

**Note – Labuan Town Board
changed to Labuan Municipal Council.
See En. 38/81**

THE LOCAL GOVERNMENT ORDINANCE, 1961 (Ordinance No. 11 of 1961)

LABUAN TOWN BOARD (HAWKERS) BY-LAWS, 1968

In exercise of the powers conferred upon it by section 50 of the Local Government Ordinance, 1961 [*Ord. No. 11 of 1961.*], the Labuan Town Board has made the following By-laws:-

Title and commencement.

1. These By-laws may be cited as the Labuan Town Board (Hawkers) By-laws, 1968, and shall come into operation on the 1st day of July, 1968.

Interpretation.

2. In these By-laws —

"Board" means the Labuan Town Board;

"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. An application for a licence shall be made in the form of the First Schedule, to these By-laws 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 conditions as it thinks fit. Such licence shall be in the form of the Schedule of these By-laws.

Health certificate.

6. An applicant for a licence or for a renewal thereof shall forward to the Board a certificate of health in the form of the Third Schedule hereto from a Government Medical Officer or registered medical practitioner. Such certificate shall be endorsed annually by the Government Medical Officer or a registered medical practitioner or more often if required by the Board.

Duration of licence.

7. 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 issued.

Fees.

8. (1) The quarterly fee which is payable in advance for a licence in respect of the following shall be as follows:

	\$
Hawkers (Drinks and Food)	60.00
Hawkers (Clothing)	90.00

(2) If the fee is not paid within the first week of each quarter, in which it is due, the licence shall lapse, but may be validated by the Board upon payment of a validation fee of \$5.00.

Provided that if the fee is not paid by the end of the quarter in which it is due, the licence shall be deemed to be cancelled.

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 another person.

11. (1) No assistant, whether paid or not, shall be employed in the business except with the approval of the Board and subject to possession of a health certificate.

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

Hawkers 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 fifty yards of any market of the Board.

No hawking during certain hours.

14. No person shall hawk between 12.00 o'clock midnight and 6.00 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 one hundred dollars.

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;

(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.

Repeal and Replacement. [See L. 20/68.]

18. Part XI of the Labuan Town Board (General) By-laws, 1957 is repealed.

FIRST SCHEDULE
LABUAN TOWN BOARD
APPLICATION FOR HAWKER'S LICENCE
(BY-LAW 4)

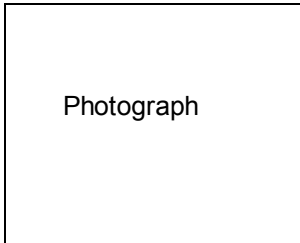
Name :
Address :
Age :
Identity Card No.
Length of Residence in Labuan :
Length of Residence in Sabah :
Number of Dependants :
Financial and Domestic Status :
Type of Commodities to be hawked :
Area :
Name of Assistant if any :
Address :
Age :
Identity Card No.
Date :

Signature.

SECOND SCHEDULE
LABUAN TOWN BOARD
HAWKER'S LICENCE
(BY-LAW 5)

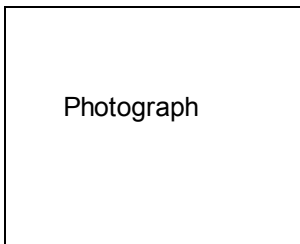
Licence No.

Name : Sex :
Identity Card No Age :
Address :
Goods to be hawked :



.....
Not Static
Area Permitted : Static
Place of Preparation of Food :

Licence fee \$30.00 per quarter.



Name of Assistant :
Address :
Age : Sex :
Identity Card No.

Signed :

Executive Officer.

Dated :

Valid Until

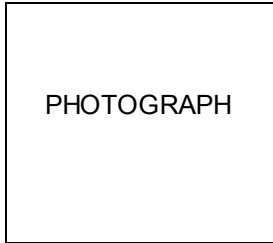
Receipt No. with dates

.....
.....
.....
.....

(This licence must be displayed conspicuously).

THIRD SCHEDULE
LABUAN TOWN BOARD
HEALTH CERTIFICATE
(BY-LAW 6)

Name : Sex :
 Identity Card No. Age :
 Address :
 Place of Employment :
 Class of Licence :
 Place of Preparation of Food :



M. O.'S COMMENTS: DATE : <p style="text-align: center;">M. O.'S STAMP</p>	M. O.'S COMMENTS: DATE : <p style="text-align: center;">M. O.'S STAMP</p>
M. O.'S COMMENTS: DATE : <p style="text-align: center;">M. O.'S STAMP</p>	M. O.'S COMMENTS: DATE : <p style="text-align: center;">M. O.'S STAMP</p>

Dated at Labuan, this 30th day of April, 1968.

O. K. K. ABDULLAH BIN ANSON,
Chairman, Labuan Town Board.

I approve the foregoing By-laws.

Dated at Kota Kinabalu, this 19th day of June, 1968.

HABIB ABDUL RAHMAN H. MAHMUD,
Minister of Local Government.

November 2008