



LAWS OF MALAYSIA

ONLINE VERSION OF UPDATED
TEXT OF REPRINT

Act 248

INNKEEPERS ACT 1952

As at 1 December 2012

INNKEEPERS ACT 1952

First enacted	...	...	...	...	...	...	1952 (F.M. Ordinance No. 16 of 1952)
Revised	...	...	...	...	...	...	1980 (Act 248 w.e.f. 14 May 1981)

PREVIOUS REPRINTS

First Reprint 2001

Second Reprint 2006

LAWS OF MALAYSIA**Act 248****INNKEEPERS ACT 1952**

ARRANGEMENT OF SECTIONS

Section

1. Short title and application
2. Interpretation
3. Power of sale of goods deposited with innkeeper
4. Limitation of innkeepers' liability
5. Refusal to accept property for safe custody
6. Copy of section 4 to be exhibited
7. Repeal

LAWS OF MALAYSIA**Act 248****INNKEEPERS ACT 1952**

An Act to provide for the relief of innkeepers.

[29 May 1952]

Short title and application

1. (1) This Act may be cited as the Innkeepers Act 1952.
- (2) This Act applies to Peninsular Malaysia only.

Interpretation

2. In this Act, unless the context otherwise requires—

“goods” means any movable property;

“inn” means any hotel, boarding-house or other place where any person is harboured or lodged for any kind whatsoever of hire or reward and where any domestic service whatsoever is rendered by the owner, lessee, principal tenant, occupier or manager to the person so harboured or lodged, licensed under any written law for the time being in force in Peninsular Malaysia;

“innkeeper” means the keeper of any such inn and includes a company or corporation;

“manager” means the agent or servant of the innkeeper for the time being in charge of the inn or any person duly appointed by the innkeeper to receive the goods of his guests for safe custody;

“Peninsular Malaysia” has the meaning assigned thereto in section 3 of the Interpretation Acts 1948 and 1967 [*Act 388*], and includes the Federal Territory.

Power of sale of goods deposited with innkeeper

3. An innkeeper shall, in addition to his ordinary lien, have the right absolutely to sell by public auction any goods which may have been deposited with him or left in the inn he keeps or in any garage, car park or other premises appurtenant thereto where the person depositing or leaving such goods shall be or become indebted to the said innkeeper for any board or lodging:

Provided that—

- (a) no such sale shall be made until after the said goods shall have been for the space of six weeks in such charge or custody or in or upon such premises without such debt having been paid or satisfied;
- (b) the innkeeper, after having out of the proceeds of such sale paid himself the amount of any such debt, together with the costs and expenses of any such sale, shall on demand pay to the person depositing or leaving any such goods the surplus (if any) remaining after such sale;
- (c) the debt for the payment of which a sale is made shall not be any other or greater debt than the debt for which the goods could have been retained by the innkeeper under his lien;
- (d) at least one month before any such sale the innkeeper shall cause to be inserted in a newspaper circulating in Malaysia an advertisement containing notice of such intended sale, and giving shortly a description of the goods intended to be sold, together with the name of the owner or person who deposited or left the same where known.

Limitation of innkeepers' liability

4. No innkeeper shall be liable to make good to any guest of such innkeeper any loss of or injury to goods brought to his inn, not being a horse or other live animal, or any gear appertaining thereto or any car or carriage, to a greater amount than the sum of five hundred ringgit, except in the following cases:

- (a) where such goods shall have been stolen, lost or injured through the wilful act, default or neglect of such innkeeper or any servant in his employ;
- (b) where such goods shall have been deposited expressly for safe custody with such innkeeper or his manager:

Provided always that in the case of such deposit it shall be lawful for such innkeeper or his manager, if he thinks fit, to require, as a condition of his liability—

- (i) that the guest shall at the time of such deposit declare the value of such goods,
- (ii) that such goods shall be deposited in a box or other receptacle, fastened and sealed by the person depositing the same:

Provided always that the innkeeper or his manager may refuse to receive for safe custody under this section goods of any one guest the declared value of which exceeds five thousand ringgit, and that he shall in no case be liable for loss of or injury to goods so deposited by a guest to an amount exceeding the declared value thereof.

Refusal to accept property for safe custody

5. If any innkeeper or his manager shall refuse to receive for safe custody, as before mentioned, any goods of his guest the declared value of which does not exceed five thousand ringgit, or if any such guest shall, through any default of such innkeeper or manager, be unable to deposit such goods as aforesaid, such innkeeper shall not be entitled to the benefit of this Act in respect of such goods.

Copy of section 4 to be exhibited

6. Every innkeeper shall cause at least one copy of section 4 of this Act printed in plain type to be exhibited in a conspicuous part of the hall or entrance to his inn, and he shall be entitled to the benefit of this Act in respect of such goods only as shall be brought to his inn while such copy shall be so exhibited.

Repeal

7. The Innkeepers' Liability Ordinance of the Straits Settlements [S.S. *Cap.* 58] is hereby repealed.
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LAWS OF MALAYSIA**Act 248****INNKEEPERS ACT 1952****LIST OF AMENDMENTS**

Amending law	Short Title	In force from
Act 160	Malaysia Currency (Ringgit) Act 1975	29-08-1975

LAWS OF MALAYSIA**Act 248****INNKEEPERS ACT 1952****LIST OF SECTIONS AMENDED**

Section	Amending authority	In force from
4	Act 160	29-08-1975
5	Act 160	29-08-1975
