shall cause at least one copy of the third section of this Ordinance printed in plain type in English to be exhibited in a conspicuous part of the hall or entrance to his inn, and he shall be entitled to the benefit of this Part in respect of such

goods or property only as shall be brought to his inn while such copy shall be so exhibited.

PART II.
RELIEF OF INNKEEPERS.

Interpretation.

6. In this Part –

“inn” means any hotel, tavern or public place;

“innkeeper” means the keeper of any such place, and includes a company or corporation;

“goods” includes any vehicle.

Power of sale of goods deposited with innkeeper.

7. An innkeeper shall, in addition to his ordinary lien, have the right absolutely to sell by public auction any goods which may have been deposited with him or left in the inn he keeps or in any garage, car park or other premises appurtenant thereto where the person depositing or leaving such goods shall be or become indebted to the said innkeeper for any board or lodging:

Provided that –

- (a) no such sale shall be made until after the said goods shall have been for the space of six weeks in such charge or custody or in or upon such premises without such debt having been paid or satisfied;
- (b) the innkeeper after having out of the proceeds of such sale paid himself the amount of any such debt, together with the costs and expenses of any such sale, shall on demand pay to the person depositing or leaving any such goods the surplus (if any) remaining after such sale;
- (c) the debt for the payment of which a sale is made shall not be any other or greater than the debt for which the goods could have been retained by the inn keeper under his lien;

- (d) at least one month before any such sale the innkeeper shall cause to be inserted in a newspaper circulating in the Colony an advertisement containing notice of such intended sale, and giving shortly a description of the goods intended to be sold, together with the name of the owner or person who deposited or left the same where known.

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