

## HONIARA (HAWKERS) (AMENDMENT) ORDINANCE 2023

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### HONIARA CITY ACT 1999

(NO. 2 OF 1999)

## HONIARA (HAWKERS) (AMENDMENT) ORDINANCE 2023

In exercise of the powers under sections 34 and 35 of the *Honiara City Act 1999*, the Honiara City Council makes the following Ordinance:

### 1 Citation

This Ordinance may be cited as the *Honiara (Hawkers) (Amendment) Ordinance 2023*.

### 2 Commencement

This Ordinance commences on the date it is published in the Gazette.

### 3 Modification of By-laws to Ordinance

Pursuant to section 51(f) of the *Honiara City Act 1999*:

- (a) the name “The Honiara (Hawkers) By-laws” is modified to “Honiara (Hawkers) Ordinance”; and

- (b) for the purposes of subsection (a), a reference to “by-law” or “by-laws” in the Principal Ordinance is modified to be replaced by “Ordinance” or “section of the Ordinance”, whichever appropriately meets the reference, and any such reference shall be read and construed, with modifications (if any), as a reference to the relevant section or provision of the Principal Ordinance.

**4 Principle Ordinance amended**

The *Honiara (Hawkers) Ordinance* (“**Principal Ordinance**”) is amended.

**5 Section 3(2) amended**

Section 3(2) of the Principal Ordinance is amended by:

- (a) deleting “and liable to a fine of ten dollars and, in default of payment, to imprisonment for three weeks.”; and
- (b) insert after subsection (2) the following:  
 “Maximum penalty: 1,000 penalty units or imprisonment for 3 weeks, or both.”.

**6 Section 7 repealed and replaced**

Section 7 of the Principal Ordinance is repealed and replaced with the following:

**“7. Law Enforcement Officers**

- (1) It shall be lawful for a law enforcement officer at all reasonable times to demand the production of any hawker’s licence for inspection and to make any enquiries that he thinks fit to ascertain whether any breach of these By-laws has been committed.
- (2) If any person obstructs, resists or hinders a law enforcement officer acting in the due exercise of any of his or her powers under these Ordinance, or makes any false statement to a law enforcement officer, or refuses or fails without lawful excuse to produce any licence which he is duly required to produce, he shall be guilty of an offence and liable to a fine of twenty dollars or in default of payment to imprisonment for six weeks.”

PASSED by the Honiara City Council on thirteenth-day of November 2023.

**EDDIE SIAPU**  
 Mayor of Honiara City

ASSENTED to by the Minister on thirteenth-day of November 2023.

**HON. CHRISTOPHER LAORE**  
 MINISTER FOR HOME AFFAIRS

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