

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

**PENAMPANG DISTRICT COUNCIL  
(FOOD AND EATING PREMISES) BY-LAWS 1978  
(G.N.L 42 of 1978)**

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

**Title and commencement.**

1. These by-laws may be cited as the Penampang District Council (Food and Eating Premises) By-laws 1978 and shall come into operation on the 1st day of October 1978.

**Licences.**

2. No person shall carry on the business of a cookshop, eating-shop, coffee shop, food stall, restaurant or bakery or any club where food is served, except in accordance with a licence granted by the Council.

**Application for licence.**

3. An application for a licence shall be in writing and shall be accompanied by four photographs of the applicant.

**Grant of licence.**

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

**Health certificate.**

5. If the Council so requires, an applicant 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.**

6. Every licence granted under these By-laws shall expire on the 31st day of December as the case may be, of each year.

**Fee.**

7. The yearly fee for a licence is sixty ringgit.

**Licence not to be transferred.**

8. No licensee shall transfer or otherwise part with the possession of his licence to any unauthorised person.

**Employment of assistants.**

9. (1) No licensee shall engage any assistant, whether paid or not, except with the approval of the Council.

(2) If the Council gives approval, the name, address and a photograph of the assistant shall be affixed to the licence by an officer of the Council.

**Penalty.**

10. 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 or two weeks imprisonment in default of payment.

**Cancellation of licence.**

11. The Council may cancel or suspend a licence 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
- (iii) on the certificate of a Government Medical Officer or a registered medical practitioner, is suffering from a contagious or infectious disease.

**Repeal.**

12. Part II of the Kota Kinabalu Town Board (General) By-laws 1956 [G.N.S. 29/56.] made applicable to the Kota Kinabalu Rural District Council under G.N. No. S 69 of 1958 is hereby repealed.

Dated at Penampang this 13th day of June 1978.

FREDERICK TAN,  
*Chairman,*  
*Kota Kinabalu Rural District Council.*

I approve the foregoing By-laws.

Dated at Kota Kinabalu this 29th day of August 1978.

JOSEPH PAIRIN KITINGAN,  
*Minister of Local Government and Housing.*