

[Legal Notice No. 173]

**PASSENGER LEVY ORDINANCE**

**PROVINCIAL GOVERNMENT ACT 1997**

**THE MAKIRA ULAWA PROVINCE PASSENGER LEVY  
ORDINANCE 2001**

**An Ordinance to provide for the collection of passenger levies in the Makira  
Ulawa Province.**

**ENACTED by the Makira Ulawa Provincial Assembly**

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## ARRANGEMENT OF SECTIONS

SECTIONS

1. Title and Commencement
2. Interpretation
3. Passenger Levy
4. Notice to Collect and Decrease/Increase Levy
5. Collection and Remittance
6. Offences
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Title and  
Commencement

1. This Ordinance shall be cited as the Makira Ulawa Province Passenger Levy Ordinance 2001 and shall come into force upon the approval by the Minister in accordance with Section 30(2) of the Provincial Government Act 1997.



2. In this Ordinance except where the context otherwise requires:

“Assembly” means the Makira Ulawa Provincial Assembly.

“Company/ies” means any shipping company/ies or any charterer of a ship which engages in carrying of passengers within and to and from Makira Ulawa Province.

“Minister” means the Minister of Provincial Government and Rural Development.

“Provincial Secretary” means the Provincial Secretary of Makira Ulawa Province.

“Provincial Principal Accountant” means the Provincial Principal Accountant of Makira Ulawa Province.

“Passenger Levy” means the rate defined and imposed by Section 3.1 subject to variations as may have been agreed to by the Assembly under Section 3.2.

Passenger Levy

- 3.1 Every person travelling on a ship within Makira Ulawa Province shall be liable to pay a levy of two dollars (\$2.00) per head and every person travelling to or from another province shall be liable to pay in addition to his/her normal seafare a passenger levy of four dollars (\$4.00) per head.

- 3.2 The Assembly may increase or decrease the levy by regulation.
4. The Provincial Secretary shall give one (1) months notice to companies to collect levies and for any increase or decrease approved pursuant to Section 3.2. Notice to Collect Air  
Decrease/ Increase  
Levy
- 5.1 All Shipping companies operating within or between Makira Ulawa Province and any other province shall collect in addition to the normal seafare charged, a passenger levy as stipulated under Section 3.1 of this Ordinance. Collection and  
Remittance
- 5.2 Each company shall retain levies collected in its Bank accounts and shall remit to the Provincial Principal Accountant not later than the 15th day of each month the total amount of levies collected during the last proceeding month.
- 5.3 Any company which fails to comply with Sections 5.1 and 5.2 hereof shall be liable to pay to the Provincial Principal Accountant a penalty of twenty dollars (\$20.00) per day in addition to unpaid levies for each day such failure continues after the due date for payment specified in Section 5.2 hereof.
- 5.4 Each monthly remittance shall be accompanied by copies of respective passenger lists showing which passengers have paid the levy.
- 5.5 Shipping companies which charter its ship(s) to a charterer shall collect the levy from the charterer and shall also collect copies of the passenger list from the charterer and shall submit these to the province as specified in Section 5.2 of this Ordinance.
- 6.1 Any person who fails, or refuses to pay or assists someone not to pay the levy is guilty of an offence and is liable to a fine not exceeding \$500.00 or four (4) months imprisonment or to both such fine and imprisonment. Offences
- 6.2 Any company which:
- (a) Fails or refuses to collect the levy; or
  - (b) Fails to remit to the Provincial Principal Accountant such levies as required under Section 5.2; or
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- (c) Fails to accompany each remittance with a passenger list as required under Section 5.4; or
- (d) Fails to pay a penalty as required under Section 5.3 is guilty of an offence and is liable to a fine not exceeding \$10,000.00.

7. The Executive may make Rules, Regulations or Orders as are expedient Regulations to carry out the provisions of this Ordinance.

Passed by the Makira Ulawa Provincial Assembly.

This nineteenth day of December, 2001.

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Clerk to Assembly

Assented to by the Ministry of Provincial Government and Constituency Development.

This eleventh day of October, 2004.

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Minister of Provincial Government and Constituency Development

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