

LOCAL GOVERNMENT ORDINANCE 1961

(No. 11 of 1961)

TENOM DISTRICT COUNCIL (LIQUORS) BY-LAWS 1967

(G.N.L 15 of 1967)

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

Title and commencement.

1. These by-laws may be cited as the Tenom District Council (Liquors) By-laws 1967 and shall come into operation on the 1st day of July 1967.

Interpretation.

2. In these By-laws —

"liquors" means alcoholic liquors customarily consumed by natives other than distilled liquors;

"liquor-shop licence" means a licence granted under these By-laws for the sale by retail of liquors for consumption on or off the premises where they are sold;

"retail-shop licence" means a licence granted under these By-laws for the sale by retail of liquors for consumption elsewhere than on the premises or at the place where they are sold.

Licence for manufacture and sale of liquors.

3. No person shall manufacture or sell alcoholic liquors except in accordance with a licence granted by the Council:

Provided that nothing in these By-laws shall prevent a native from making, preparing or fermenting non-distilled liquors not intended for sale.

Application for licence.

4. An application for a licence shall be in writing and shall state the race of the applicant, the proposed place of business and the kinds of liquors in which he proposes to deal.

Grant of licence.

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

Provided that no licence shall be granted to a non-native.

Duration of licence.

6. Every licence granted under these By-laws shall be quarterly and shall expire on the 31st day of March, 30th day of June, 30th day of September, or the 31st day of December, as the case may be, of each year.

Fee.

7. The fee for a licence shall be as follows and shall be payable quarterly in advance —

			RM <i>per month</i>
(i)	for a licence to manufacture liquors	...	5.00
(ii)	for a liquor-shop licence	...	10.00
(iii)	for a retail-shop licence	...	5.00

Health certificate.

8. 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.

Employment of assistants.

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

Licence not to be transferred.

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

Penalty.

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 two hundred ringgit.

Cancellation of licence.

12. The Council 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 liquors 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.