

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

**KUDAT TOWN BOARD
(HOTELS AND LODGING HOUSES) BY-LAWS 1965
(G.N.L 24 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 (Hotels and Lodging Houses) By-laws 1965 and shall come into operation on the 1st day of February 1965.

Interpretation.

1A. A "lodging house" means a house or part thereof in which lodgers are accommodated for a payment; and

- (a) in which the sleeping accommodation may be occupied by two or more lodgers though strangers to one another; or
- (b) which may be occupied by four or more lodgers not of the same family:

Provided that nothing shall herein include any house provided by an employer for accommodation of his employees; any hotel.

Licence for hotel or lodging house.

2. No person shall use any building as a hotel or lodging house except in accordance with a licence from the Board.

Grant of licence.

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

Health certificate.

4. If the Board so requires, an application 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.

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

Fees.

6. The following fees are payable for licences —

- (a) for a hotel, an annual fee at the rate of ten ringgit per bedroom, not being a bedroom ordinarily occupied by any member of the hotel management;
- (b) for a lodging house, an annual fee of one hundred ringgit or a quarterly fee of twenty-five ringgit:

Provided that the minimum annual licence fee for a hotel shall be not less than one hundred and eighty ringgit.

Number of persons in bedrooms.

7. A licensee shall exhibit conspicuously a notice in each bedroom indicating the number of persons permitted by the Board to occupy the bedroom.

Cleanliness.

8. (1) A licensee shall keep his hotel or lodging house and its surroundings in a clean and sanitary condition, and shall comply with such direction as may be given by an officer of the Board for the purpose of ensuring the health and safety of lodgers.

(2) A licensee shall cause every room to be swept and cleaned daily before 11.00 a.m. where practicable.

(3) A licensee shall cause every living room, kitchen and bathroom to be thoroughly scraped and whitewashed or painted once a year or more often as the Board may direct.

Hotel registers.

9. (1) A licensee of a hotel shall keep a register in which shall be entered the name, sex, nationality, occupation, time and date of arrival and departure of every lodger.

(2) Such entry shall be made at the time the lodger is accommodated in the hotel.

Lodging house registers.

10. (1) A licensee of a lodging house shall keep a register in which shall be entered the name and sex of every lodger.

(2) Such entry shall be made at the time the lodger is accommodated in the lodging house.

(3) Hotel and lodging house registers shall be made available at all times for inspection by any police officer not below the rank of sergeant, or with the written authority of the Chairman of the Board, the Health Officer and any Board Inspector who may take extracts therefrom.

Penalty.

11. 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, and in the case of a continuing offence, a fine of fifty ringgit for every day during which the offence is continued.

Cancellation of licence.

12. 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
- (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.