

**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 (MARKETS) 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 (Markets) 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;

"fish" includes crabs and shell fish;

"goods" includes food;

"licensee" means the holder of a licence under these By-laws;

"market" means any of the markets specified in the First Schedule to these By-laws;

"sale" includes expose or offer for sale.

Sale in markets.

3. No goods shall be sold in a market except in accordance with these By-laws.

Hours of business.

4. (1) A market shall be opened for business daily from 5.30 a.m. to 7.00 p.m. unless otherwise directed by the Board.

(2) No sale shall take place in a market or part of a market except when it is open for business.

Certain foodstuffs not to be sold outside markets.

5. No fresh fish, fresh beef, fresh mutton, fresh pork, fresh venison, fresh poultry, live poultry, fresh vegetables and

fresh fruits shall be sold by retail other than in a market in accordance with the written permission of the Board:

Provided that this By-law shall not apply —

- (a) to the sale of fresh fish to fish curers;
- (b) to any refrigerated food.

Certain meat not to be sold in markets.

6. No fresh beef, fresh mutton or fresh pork shall be sold in a market unless it is from the carcass of animals slaughtered in slaughterhouses permitted under the Public Health Ordinance, 1960 [*Ord. No. 7 of 1960.*].

Allocation of stalls.

7. The Board may allocate in market stalls of the following descriptions for the sale of particular goods —

- (a) Fish stalls, for the sale of fresh fish;
- (b) Meat stalls, for the sale of meat other than pork;
- (c) Pork stalls, for the sale of pork;
- (d) Poultry stalls (or cages), for the sale of poultry or other birds and eggs;
- (e) Vegetable stalls, for the sale of vegetables, fruits and eggs;
- (f) Sundry stalls, for the sale of eggs, flowers, cigarettes, tobacco, fruits, ropes, sweets, matches, manufactured rottan goods and such other goods as may be specified on the licence;
- (g) Food stalls, for the sale of such cooked food as may be specified on the licence.

Letting of Stalls.

8. The Board may let the stalls on licences.

Application for licences.

9. An application for a licence for a stall shall be in writing, and shall specify the goods the applicant proposes to sell and shall be accompanied by two photographs of the applicant.

Grant of licences.

10. 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 Second Schedule to these By-laws.

Health certificate.

11. If the Board so requires, an applicant for a licence or for a renewal thereof shall forward a certificate of health in the form of the Third Schedule hereto from a Government Medical Officer or registered medical practitioner in respect of each person employed in the business of the applicant. 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.

12. 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.

Licence not to be transferred.

13. No licensee shall transfer or otherwise part with the possession of his licence to another person.

Stallage rents.

14. (1) The rents to be charged for stalls and coldrooms shall be as set out in the Fourth Schedule to these By-laws.

(2) Rents shall be payable quarterly and shall be payable in advance.

(3) If a rent 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 rent is not paid by the end of the quarter in which it is due, the licence shall be deemed to be cancelled.

Licensee to exhibit all goods on stalls.

15. All goods for sale shall be exhibited on stalls and not otherwise, and shall be so placed as not to project beyond the line of the stall.

Sale from stalls.

16. No goods shall be sold from a stall other than those for which it is licensed, and no licensee shall use any stall other than that allocated to him.

Licensee not to keep or leave goods on the floor.

17. No licensee shall keep or leave goods or receptacles on the floor of a market except at places approved by the Board.

Employment of assistant.

18. No assistant, whether paid or not, shall be employed in the business of a licensee 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.

Stalls to be kept clean.

19. (1) Every licensee shall always keep his stall in a clean and orderly condition, and shall wash his stall, the floor below his stall and the adjoining passage and drains every day within half an hour after a market is closed for

business.

- (2) A licensee shall remove his goods whenever required by the Board to enable a market to be thoroughly cleaned.

Lock-up shops and storage places.

20. The Board may provide lock-up shops and storage places in a market which may be let or used upon such conditions as the Board may determine.

Refuse.

21. (1) No person shall deposit any refuse or litter in any place in or in the surroundings of a market except in bins or chutes provided for the purpose.

(2) No article or thing shall be thrown, left or otherwise disposed of in the passage, drains or surroundings of a market.

Handicraft.

22. No person shall carry on any handicraft in a market without the written permission of the Board.

Liquor.

23. No person shall keep or consume liquor in a market.

Fires and cooking.

24. No fire or cooking shall be permitted in a market except in places provided by the Board, without the written approval of the Board.

Animals.

25. No person may bring any live animal into a market other than poultry.

Obstruction.

26. No person shall in any way cause any obstruction in the market.

Directions.

27. All persons using a market shall comply with such directions as may be given by an officer of the Board for the purpose of preserving cleanliness and order in the market.

Sun-blind, etc.

28. No person shall erect any sun-blind or any temporary or permanent structure in a market without written approval of the Board.

Water supply.

29. The water supply in a market is subject to the absolute control of the Board.

Sleeping in the market.

30. No person shall lounge or sleep in a market at any time and no person shall remain in a market at night except a watchman approved in writing by the Board.

Penalty.

31. 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.

Cancellation of licence.

32. 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 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.]

33. Part I of the Labuan Town Board (General) By-laws, is repealed.

FIRST SCHEDULE

LABUAN TOWN BOARD MARKETS

The market buildings and areas shows on Survey Lot No. 2822 of Plan No. 9463 deposited with the Director of Lands and Surveys.

SECOND SCHEDULE
LABUAN TOWN BOARD
MARKET LICENCE
(BY-LAW 10)

Licence No.

Name : Sex :
 Identity Card No. Age :
 Address :
 Allocation to Fish/Vegetable/Pork/Meat/Poultry Sundry/Food Stall
 No. of the Labuan Market
 Licence fee paid \$ quarterly
 Receipt No. dated for 1st Quarter.
 Receipt No. dated for 2nd Quarter.
 Receipt No. dated for 3rd Quarter.
 Receipt No. dated for 4th Quarter.

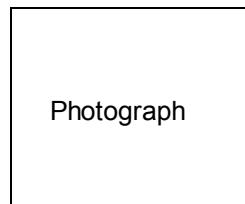


Signed :

Executive Officer

Dated :

(1) Name of Assistant :
 (2) Address :
 (3) Sex :
 (4) Identity Card No.



THIRD SCHEDULE
LABUAN TOWN BOARD HEALTH CERTIFICATE
(BY-LAW 11)

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

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

Subs by L. 28/83FOURTH SCHEDULE
LABUAN MUNICIPAL COUNCIL MARKET STALL RENTAL
(BY-LAW 14 (1))

	Per quarter per stall \$
Vegetable/Fruits	270.00
Flowers	60.00
Sundries	90.00
Rice	60.00
Cake/bread	60.00
Coffee powder	90.00
Newspaper	90.00
Spices	90.00
Tobacco	90.00
Poultry	270.00
Beef	540.00
Pork/roasted pork	360.00
Fish	360.00
Salted Fish	150.00
Cold room	3.00

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