

PITAS DISTRICT COUNCIL (FOOD AND EATING PREMISES) BY-LAWS 2010

In exercise of the powers conferred upon him by section 50(1) of the Local Government Ordinance 1961, the Pitass District Council makes the following by-laws:

Citation

1. These by-laws may be cited as the Pitass District Council (Food and Eating Premises) By-laws 2010.

Interpretation

2. In these By-laws –

“Council” means the Pitass District Council;

“food and eating premises” means any building, structure, place, tent, five-foot way, open area or space carrying out the business of a cookshop, eating shop, coffee shop, food stall, restaurant or bakery and includes any recreation club where food is served;

“licensee” means any person who holds a licence under these By-laws.

Licence

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

Application for licence

4. An application for a licence shall be in writing and shall be accompanied by four passport-sized photographs of the applicant.

Issuance of licence

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

Health certificate

6. 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

7. Every licence shall, subject to the provisions of these By-laws, expire on December of the year in which it is issued.

Licence fee

8. The annual fee for a licence is sixty ringgit.

Licence not to be transferred

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

Proper lighting, ventilation, cleanliness, etc.

10. (1) No premises shall be licensed as a food and eating premises unless the construction, paint work, lighting, ventilation, cleansing, draining, sanitation and water supply thereof and utensils, articles and materials used therein are satisfactory in the opinion of the Council.

(2) All such premises shall be kept clean and in sanitary condition and be white washed or painted at least once a year or at any other time when the Council may by notice in writing so require.

Inspection

11. All such premises shall at all time be open for inspection by any officer of the Council.

Employment of assistant

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

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

No employment of persons suffering from disease

13. No licensee shall employ any person suffering from any disease or infectious disorder, or having recently been in contact with person so suffering, to handle food or to take part in or assist in any way in the preparation or sale of food or drink.

Articles of food unfit for human consumption

14. No licensee shall, without lawful excuse, have in his possession any article of food intended for human consumption which is unsound or unfit for human consumption.

Exhibition of licence

15. Every licensee shall exhibit his licence at all times in a conspicuous place so as to be visible to every person entering the premises.

Cancellation or suspension of licence

16. The Council may cancel or suspend a licence if the licensee or any assistants or any workers of the licensee –

- (a) is convicted of any offence under these By-laws; or
- (b) if, on the certificate of a Government Medical Officer or a registered medical practitioner, the licensee is suffering from an infectious disease.

Penalty

17. Any person who contravenes any of the provisions of these By-laws commits an offence and shall on conviction be liable to a fine not exceeding twenty thousand ringgit.

Compounding of offences

18. (1) Notwithstanding any provision of these By-laws, any officer of the Council may in his discretion compound any offences under these By-laws by collecting from a person reasonably suspected of having committed the offence a sum not exceeding five hundred ringgit.

(2) On payment of such sum, an official receipt will be issued and no further proceedings shall be taken against the person in respect of such offence.

Made this 9th April 2010.

SAPDIN BIN IBRAHIM,
Chairman,
Pitas District Council.

I approve the foregoing By-laws.

Dated 9th April 2010.

DATUK HAJI HAJIJI HAJI NOOR,
Minister of Local Government and Housing.