

LOCAL GOVERNMENT ORDINANCE 1961

(No. 11 of 1961)

UNIFORM (TAMU) BY-LAWS 2014

ARRANGEMENT OF BY-LAWS

By-Law

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In exercise of the power conferred by section 50A of the Local Government Ordinance 1961, the Minister of Local Government and Housing makes the following By-laws:

Citation and commencement

1. (1) These by-laws may be cited as the Uniform (Tamu) By-laws 2014.
- (2) These By-laws come into operation on the date of its publication in the *Gazette*. (c.i.f. 28 April 2015)

Application

2. These By-laws shall be applicable to areas under the jurisdiction of the Local Authority.

Interpretation

3. In these By-laws, unless the context otherwise requires:
 - "goods" means any goods mentioned in paragraph 5 (1);
 - "Local Authority" means an Authority as defined under section 2 of the Local Government Ordinance 1961; and
 - "tamu" means an open air market established and declared by the Local Authority to be a tamu by notice posted on the notice board of the Local Authority and at the tamu ground.

Licence

4. (1) No person shall sell any goods in any tamu except with a licence issued by the Local Authority at its discretion and subject to such conditions as may be imposed.
- (2) The licence shall be in such form as determined by the Local Authority.

Licence fee

5. (1) The licence fees shall be as follows:

	<i>RM</i> <i>per month</i>
(a) Cooked foods (noodle soup or fried, cooked rice, etc.)	5.00
(b) Local products (vegetables, fruits, tobacco, etc.) not being imported	5.00
(c) Fish, meat, mutton, fowls, etc.	5.00
(d) Manufactured products (such as clothes, straw hats, basketries, etc.)	5.00
(e) Any other goods permitted by the Local Authority	5.00

(2) For temporary sale of any goods in any open space without stall being provided by the Local Authority in any tamu ground within the Local Authority's area, a fixed daily licence fee of two ringgit per day.

Rental of stalls

6. The rental charge for each stall provided by the Local Authority shall be five ringgit per day.

Tamu days

7. The tamu days shall be determined by the Local Authority and to be declared together in the notice declaring a place to be a tamu.

Commencement time

8. All tamu shall commence at a time determined by the Local Authority and to be declared together in the notice declaring a place to be a tamu.

Tamu Master

9. The Local Authority may in writing appoint any person to be a Tamu Master for a tamu who shall be in charge with the keeping of order and the general management of the tamu.

Cancellation or suspension of licence

10. The Local Authority 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 medical practitioner registered under the Medical Act 1971 (*Act 50*), the licensee is suffering from an infectious disease.

Penalty

11. Any person -

- (a) sells any goods in any tamu without a licence;
- (b) sells or in his unlawful possession of any products or animals lawfully prohibited to be sold or consumed under any written laws;
- (c) takes or attempts to take into any tamu as intoxicating liquor;
- (d) constructs or extends any tamu stall without the prior written approval of the Local Authority;
- (e) has in his unlawful possession in any tamu any fireworks, firearms, or any offensive weapons;

- (f) does not comply with provisions of these By-laws; or
- (g) does not comply with the conditions of a licence issued under these By-laws,

commits an offence and shall on conviction be liable to a fine not exceeding twenty thousand ringgit or to imprisonment for a term not exceeding one year or both and, in the case of a continuing offence, a fine of not exceeding five hundred ringgit for everyday during which such offence is continued.

Compounding of offences

12. (1) Any officer of the Local Authority duly authorized by him in writing may compound any offence under these By-laws by issuing a notice to compound to any person reasonably suspected of having committed such offence an amount not exceeding five hundred ringgit within the time specified in the offer.

(2) An offer under paragraph (1) may be made at any time after the offence has been committed but before any prosecution for it has been instituted, and if the amount specified in the offer is not paid within the period specified in the offer or within such extended period as the Local Authority may grant, prosecution for the offence may be instituted at any time after that against the person to whom the offer was made.

(3) On payment of the compound, no further proceeding shall be taken against such person in respect of that offence.