

**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 (HOTELS AND LODGING HOUSES) 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 (hereinafter referred to as the Board) has made the following By-laws:-

#### **Title and commencement.**

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

#### **Interpretation.**

2. A "lodging house" means a building or part thereof in which persons are accommodated for a payment, and
- (a) in which the sleeping accommodation may be occupied by two or more persons though strangers to one another; or
  - (b) which may be occupied by four or more persons not of the same family:

Provided that nothing herein shall include –

- (i) any house provided by an employer for the accommodation of his employees;
- (ii) any hotel.

#### **Licence for hotel or lodging house.**

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

#### **Grant of licence.**

4. 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 First Schedule to these By-laws and shall not be issued until the Fire Authority shall have certified that the fire precautions are adequate having regard to the maximum numbers of persons which may be accommodated on the premises.

#### **Health certificate.**

5. (1) An application for a licence or for a renewal thereof shall forward a certificate of health in the form of the Second Schedule hereto from a Government Medical Officer or registered medical practitioner in respect of each person employed on the premises.

(2) Such certificate shall be endorsed annually by a Government Medical Officer or a registered medical practitioner or more often if required by the Board and the Board may require any person employed in a Hotel or lodging house to have a full medical examination at any time.

**Duration of licence.**

6. 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.**

7. The following fees are payable for licences —

(i) for a hotel, a monthly fee at the following rate per bedroom, not being a bedroom ordinarily occupied by any member of the hotel management:-

1st class hotel	\$150.00 per room per month based on occupancy rate.
2nd class	\$100.00 per room per month based on occupancy rate.
3rd class	\$30.00 per room per month.

(ii) for lodging house \$30.00 per room per month.

**Number of persons in bedrooms.**

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

**Cleanliness.**

9. (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.

Provided that bathrooms and kitchens tiled to a height of not less than five feet above floor level and with tiled floors may be exempted by the Board in writing from this requirement.

**Hotel and lodging house registers.**

10. (1) A licensee of a hotel or lodging house shall keep a register in which shall be entered the name, sex, nationality, occupation, identity card or travel document number, 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.

(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, by any Health Officer and any Board Inspector who may take extracts therefrom.

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 dollars, and in the case of a continuing offence a fine of twenty-five dollars 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;

(c) if, on the certificate of a Government Medical Officer the premises are declared to be insanitary or a danger to public health; or

(d) if, the licensee is convicted of an offence under the Fire Prevention Ordinance, Cap. 47 or rules and regulations made thereunder.

#### **Repeal and Replacement.**

13. The By-laws under *Gazette* Notification No. S 49 of 1960 is hereby revoked.

FIRST SCHEDULE  
LABUAN TOWN BOARD  
HOTEL / LODGING LICENCE  
(BY-LAW 4)

Licence No.

Name : ..... Sex : .....  
Identity Card No. .... Age : .....  
Valid from : ..... to : .....  
Premises : .....  
Amount paid \$ .....  
Receipt No. .... dated : .....



Signed : .....

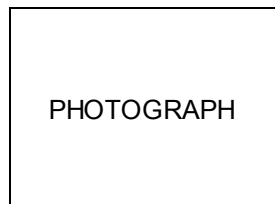
*Executive Officer.*

Dated : .....

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



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



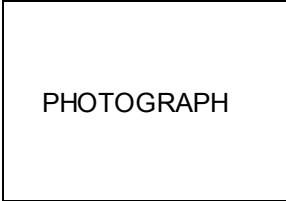
Name : .....  
Identity Card No. ....  
Age : ..... Sex : .....  
Address : .....



(This licence must be displayed conspicuously)

SECOND SCHEDULE  
 LABUAN TOWN BOARD  
 HEALTH CERTIFICATE  
 (BY-LAW 5 (1))

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



M. O.'S COMMENTS: DATE : ..... M. O.'S STAMP	M. O.'S COMMENTS: DATE : ..... ..... M. O.'S STAMP
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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