

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

**KINABATANGAN DISTRICT COUNCIL
(FOOD AND EATING PREMISES) BY-LAWS 1984
(G.N.L 31 of 1984)**

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

Title and commencement.

1. These by-laws may be cited as the Kinabatangan District Council (Food and Eating Premises) By-laws 1984 and shall be deemed to have come into operation on the 1st day of January 1984.

Licence.

2. No person shall carry on the business of a cookshop, eating-shop, coffee shop, food stall, restaurant or bakery or any club where food is served, except in accordance with a licence granted by the Council.

Application for licence.

3. An application for a licence shall be in writing and shall be accompanied by three photographs of the applicant.

Grant of licence.

4. The Council may, in its absolute discretion, grant or refuse a licence, or grant a licence subject to such conditions as it thinks fit.

Health certificate.

5. If the Council so requires, an applicant for a licence, or for a renewal thereof shall forward a certificate of health from a Government Medical Officer.

Duration of licence.

6. Every licence granted under these By-laws shall expire at the end of each calendar month.

Fee.

7. The monthly fee for a licence is ten ringgit.

Licence not to be transferred.

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

Employment of assistants.

9. (i) No licensee shall engage any assistant whether paid or unpaid except with the approval of the Council.
- (ii) If the Council gives approval the name, address and a photograph of the assistant shall be affixed to the licence by an officer of the Council.

Penalty.

10. 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 not exceeding five thousand ringgit.

Cancellation of licence.

11. The Council may cancel or suspend a licence 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
- (iii) on the certificate of a Government Medical Officer, is suffering from a contagious or infectious disease.

Dated at Kinabatangan this 3rd day of April 1984.

RAJIBI HAJI AMAN,
Chairman,
Kinabatangan District Council.

I approve the foregoing By-laws.

Dated at Kota Kinabalu this 9th day of April 1984.

STEPHEN WONG SOON YU,
Acting Minister of Town and Country
Development.