

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

THE LAHAD DATU DISTRICT COUNCIL (DEALING IN SCRAP) BY-LAWS, 1991

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

1. Title and commencement.

These By-laws may be cited as the Lahad Datu District Council (Dealing in Scrap) By-laws 1991 and shall come into operation on the date of publication in the *Gazette*.

2. Interpretation.

In these By-laws, "dealing in Scrap" means the buying of scrap materials of whatever kind except rubber scrap.

3. Licence for dealing in scrap.

No person may deal in scrap except in accordance with a licence granted by the Council.

4. Application for licence.

(1) An application for a licence shall be in writing and shall –

- (a) state the age of the applicant;
- (b) describe the proposed place of business; and
- (c) describe the kind of scrap which the applicant proposes to deal in.

(2) The Council may refuse or reject any application at its absolute discretion without assigning any reason thereto.

(3) A licence granted under this by-law shall be in the form prescribed in the Schedule.

5. Duration of licence.

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.

7. Fee [Am. G.N.L 22/76; mod. Act 160.].

The annual fee for a licence shall be one hundred and twenty ringgit:

Provided that for any licence granted after the 31st day of January of each year the fee shall be ten ringgit per month or part thereof.

7. Register of purchases.

(1) Every licensee under these By-laws shall maintain a register which shall record:

- (a) all purchases made by the licensee;
- (b) the name and address of the vendor;
- (c) the type and kind of scrap; and

(d) the quantity and purchase price of the scrap.

(2) Such register shall be open to inspection by any officers of the Council at any time during business hours.

8. Inspection of scrap.

A licensee shall not remove, treat or dispose of any scrap from or in the licensee's premises in any case where the Council has notified its intention of inspecting such scrap.

9. Licence not transferable.

Any person granted under these By-laws shall not be transferable or assignable.

10. Penalty [Mod.].

Any person contravening any of the provisions of these By-laws shall be guilty of an offence and shall be liable to a fine of five thousand ringgit.

11. Cancellation of licence.

The Council may cancel or suspend a licence if the licensee or any assistant of the licensee is convicted of any offence under these By-laws.

SCHEDULE

LAHAD DATU DISTRICT COUNCIL DEALING IN SCRAP LICENCE
(By-law 4(3))

Name: Sex:

Identity Card No: Age:

Premises:

Valid from: to

Receipt No: for \$.....

Dated at Lahad Datu this 11th day of August, 1992.

MICHEAL EMBAN,
Chairman,
Lahad Datu District Council.

I approve the foregoing By-laws.

Dated at Kota Kinabalu, this 14th day of September, 1992.

DATUK AHMAD BAHROM BIN
DATUK HJ. ABU BAKAR TITINGAN,
Minister of Local Government and Housing.